

AGENDA
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
May 26, 2022

The Executive Committee of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, May 26, 2022, at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, as well as, via teleconference/webinar.

Use the following information to register for the meeting:

https://us06web.zoom.us/join/zoom/register/tZMvfU6pqjwoEtQlfhYe1TAriOz_xrb6vGWg

If you experience issues while registering, please contact Marla Matthews no less than two (2) workdays prior to the meeting at 903.255.3555 or mmatthews@atcog.org

Item 1. Call to order – Quorum Determination.

Item 2. Invocation.

Item 3. Public Comment.

ATCOG invites members of the public to provide oral comment on any item included on this agenda under this item. Each person wishing to make a public comment shall be limited to 3 minutes, with comments directed to the Board as a whole. Reasonable accommodation shall be made for members of the public utilizing a translator for public comment.

Item 4. Review and consider approval of the minutes as submitted for the ATCOG Executive Committee meeting held Thursday, April 28, 2022. (See page 3)

Regular Business

Item 5. Review and consider approval of public input and approval of the 2023-2024 TxCDBG Community Development Fund Regional Project Priority Scoring for the ATCOG State Planning Region. (See page 6; to be presented by Executive Director Chris Brown)

Item 6. Review and consider approval of a grant application to be submitted to the United Way of Lamar County in the amount of \$1,020 for reserve monthly bus passes for passengers in need. (See page 37; to be presented by staff member Sheena Record)

Item 7. Review and consider approval of the ATCOG Housing Choice Voucher Program Annual Plan. (See page 38; to be presented by staff member Mae Lewis)

Other Business

Item 8. Update and discussion regarding Texas Broadband Development Office and the Texas Rural Funders timeline and details of the IIJA (Infrastructure Investment and Jobs Act), and regional speed testing and mapping improvements. (See page 50; to be presented by Executive Director Chris Brown)

- Item 9. Computerized Criminal History System (CCH) Update. (See page 54; to be presented by staff member Patricia Haley)
- Item 10. Discussion of cybersecurity training requirements for local governments. (See page 55; to be presented by staff member Mary Beth Rudel)
- Item 11. Discussion of Red River Leadership Institute. (See page 56; to be presented by staff member Mary Beth Rudel)

Announcements

The ATCOG Board of Directors meeting will be held on June 30, 2022 10:00 a.m., at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, as well as via teleconference/webinar.

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in an executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 and Section 551.074 arising out of the attorney's ethical duty to advise ATCOG concerning legal issues arising from an agenda item. Any decision held on such a matter will be taken or conducted in an open session following the conclusion of the executive session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Administration at 903-832-8636 two (2) workdays prior to the meeting so that appropriate arrangements can be made.

All agendas are sent electronically and available at www.atcog.org. Should any Board Member need a copy printed and available at the meeting, please call 903.255.3555 or email mmatthews@atcog.or.

MINUTES
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
April 28, 2022

The Executive Committee of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, April 28, 2022, at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, as well as, via teleconference/webinar.

Item 1. Brian Lee, Judge, Titus County, called the meeting to order.

Item 2. Judge Brian Lee gave the invocation.

Item 3. Public Comment.

No members of the public made a comment.

Item 4. Judge Brian Lee recognized the Honorable Becky Wilbanks and expressed the Board's appreciation of her years of service on the ATCOG Board of Directors and Executive Committee. A plaque was presented to Honorable Wilbanks by Judge Brian Lee and Mr. Chris Brown, Executive Director.

Item 5. Mr. Brown, Executive Director, presented the following consent agenda items.

- Approval of the minutes as submitted for the ATCOG Executive Committee meeting held Thursday, February 24, 2022.
- Acceptance of the minutes as submitted for the Regional Criminal Justice Advisory Committee meeting held Thursday, March 31, 2022.
- Acceptance of the minutes as submitted for the Regional Criminal Justice Advisory Committee meeting held Tuesday, April 5, 2022.

Motion to approve was made by Marc Reiter, Mayor, City of Hooks, and seconded by Bobby Howell, Judge, Bowie County. It was approved.

Review and Comment

Item 6. Mr. Brown presented, for information only, the Executive Director Report.

Mr. Brown presented the indirect finance reports, followed by updates and statistics on all ATCOG programs. ATCOG finances are on target, and all programs are operating efficiently.

Item 7. Marla Matthews presented for review and comment on a grant application by the City of Clarksville to be submitted to the United States Department of Agriculture (USDA), Rural Development Community Facilities Direct Loan and Grant Program.

Motion to approve was made by Scott Lee, Judge, Franklin County, and seconded by Doug Reeder, Judge, Morris County. It was approved.

Regular Business

Item 8. Patricia Haley presented for review and consideration approval of the priorities/recommendations established by the Regional Criminal Justice Advisory Committee concerning projects being submitted to the Office of the Governor Criminal Justice Division for funding consideration.

Motion to approve was made by Mr. Scott Norton, Executive Director/CEO, TexAmericas, and seconded by Mayor Reiter. It was approved.

Item 9. Ms. Haley presented for the adoption of a resolution authorizing recognition of National Police Week, May 11 – 17, 2022, with May 15 historically designated as the Peace Officers Memorial Day.

Motion to approve was made by Judge Reeder and seconded by Judge Howell. It was approved.

Item 10. Jenny Butler presented for the adoption of a resolution authorizing recognition of Older Americans' Month in May 2022.

Motion to approve was made by Judge Howell and seconded by Brandon Bell, Judge, Lamar County. It was approved.

Other Business

Item 11. Kathy McCollum provided the Regional Flood Planning Presentation.

Ms. McCollum informed the Board that the State of Texas is preparing a State Flood Plan, with the Texas Water Development Board (TWDB) administering the project. She provided the Board with the Region 2 Flood Planning website information and stated the website is open for community representatives and public comments. Ms. McCollum encouraged the Board and the public to review the flood plain maps within their perspective areas and provide comments.

Item 12. Rea Allen presented Ms. Amber James, 9-1-1 Operator of the Mt. Pleasant Police Department, with the ATCOG Telecommunicator of the Year Award. Chief Mark Buhman, Mt. Pleasant Police Department, was in attendance supporting Ms. James' recognition.

Announcements

The next Executive Committee meeting will be held on May 26, 2022, at 10:00 a.m., at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas and via teleconference/webinar.

With no other announcements, the meeting adjourned.

EXECUTIVE COMMITTEE MEMBERS PRESENT

Becky Wilbanks, Judge, Cass County
Bobby Howell, Judge, Bowie County
Brandon Bell, Judge, Lamar County
Brian Lee, Judge, Titus County
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Scott Lee, Judge, Franklin County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Mayor, City of Atlanta

BOARD MEMBERS PRESENT

Ronald Humphry, Mayor, City of New Boston
Harold Nash, Councilman, City of Sulphur Springs
Lynn Reynolds, Mayor, City of Linden
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Robbin Bass, Director of Business Retention & Expansion, Texarkana USA Chamber of Commerce
Mark Buhman, Chief of Police Mt. Pleasant Police Department
Kathy Comer, Office of United States Senator John Cornyn
April Corbit, Northeast Texas Workforce Solutions
Amber James, 9-1-1 Dispatch, Mt. Pleasant Police Department
KiAnn Richardson, Northeast Texas Workforce Solutions
Bart Spivey, Northeast Texas Workforce Solutions
Nathan Tafoya, Executive Director, Mt. Pleasant Economic Development Corporation
Ray Wilson, Office of United States Senator Bryan Hughes

STAFF MEMBERS PRESENT

Rea Allen, 911 Program Director
Chris Brown, Executive Director
Jenny Butler, Area Agency on Aging Coordinator
Whitney Fezell, Homeland Security Coordinator
Patricia Haley, Criminal Justice Coordinator
Mae Lewis, Housing Director
Merle Luster, 9-1-1 PSAP Operations Coordinator
Marla Matthews, Executive Assistant
Leslie McBride, Human Resources Director
Kathy McCollum, Hazard Mitigation/Environmental Specialist
Paul Prange, Environmental Resources Coordinator
Melinda Tickle, Finance Director

Brian Lee, Vice President
Board of Directors
Ark-Tex Council of Governments

ATTEST:

BRIEFING PAPER

ITEM 5:

Review and consider approval of public input and approval of the 2023-2024 TxCDBG Community Development Fund Regional Project Priority Scoring for the ATCOG State Planning Region

BACKGROUND:

The Texas Department of Agriculture (TDA) administers the non-entitlement portion of the Texas Community Development Block Grant (TxCDBG) Program, which provides financial assistance to cities with populations of less than 50,000 and counties with populations under 200,000. At the federal level, the funds are allocated to the State annually under the Community Development Block Grant (CDBG) Program by the U.S. Department of Housing and Urban Development (HUD). The TxCDBG funding is a key federal source of funding that provides direct grant assistance to rural areas for public infrastructure improvements, disaster relief, housing, and economic development.

The Community Development (CD) Fund is the largest TxCDBG funding category (2020 PY: \$45,857,057). The CD Fund is available on an annual basis for funding through a biennial application competition in each of the twenty-four state planning regions. The CD Fund application cycle will be based on a scoring methodology that considers objective factors for selection and ranking of applicants for funding.

The maximum score for a CD Fund application will be 200 points in all regions. These points are assigned in three ways:

- 65% of the points are assigned based on objective factors adopted by the Unified Scoring Committee.
- 25% of the points are assigned based on the Regional Project Priorities selected by the governing board, or a designated committee, of each state planning region.
- 10% of the points are assigned based on State Scoring factors adopted by TDA.

In addition to other duties of TDA outlined in the Unified Scoring Committee Charter:

Applications will be scored and ranked by TDA. Scores will be calculated based on information provided in the application for all scoring factors, including USC objective scoring factors, State-Selected Scoring factors, and Regional Project Priorities.

TDA will recommend projects for funding based on all scoring factors.

- The highest ranking applications in each state planning region will be recommended for funding until the funds allocated for that region are exhausted.
- If insufficient funds remain to fund the next highest scoring application, or if there are no eligible unfunded applications remaining in a region, TDA may reallocate the remaining funds to maximize the total number of grants awarded, regardless of region. Only the next highest ranking application in each region will be considered for re-allocated funds.

DISCUSSION:

ATCOG is the designated State Planning Region and has the ability to:

- Establish the regional project priority categories (following the process established by the Texas Department of Agriculture (TDA) under the above rule) *25% of total available points*
- Nominate an elected or appointed official to the Unified Scoring Committee (USC) consisting of 24 members representing the geographic areas of the State Planning Regions. *65% of total available points*

ATCOG's objective today is to hold a public meeting, allow the opportunity for public comment, and adopt our regional project priorities.

In preparation for this meeting, ATCOG has taken the following actions:

- Published notice of meeting on our website
- Notified each non-entitlement community within the ATCOG region of the meeting.
- Requested each community to relay the information to any grant writers or consultants and attempted to do the same directly by direct email correspondence utilizing the TDA Approved Vendor List for Pre-Qualified Administrators.

RECOMMENDATION:

Reference Material:

Project Priority Scoring Addendum

- Project Priority Scoring Form (p1)
 - What we need to adopt today
- Regional Project Priority Scoring 2021 – 2022 Community Development Fund (p2)
 - What we adopted last cycle
- TxCDBG Activity Codes (p3)
 - Examples of what may be included
- Text of Rule as Adopted (p8)
 - Explanation of the revised rules
- Verified Scoring Criteria Guide Texas Community Development Block Grant Program 2021-2022 Community Development (CD) Fund Verified Scoring Criteria Guide (p12)

Recommended process for discussion:

- Review of TDA Default Project Priorities (p28)
 - This is what will be used if we decline to take action
- Review of 2021/2022 Priorities (p2)
 - Last cycle's priorities
- Review of TxCDBG Activity Codes (p3)
 - Other options that could be considered
- Discussion of Regional Project Priorities (p1)
 - Action required

Other considerations:

- Regions that intend to prepare grant applications and/or administer contracts that may result from the 2022-2023 Community Development Fund application process must ensure that actual or perceived conflicts of interest are addressed.
 - Staff that will be responsible for preparing applications or administering contracts must not participate in the planning or coordination of the public meeting in any way. This includes sending notices to communities, coordinating newspaper publications, discussing past or future priorities with members of the governing body (or committee) prior to the meeting, presenting a staff recommendation for project during the meeting, or documenting and submitting the decision to TDA. These duties should be assigned to staff not otherwise involved in TxCDBG grants.
 - Staff responsible for preparing applications or administering contracts are encouraged to participate in the public discussion of project priorities, in the same manner in which other grant administrators are permitted to participate.

No ATCOG staff that may prepare applications or administer contracts have participated in the planning or coordination of this meeting, nor have they had discussions regarding priorities with governing body members.

2023-2024 Community Development Fund

Regional Project Priority Scoring

State Planning Region	
Date of Public Meeting	
List Names of Persons Responsible for Establishing Priorities (if a standing committee, identify name of committee or group rather than list individuals)	

For each category of Project Priority, list the activities that qualify for the category, and the number of points assigned.

- Up to three categories may be identified, which may include “all other eligible activities”.
- All activities within a category will receive the same number of points.
- First Priority Activities will receive the full 50 points available for this scoring element.
- Second and/or Third Priority should receive less than 50 points.

Category	Activities	Number of Points (maximum 50 points)
First Priority		50 Points
Second Priority		
Third Priority		

As Presiding Officer of the [State Planning Region], I certify that the above Regional Project Priorities were established in accordance with 4 TAC §30.50(e)(1) for the 2021-2022 TxCDBG Community Development Fund.

[Name, Title]

Date

2021-2022 Community Development Fund

Regional Project Priority Scoring

State Planning Region	Ark-Tex Council of Governments
Date of Public Meeting	05/28/2020
List Names of Persons Responsible for Establishing Priorities (if a standing committee, identify name of committee or group rather than list individuals)	Ark-Tex COG Executive Committee

For each category of Project Priority, list the activities that qualify for the category, and the number of points assigned.

- Up to three categories may be identified, which may include “all other eligible activities”.
- All activities within a category will receive the same number of points.

Category	Activities	Number of Points (maximum 50 points)
First Priority	Water /Sewer; Yard lines; Streets/roads and bridges; Drainage; Septic tanks	50
Second Priority	Housing	25
Third Priority	all other eligible activities	10

As Presiding Officer of the [State Planning Region], I certify that the above Regional Project Priorities were established in accordance with 4 TAC 4 TAC §30.50(e)(1) for the 2021-2022 TxCDBG Community Development Fund.

Red River County Judge,
ATCOG Board President

[Name, Title]

Date

Reference: TxCDBG Activity Codes

Code	Description
01	<p>Acquisition of Real Property Acquisition of real property that will be developed for a public purpose. Use code 01 for the CDBG-funded purchase of real property on which, for example, a public facility or housing will be constructed.</p> <p>When CDBG funds are used to:</p> <ul style="list-style-type: none"> acquire a public facility that will be rehabilitated with CDBG funds and continue to be used as a public facility, assign the appropriate 03* code. acquire housing that will be rehabilitated, use code 14G.
02	<p>Disposition of Real Property Costs related to the sale, lease, or donation of real property acquired with CDBG funds or under urban renewal. These include the costs of temporarily maintaining property pending disposition and costs incidental to disposition of the property.</p>
03A	<p>Senior Centers Acquisition, construction, or rehabilitation of facilities (except permanent housing) for seniors. 03A may be used for a facility serving both the elderly and the handicapped, provided it is not intended primarily to serve persons with handicaps. If it is, use 03B instead. For the construction of permanent housing for the elderly, use code 12; for the rehabilitation of such housing, use the appropriate 14* code.</p>
03D	<p>Youth Centers Acquisition, construction, or rehabilitation of facilities intended primarily for young people age 13 to 19. These include playground and recreational facilities that are part of a youth center. For the acquisition, construction or rehabilitation of facilities intended primarily for children age 12 and under, use 03M; for facilities for abused and neglected children, use 03Q.</p>
03E	<p>Neighborhood Facilities Acquisition, construction, or rehabilitation of facilities that are principally designed to serve a neighborhood and that will be used for social services or multiple purposes (including recreational). Such facilities may include libraries and public schools.</p>
03F	<p>Parks, Recreational Facilities Development of open space areas or facilities intended primarily for recreational use.</p>
03G	<p>Parking Facilities Acquisition, construction, or rehabilitation of parking lots and parking garages. Also use 03G if the primary purpose of rehabilitating a public facility or carrying out a street improvement activity is to improve parking. If parking improvements are only part of a larger street improvement activity, use 03K.</p>
03I	<p>Flood Drainage Improvements Acquisition, construction, or rehabilitation of flood drainage facilities, such as retention ponds or catch basins.</p>

	Do not use 03I for construction/rehabilitation of storm sewers, street drains, or storm drains. Use 03J for storm sewers and 03K for street and storm drains.
03J	<p>Water/Sewer Improvements Installation or replacement of water lines, sanitary sewers, storm sewers, and fire hydrants. Costs of street repairs (usually repaving) made necessary by water/sewer improvement activities are included under 03J.</p> <p>For water/sewer improvements that are part of:</p> <ul style="list-style-type: none"> • more extensive street improvements, use 03K (assign 03K, for example, to an activity that involves paving six blocks of Main Street and installing 100 feet of new water lines in one of those blocks). • a housing rehabilitation activity, use the appropriate 14* matrix code. <p>For construction or rehabilitation of flood drainage facilities, use 03I.</p>
03K	<p>Street Improvements Installation or repair of streets, street drains, storm drains, curbs and gutters, tunnels, bridges, and traffic lights/signs.</p> <p>Also use 03K:</p> <ul style="list-style-type: none"> • for improvements that include landscaping, street lighting, and/or street signs (commonly referred to as “streetscaping”). • if sidewalk improvements (see code 03L) are part of more extensive street improvements.
03L	<p>Sidewalks Improvements to sidewalks. Also use 03L for sidewalk improvements that include the installation of trash receptacles, lighting, benches, and trees.</p>
03M	<p>Child Care Centers Acquisition, construction, or rehabilitation of facilities intended primarily for children age 12 and under. Examples are daycare centers and Head Start preschool centers.</p> <p>For the construction or rehabilitation of facilities for abused and neglected children, use 03Q. For the construction or rehabilitation of facilities for teenagers, use 03D.</p>
03O	<p>Fire Stations/Equipment Acquisition, construction, or rehabilitation of fire stations and/or the purchase of fire trucks and emergency rescue equipment.</p>
03P	<p>Health Facilities Acquisition, construction, or rehabilitation of physical or mental health facilities. Examples of such facilities include neighborhood clinics, hospitals, nursing homes, and convalescent homes. Health facilities for a specific client group should use the matrix code for that client group. For example, use 03Q for the construction or rehabilitation of health facilities for abused and neglected children.</p>
03	<p>Other Public Facilities and Improvements One legitimate use of 03 is for activities that assist persons with disabilities by removing architectural barriers from or providing ADA improvements to government buildings (activities that otherwise would not be eligible for CDBG funding).</p>
04	<p>Clearance and Demolition Clearance or demolition of buildings/improvements, or the movement of buildings to other sites.</p>

05D	Youth Services Services for young people age 13 to 19 that include, for example, recreational services limited to teenagers and teen counseling programs. Also use 05D for counseling programs that target teens but include counseling for the family as well. For services for children age 12 and under, use 05L; for services for abused and neglected children, use 05N.
05L	Child Care Services Services that will benefit children (generally under age 13), including parenting skills classes. For services exclusively for abused and neglected children, use 05N.
05M	Health Services Services addressing the physical health needs of residents of the community. For mental health services, use 05O.
05R	Homeownership Assistance (not direct) Homeowner downpayment assistance provided as a public service. If housing counseling is provided to those applying for downpayment assistance, the counseling is considered part of the 05R activity. Assistance provided under 05R must meet the low/mod housing national objective. Therefore, unless the assistance is provided by an 105(a)(15) entity in a CRSA, it is subject to the public service cap and only low/mod households may be assisted. If the assistance is provided by a 105(a)(15) in a CRSA, the housing units for which CDBG funds are obligated in a program year may be aggregated and treated as a single structure for purposes of meeting the housing national objective (that is, only 51% of the units must be occupied by LMI households). For more extensive types of homeownership assistance provided under authority of the National Affordable Housing Act, use code 13.
05U	Housing Counseling Housing counseling for renters, homeowners, and/or potential new homebuyers that is provided as an independent public service (i.e., not as part of another eligible housing activity).
05	Other Public Services Examples of legitimate uses of this code are referrals to social services, neighborhood cleanup, graffiti removal, and food distribution (community kitchen, food bank, and food pantry services).
06	Interim Assistance Only for activities undertaken either to: <ul style="list-style-type: none"> • Make limited improvements (e.g., repair of streets, sidewalks, or public buildings) intended solely to arrest further deterioration of physically deteriorated areas prior to making permanent improvements. • Alleviate emergency conditions threatening public health and safety, such as removal of tree limbs or other debris after a major storm.
08	Relocation Relocation payments and other assistance for permanently or temporarily displaced individuals, families, businesses, non-profit organizations, and farms.
14A	Rehab: Single-Unit Residential Rehabilitation of privately owned, single-unit homes.

14A	Rehab: Single-Unit Residential Water Services First-time yardlines/service connections.
14A	Rehab: Single-Unit Residential Sewer Services First-time yardlines/service connections and on-site sewage facilities.
14B	Rehab: Multi-Unit Residential Rehabilitation of privately owned buildings with two or more permanent residential units. For the rehabilitation of units that will provide temporary shelter or transitional housing for the homeless, use 03C.
14C	Rehab: Public Housing Modernization Rehabilitation of housing units owned/operated by a public housing authority (PHA).
14D	Rehab: Other Publicly Owned Residential Buildings Rehabilitation of permanent housing owned by a public entity other than a PHA. For the rehabilitation of other publicly owned buildings that will provide temporary shelter or transitional housing for the homeless, use 03C.
14H	Rehab: Administration All delivery costs (including staff, other direct costs, and service costs) directly related to carrying out housing rehabilitation activities. Examples include appraisal, architectural, engineering, and other professional services; preparation of work specifications and work write-ups; loan processing; survey, site, and utility plans; application processing; and other fees. Do not use 14H for the costs of actual rehabilitation and do not use it for costs unrelated to running a rehab program (e.g., tenant/landlord counseling). For housing rehabilitation administration activities carried out as part of general program administration (and thus not required to meet a national objective), use code 21.
15	Code Enforcement Salaries and overhead costs associated with property inspections and followup actions (such as legal proceedings) directly related to the enforcement (not correction) of state and local codes. For the correction of code violations, use the appropriate rehabilitation code.
16A	Residential Historic Preservation Rehabilitation of historic buildings for residential use.
16B	Non-Residential Historic Preservation Rehabilitation of historic buildings for non-residential use. Examples include the renovation of an historic building for use as a neighborhood facility, as a museum, or by an historic preservation society.
18A	Economic Development: Direct Financial Assistance to For-Profits Financial assistance to for-profit businesses to (for example) acquire property, clear structures, build, expand or rehabilitate a building, purchase equipment, or provide operating capital. Forms of assistance include loans, loan guarantees, and grants. With one exception, a separate 18A activity must be set up for each business assisted. The exception is an activity carried out under 570.483(b)(4)(vi), for which job aggregation is allowed.
19C	CDBG Non-Profit Organization Capacity Building

	Activities specifically designed to increase the capacity of non-profit organizations to carry out eligible community revitalization or economic development activities. Such activities may include providing technical assistance and specialized training to staff.
20	Planning Program planning activities, including the development of comprehensive plans (e.g., a consolidated plan), community development plans, energy strategies, capacity building, environmental studies, area neighborhood plans, and functional plans.
21A	General Program Administration Overall program administration, including (but not limited to) salaries, wages, and related costs of grantee staff or others engaged in program management, monitoring, and evaluation. Also use 21A to report the use of CDBG funds to administer Federally designated Empowerment Zones or Enterprise Communities. For CDBG funding of HOME admin costs, use 21H; for CDBG funding of HOME CHDO operating expenses, use 21I.

For a more comprehensive list of activity codes, go to:

(http://archives.hud.gov/offices/cpd/systems/idis/library/refmanual/ref_man_b.pdf)

Reference: Text of Rule as Adopted
Text discussed above highlighted for convenience

Subchapter A.

Division 3.

§30.50. Community Development (CD) Fund.

(a) Eligibility. In addition to meeting the application threshold requirements in §30.25 of this subchapter (relating to Application Threshold Requirements), in order to be eligible to apply for community development funds, a community must document that at least 51.00% of the persons who would directly benefit from the implementation of each activity and target area proposed in the application are of low to moderate income.

(b) Application cycle. Applications are accepted on a biennial basis and selected for award pursuant to regional competitions held during the first year of the biennial cycle. An eligible community may submit one application per cycle as prescribed in the most recent application guide for this fund.

(c) Regional allocations. Each state planning region is provided with a regional CD Fund allocation for each program year of the biennial cycle once HUD releases the state's annual CDBG allocation.

(d) Selection procedures.

(1) Initial review. Upon receipt of an application, the department performs an initial review for application completeness and eligibility in accordance with §30.29 of this subchapter (relating to Application Review). Only the department may disqualify an application from consideration.

(2) Scoring process. During the first program year of the application cycle, eligible applications are scored and ranked by the department using criteria determined by the state planning region, the Unified Scoring Committee, and the department as described in subsection (e) of this section.

(3) Awards. After the department determines the final rankings of applications, awards are made based on each region's allocation and awarded until funds allocated to the region are depleted. If the program year allocation is insufficient to completely fund the next highest ranked application in the region, projects may be funded using TxCDBG deobligated funds or other funds, to the extent available. The department may also pool the remaining funds from each region to maximize the total number of applications to be fully funded.

(e) Scoring criteria.

(1) Regional project priority category. Each state planning region, as defined by Chapter 391 of the Local Government Code, is responsible for establishing the project types that will be considered first, second, or third priority projects.

(A) The governing body of the state planning region shall establish the priorities and communicate the decision to the department or may appoint a committee to carry out these tasks.

(B) Public meeting. The public must be given an opportunity to comment on the project priorities to be considered. The designated committee must convene in an open meeting for discussion and action to adopt project priorities.

(i) Notice of the public meeting must be advertised to the general public through a regional newspaper or other similar media. Each community eligible to participate in the application cycle must also be contacted directly with written notice of the public meeting.

(ii) The public meeting is subject to the Texas Open Meetings Act.

(C) The department will provide a format for establishing the criteria and a deadline for submitting the regional decision to the department to be incorporated into the application guide.

(D) State planning regions that use internal staff to prepare applications and administer CDBG grants must address the potential conflicts of interest of regional participation in selecting project priorities. For these regions, staff responsible for any part of the grant application process:

(i) may not participate in the planning or administration of the public meeting or committee duties, including distributing public meeting notices, explaining public meeting requirements to committee members, conducting the committee meeting, or submitting the results of the committee to the department; and

(ii) may attend the public meeting but may not present recommendations to the committee except during the public comment portion of the meeting, subject to the same time limits applied to other commenters.

(E) Twenty-five percent of the total available points will be determined by regional project priority categories.

(2) Department scoring criteria. The following factors are considered by the department when scoring CD Fund applications (detailed application and scoring information are available in the application guidelines):

(A) past performance--the department will consider a community's performance on all previously awarded TxCDBG contracts within the past 4 years preceding the application deadline. Evaluation of a community's past performance will include the following:

(i) completion of contract activities within the original contract period;

(ii) submission of environmental review requirements within prescribed deadlines;

(iii) submission of the required close-out documents within the period prescribed for such submission; and

(iv) maximum utilization of grant funds awarded.

(B) other programmatic priorities--the department may establish other scoring criteria to meet programmatic goals, so long as the application cycle allows sufficient time after the publication of such scoring criteria for communities to take action to maximize their score.

(C) Ten percent of the total available points will be determined by department scoring criteria.

(3) Unified Scoring Committee (USC) criteria. The USC is responsible for determining objective scoring factors for all regions in accordance with the requirements of this section and the current TxCDBG Action Plan. The USC must establish the numerical value of the points assigned to each scoring factor as described in the Committee Guidelines provided by the department.

(A) USC composition. The Agriculture Commissioner will appoint each member of the USC, to serve at the discretion of the Commissioner.

(i) Twenty-four (24) members shall be appointed to the USC. The Commissioner shall ensure geographic representation for each state planning region when appointing members.

(ii) Each member must be either an elected or appointed official of a non-entitlement community at the time of appointment.

(iii) The governing body of each state planning region may nominate one individual to be considered for appointment. The department will establish a timeline for such nominations.

(B) Public hearing. The public must be given an opportunity to comment on the scoring criteria considered. The department will convene a public hearing for the USC to discuss and select the objective scoring criteria that will be used to score and rank applications within each region.

(i) Notice of public hearing. USC proceedings are subject to the Texas Open Meetings Act. The department will publish notice of the hearing in the Texas Register, post the notice on its website, and announce the hearing details through the CDBG email listserv that is available for all stakeholders.

(ii) Attendance at meetings. A quorum is required for the USC public meeting. A USC member may designate a proxy to attend the meeting. Proxies are counted for purposes of determining the presence of a quorum and may participate in the discussion regarding potential scoring criteria but may not vote on matters before the USC.

(C) Requirements for scoring criteria.

(i) All scoring criteria selected by the USC must be in compliance with 24 CFR §91.320(k)(1)(i), which states in relevant part, "The statement of method of distribution must provide sufficient information so that units of general local government will be able to understand and comment on it, understand what criteria and information their application will be judged, and be able to prepare responsive applications."

(ii) Prior to the scheduled USC public hearing, the department will publish a list of previously approved scoring criteria that comply with objective scoring requirements. The department will also provide an opportunity for USC members, communities, and other stakeholders to submit additional scoring criteria to the department to be reviewed for compliance prior to the public hearing.

(iii) The USC may not adopt scoring factors that directly negate or offset the department's scoring factors.

(D) Final selection of scoring criteria.

(i) The final selection of the scoring criteria is the responsibility of the USC and must be consistent with the requirements of the current TxCDBG Action Plan.

(ii) The department will review the scoring factors selected to ensure that all scoring factors are objective and publish the approved scoring methodology in the application guide. The department may provide further details or elaboration on the objective scoring methodology, data sources, and other clarifying details without the necessity of a subsequent USC meeting.

(E) Sixty-five percent of the total available points will be determined by USC scoring criteria.

(f) Other department responsibilities. The department may:

(1) establish the maximum number of USC scoring factors that may be used in order to improve review and verification efficiency, or exclude certain scoring factors if the data is not readily available or verifiable in a timely manner. To ensure consistency, the department may determine the acceptable data source for a particular scoring factor;

(2) establish a deadline for each state planning region to select and submit to the department its project type priorities and nomination for the USC;

(3) publish Committee Guidelines to assist the USC in selecting scoring criteria that meet federal, state and program requirements:

(A) For any region for which no project priorities are submitted, applications will be scored according to the priorities published in the Committee Guidelines.

(B) In the event the USC fails to approve an objective scoring methodology to the satisfaction of the department consistent with the requirements in the current TxCDBG Action Plan, the department will establish scoring factors using the scoring factors identified in the Committee Guidelines; and

(4) make a site visit to recommended application localities.



Texas Community Development Block Grant Program

Community Development (CD) Fund

Verified Scoring Factors

Table of Contents

Project Based Factors – Project Type	3
Project Based Factors – Project Cost.....	3
Project Based Factors – Project Merits	4
Needs/Distress Factors – Poverty Rate.....	6
Need/Distress Factors – Unemployment Rate	7
Need/Distress Factors – Previous Funding.....	7
Need/Distress Factors – Per Capita Income.....	8
Resource Factors – Match	9
Resource Factors – Financial Capacity	10
Resource Factors – Cost per Household	12
Resource Factors – Cost per Beneficiary	13
Resource Factors – Per Capita Property Taxable Value	14
Default Scoring Factors – 130 Points (Maximum)	15
Default Project Priorities.....	17

Factors listed in this guide have been pre-approved as “objective and verifiable” and therefore may be considered for selection by the Unified Scoring Committee.

Project Based Factors – Project Type

Factor & Methodology	Data Source
<p>Does the project address a target area of a city or county or is the project providing city-wide or county-wide benefit?</p> <p>Methodology: CD Application Beneficiary Details page verified by TDA will be reviewed and points will be assigned. If the application addresses both a target area project(s) and city-wide or county-wide project(s), then the points will be assigned based on the largest number of beneficiaries for either the target area project or citywide/county-wide project (beneficiaries for multiple target areas will be combined).</p>	Application, Beneficiary Details
<p>Does the project address a target area of a city, county, or service-provider area, or is the project providing city-wide, county-wide, or service-area-wide benefit (hereafter referred to as 'area wide')?</p> <p>Methodology: If the application addresses a combination of target area project(s) and 'area wide' project(s), then the points will be assigned based on the largest number of beneficiaries for either the target area project(s) or 'area wide' project(s) (beneficiaries for multiple target areas will be combined.)</p> <p>Projects that have scattered beneficiaries throughout the city or county or entire area of a service provider where a specific target area is not identified the project(s) will be considered 'area-wide'. Examples of these types of projects: a septic tank replacement project that will serve beneficiaries throughout the county or housing rehabilitation that will provide benefit to low-to- moderate income persons located throughout a city.</p>	Application, Beneficiary Details and Project Map

Project Based Factors – Project Cost

Criteria & Methodology	Data Source
<p>TxCDBG Funds Requested Equal to or Less than \$XXX,XXX?</p> <p>Methodology: TxCDBG Funding Amount requested will be the sole determinant in awarding points within this category. TxCDBG Funds requested of \$XXX,XXX or less will be given maximum points, all other amounts will be given the lesser points.</p>	Application, Budget Details

Project Based Factors – Project Merits

Factor & Methodology	Data Source
<p>Has the applicant received a letter of violation from the state?</p> <p>Methodology: In order to receive points for this section, the project an applicant is seeking to resolve must be for the same type of activity (water or sewer) cited in the letter of violation received from a State or Federal agency and must be active.</p> <p>For scoring purposes, an applicant will be defined as a city or county OR an applicant city or county submitting an application on behalf of a service provider. For this application, a letter of violation from the Texas Commission on Environmental Quality (TCEQ) includes a Notice of Violation (NOV), a Notice of Enforcement (NOE), and Administrative Orders (Agreed and Default).</p>	<p>Copy of Violation</p> <p>Application, Project Details</p>
<p>How many households are served by the project as a percentage of total households in the applicant's jurisdiction?</p> <p>Methodology: Applicant will identify the total number of households within its jurisdiction/service area:</p> <p>A. for water/sewer projects, this number will be the number of residential connections to the appropriate utility (for a city, this will also include any connections it has that are located outside its city limits, if any);</p> <p>B. for all other projects, this number will be the total number of households within the applicant's jurisdiction (counties should exclude households that are located within an incorporated area or city).</p> <p>Applicant will identify the number of households receiving benefit from the proposed project. Applicant will then divide the number of households receiving benefit by the total number of households within its jurisdiction/service area.</p> <p>Points will be assigned based on where the % falls into according to the scoring matrix above.</p> <p>If an application has multiple proposed projects, each project is to be scored individually and the resulting points will be averaged to arrive at an application's final score.</p>	<p>Certification of water or sewer connections</p> <p>Application, Beneficiary Details</p> <p>Census Data, Table DP05</p>
<p>What is the total number of active water connections provided by the application's service provider compared to the median of active water connections of all service providers in applications of applicants for water or sewer projects (excluding OSSF)?</p> <p>Methodology: This score is determined by comparing the service provider's number of active water connections to the median of active water connections of all service providers in applications of for water or sewer projects (excluding OSSF). The calculation considers the service provider's number of active water connections compared to the median number of active water connections for all service providers.</p>	<p>Certification of active water or sewer connections</p>

The service provider's number of active water connections is derived from data provided by the service provider that states the number of active water connections and is certified by the Chief Financial Officer and the Chief Executive Officer of the service provider as of X/XX/20XX.

The median is arrived by listing the lowest to the highest number of active water connections of each service provider and identifying the statistical median.

The service provider's number of active water connections percentage of the median for all service providers is determined by dividing the service provider's total number of active water connections by the median number of active connections accounts for all service providers.

Active water connection - a water connection that the service provider bills on regular interval (i.e.: monthly, quarterly, semi-annually, annually or any other regular interval) Service provider - the entity actually providing the water service. (i.e.: City, MUD or other service provider doing business under the laws of Texas)

Needs/Distress Factors – Poverty Rate

Factor & Methodology	Data Source
<p>What is the poverty rate of the census geographic area?</p> <p>Methodology: Poverty rate may be determined by reviewing the U.S. Census 20XX American Communities Survey (ACS) 5 year estimate, table S1701 for the census geographic area. Once this information is obtained for each applicant and the target area identified on the census map, the poverty rate for each applicant is calculated by dividing the total number of persons at or below the designated poverty level by the population from which poverty persons was determined. Once this has been determined, the average poverty rate of the applicants is determined by dividing the sum of all poverty rates by the number of applicants.</p> <p>Next, a base is determined by multiplying the average poverty rate by a constant such as 1.25 to represent 125%. The poverty rate is then divided by the base for each applicant to determine their poverty factor.</p> <p>Finally, to determine scores the poverty factor for each applicant is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum. If the target area(s) encompasses more than one census geographic area (such as two or more Census Tracts the property rate shall be calculated as follows: sum of the total number of persons at or below the designated poverty level of all census geographic areas in the target area divided by the sum of the total population from which poverty persons was determined of all census geographic areas in the target area.</p>	<p>ACS Data – Table S1701</p>
<p>What is the beneficiaries' low-to-moderate income percentage for the applicant's project as compared to the average low-to-moderate income percentage of all applicants?</p> <p>Methodology: Beneficiaries' Low-to-Moderate Income Percentage (LMIP) may be determined by reviewing the CDBG application. Once this information is obtained for each applicant, the LMIP for each applicant is calculated by dividing the low/mod beneficiaries by the total number of beneficiaries. Once this has been determined, the average LMIP of the applicants is determined by dividing the sum of all LMIP's by the number of applicants.</p> <p>Next, a base is determined by multiplying the average LMIP by a constant such as 1.25 to represent 125%. The LMIP for each applicant is then divided by the base to determine the Factor.</p> <p>Finally, to determine scores the Factor for each applicant is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum.</p>	<p>Application, Beneficiary Details</p>
<p>What is the low-to-moderate income percentage for the beneficiaries submitted in the 20XX-20XX CD application?</p> <p>Methodology: Applicants are required to meet the 51% low/moderate income benefit for each activity as a threshold requirement. This score is determined by dividing the number of low/moderate income project beneficiaries submitted in the 20XX-20XX CD application by the total number of project beneficiaries.</p>	<p>Application, Beneficiary Details</p>

Need/Distress Factors – Unemployment Rate

Factor & Methodology	Data Source
<p>What is the unemployment rate for the census geographic area based on the appropriate county data? (Relative to applicants)</p> <p>Methodology: The unemployment rate for the census geographic area may be determined by reviewing county data from Table DP03. Next, the average unemployment rate of the applicants is determined by dividing the sum of all unemployment rates by the number of applicants.</p> <p>Next, a base is determined by multiplying the average unemployment rate by a constant such as 1.25 to represent 125%. The unemployment rate is then divided by the base for each applicant to determine their unemployment factor.</p> <p>Finally, to determine scores, the unemployment factor for each applicant is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum.</p>	Census Data, Table DP03

Need/Distress Factors – Previous Funding

Factor & Methodology	Data Source
<p>Has the applicant been funded in the previous X CD application cycles? (Previous funding in CD Program)</p> <p>Methodology: Data source documentation will be reviewed and points will be assigned. Multi-jurisdiction applications will be scored based on whether the same multijurisdictional applications were submitted and/or funded for a fixed period</p>	TDA Tracking System Report
<p>What is the total amount of TxCDBG funds during the last X-years TxCDBG CD Cycle? (Previous funding in all TxCDBG Programs)</p> <p>Methodology: The TDA Tracking System Report will be reviewed to determine the total amount of TxCDBG funds awarded from TxCDBG funds awarded during the period of the last X-year TxCDBG cycle.</p> <p>The TDA Tracking System Report will exclude Planning / Capacity Building Fund, STEP Fund, and Disaster/Urgent Need funding. Projects that include multiple jurisdictions - the applicant with the largest percentage (%) of beneficiaries will be considered the applicant of record.</p>	TDA Tracking System Report

Need/Distress Factors – Per Capita Income

Factor & Methodology	Data Source
<p>What is the per capita income of the census geographic area?</p> <p>Methodology: Per capita income may be determined by reviewing the U.S. Census American Communities Survey (ACS) 5 year estimate. Once this information is obtained for each applicant and the target area identified on the census map, the average annual per capita income is calculated by dividing the sum of all annual per capita incomes by the total number of applicants.</p> <p>Next, a base is set to provide a constant for the equation. The base is calculated by multiplying the average per capita income by a set number such as .75 to represent 75%. The base is then divided by the annual per capita income for each applicant. This number is referred to as the annual per capita income factor.</p> <p>Finally to determine the score for each applicant the annual per capita income factor is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum.</p>	ACS Data, Table B19301
<p>What is the per capita income of the project service-area compared to the region?</p> <p>Methodology: Per capita income may be determined by reviewing the U.S. Census 20XX American Communities Survey (ACS) 5 year estimate data for the applicant's project service-area based on census geographic areas (i.e., block groups, city-side, and other boundaries as applicable). Once per capita income has been determined, the applicant's per capita income is compared against the per capita income of the region, based on the 20XX ACS 5 year estimate data. Data for per capita income will be presented to two decimal places and rounded to whole dollars using the following method. Numbers above five will be rounded up and numbers below five will be rounded down.</p>	ACS Data, Table B19301
<p>Is the applicant's per capita income below the state average per capita income?</p> <p>Methodology: Per capita income shall be determined by reviewing the 20XX American Community Survey (5-Year Estimate) data for the applicant's jurisdiction population*. Multi-jurisdiction applications shall use the average of the per capita income for the jurisdictions listed in the application. Each applicant shall be compared to the State of Texas's per capita income as per the 20XX American Community Survey, B19301.</p>	ACS Data, Table B19301

Resource Factors – Match

Factor & Methodology	Data Source
<p>What is the applicant's match amount?</p> <p>Methodology: If the project is for beneficiaries for the entire county, the total population of the county is used. If the project is for activities in the unincorporated area of the county with a target area of beneficiaries, the population category is based on the unincorporated residents for the entire county. For county applications addressing water and sewer improvements in unincorporated areas, the population category is based on the actual number of beneficiaries to be served by the project activities. If the project serves beneficiaries for applications submitted by cities, the total city population is used.</p> <p>For example, the following scale may be used or modified for use:</p> <p>Applicant(s) population equal to or less than 1,500 according to most recent ACS data: Match equal to or greater than 5% of grant request Match at least 4% but less than 5% of grant request Match at least 3% but less than 4% of grant request Match at least 2% but less than 3% of grant request Match less than 2% of grant request</p> <p>Applicant(s) population equal to or less than 3,000 but over 1,500 according to most recent ACS data: Match equal to or greater than 10% of grant request Match at least 7.5% but less than 10% of grant request Match at least 5% but less than 7.5% of grant request Match at least 2.5% but less than 5% of grant request Match less than 2.5% of grant request</p> <p>Applicant(s) population equal to or less than 5,000 but over 3,000 according to most recent ACS data: Match equal to or greater than 15% of grant request Match at least 11.5% but less than 15% of grant request Match at least 7.5% but less than 11.5% of grant request Match at least 3.5% but less than 7.5% of grant request Match less than 3.5% of grant request</p> <p>Applicant(s) population over 5,000 according to most recent ACS data: Match equal to or greater than 20% of grant request Match at least 15% but less than 20% of grant request Match at least 10% but less than 15% of grant request Match at least 5% but less than 10% of grant request Match less than 5% of grant request</p>	<p>Application, Budget Details</p> <p>Applicant's Resolution or 3rd Party Commitment letter</p> <p>Census Data – B01003</p>
<p>Is the applicant or the service provider leveraging funds from other source?</p> <p>Methodology: The commitment letters from a State source, Federal Source or other outside sources will be reviewed to determine the amount of leverage of funds injected into the project. In order to receive points under this criterion, the leveraging must be a minimum of 1% of the TxCDBG funds requested. For purposes of this criterion, leveraged funds include equipment, materials, and cash from sources other than the requesting entity. To calculate the leverage minimum, the following formula will be used:</p> <p>Leveraged Funds/TxCDBG Funds Requested = Percent Leveraged</p>	<p>Letter of Commitment from State, Federal, or other outside sources</p>

Resource Factors – Financial Capacity

Factor & Methodology	Data Source
<p>Is the applicant's water or sewer rate equal to or above the average of all applicants as related to the project(s) being submitted for TxCDBG funding OR is the applicant's ad valorem tax rate equal to or above the average for all applicants as related to the project(s) being submitted for TxCDBG funding?</p> <p>Methodology: Applicant information related to a utility rate will be reviewed and points will be assigned. Applicant must provide the official public record to document the adopted water rate for 5,000 gallons or sewer rate assuming 5,000 gallons of water as of X/X/20XX.</p> <p>The utility rate of the applicant or the service provider must be associated with the project submitted for TxCDBG funding. Example: If the project is water, then the water rates must be at or above the average of all applicants on the specified date, given above. However, if the application for TxCDBG funding is for both water and sewer projects, then the applicant will receive the maximum points only if both adopted rates are above the average of all applicants. The applicants' average utility rate will be calculated by dividing the sum of all utility rates by the total number of applicants for the region.</p> <p>Applicant information related to the ad valorem tax rate will be reviewed and points will be assigned. Applicant must provide the official public record to document the adopted tax rate as of X/X/20XX. If the application is for multiple projects (i.e. water or wastewater and another eligible activity) documentation must be submitted to show that at least one appropriate rate was equal to or above all applicants' average rate.</p> <p>The applicants' average tax rate will be calculated by dividing the sum of all tax rates by the total number of applicants for the region.</p>	<p>Official public record of action of the appropriate governing body (examples: ordinance or resolution)</p> <p>Application, Project Details</p>
<p>For water-related projects, what is the residential utility rate per 5,000 gallons of water as set by the service provider, OR, for sewer-related projects, what is the monthly sewer rate assuming 5,000 gallons? If the project is neither water nor sewer related, what is the ad valorem tax rate for the same time period? (Relative to all applicants)</p> <p>Methodology: To determine the applicant's score, their water, sewer or ad valorem tax rate will be compared to the average rate of the applicants applying in the region. Utility rates will be compared to like utility rates and tax rates to tax rates. If only one application of a certain project type is submitted, that applicant's score will be the average score received by applicant's applying for other project types. If an applicant applies for multiple projects, the scores for each activity will be averaged to determine the applicant's final score.</p> <p>Water, sewer or ad valorem tax rates are to be determined from a certification of the water and/or sewer rates from a Certifying Official. Ad valorem tax rates are to be determined from a certification from the Chief Appraiser. Once this information is obtained for each applicant, the average utility or tax rate is calculated by dividing the sum of all rates by the total number of applicants.</p> <p>Next, a base is set to provide a constant for the equation. The base is calculated by multiplying the average utility or tax rate by a set number such as 1.25 to represent 125%. The base is then divided by the utility or tax rate for each applicant. This number is referred to as the utility or tax factor. Finally to determine the score for each applicant the utility</p>	<p>Certification from appropriate entity</p>

<p>or tax factor is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum. Any applicants exceeding the total allowed points will be capped at the maximum.</p>	
<p>What is the per capita bonded indebtedness for the applicant as compared to the average of the per capita bonded indebtedness of all applicants?</p> <p>Methodology: This score is determined by comparing the per capita bonded indebtedness to the average per capita bonded indebtedness of all applicants. The calculation considers the applicant's per capita bonded indebtedness compared to the average per capita bonded indebtedness of all applicants. The applicant's bonded indebtedness is derived from the applicant's most current Comprehensive Annual Financial Report issued within the twenty (25) months of the application date. The applicant population is determined from 20XX American Community Survey, U.S. Census Bureau. The applicant's per capita bonded indebtedness is arrived by dividing the total bonded indebtedness by the applicant's total population. The average per capita bonded indebtedness for all applicants is determined by totaling the bonded indebtedness of all applicants and then dividing by the total population of all applicants. The applicant's per capita bonded indebtedness percentage is determined by dividing the applicant's per capita bonded indebtedness by the average per capita bonded indebtedness for all applicants.</p> <p>Bonded indebtedness - shall include, in addition to the principle, any interest accrued for this debt.</p>	<p>Most current comprehensive annual financial report</p> <p>Census Data – B01003</p>
<p>Has the applicant or the service provider increased the appropriate utility rate for water or sewer projects or the ad valorem tax rate above the effective tax rate for all other projects in the time period between X/X/20XX and the application deadline?</p> <p>Methodology: Applicant information related to a utility rate (for water/sewer projects) or ad valorem tax rate above the effective tax rate (for all other projects) will be reviewed and points will be assigned. Applicant must provide the official public record to document that a utility rate or the ad valorem tax rate above the effective tax rate has been raised at least once between X/X/20XX, and the application deadline. Applicant must also provide official public record or a certified statement from the governing body of the applicant to document the utility rate in 20XX for comparison. The utility rate increase by the applicant or the service provider must be associated with the project submitted for TxCDBG funding. Example: If the project is water, then the water rates must have been raised during the applicable period. However, if the application for TxCDBG funding is for both water and sewer projects, then the applicant will receive the maximum points if at least one of the rates was increased. If the applicant's request for TxCDBG funding is not for a water or wastewater project, only then will the applicant be evaluated for scoring purposes based on an increase in the ad valorem tax rate above the effective tax rate. Example: If the request for TxCDBG funding is for road improvements, then the documentation related to an increase in the ad valorem tax rate above the effective tax rate will need to be submitted by the applicant to receive the maximum points. If the application is for multiple projects that includes a water or wastewater project and another eligible activity, such as street repair or drainage, documentation must be provided that shows one of the appropriate rates was increased between X/X/20XX, and the application deadline, i.e. tax rate or water rates.</p>	<p>Evidence of utility or tax rate increase</p> <p>Application, Project Details</p>

<p>Is the service provider collecting the maximum sales tax allowable by law, if eligible?</p> <p>Methodology: This score is determined by reviewing the data source/information submitted by applicant to score and then points will be assigned accordingly.</p> <p>Maximum Sales Tax Allowable By Law: The State of Texas maximum sales tax allowable by law is 8.25% and is the combined state sales and use tax of 6.25% and the local sales and use tax of 2%. For this scoring question, only the local sales and use tax (2% maximum) is under consideration.</p> <p>For Multi-jurisdiction applications- the service provider with the largest percentage (%) of beneficiaries will be considered the applicant of record.</p>	Evidence of tax rate
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Resource Factors – Cost per Household

Factor & Methodology	Data Source
<p>What is the cost per household in TxCDBG dollars requested in the CD Fund application? (Relative to applicant average)</p> <p>Methodology: This score is determined by dividing the total TxCDBG project dollars by the number of households identified in the CD Fund National Objective Data Form. Data for cost per household will be presented to two decimal places and rounded to whole dollars using the following method. Numbers above five will be rounded up and numbers below five will be rounded down.</p>	Application, Project Details, Budget Details

Resource Factors – Cost per Beneficiary

Factor & Methodology	Data Source
<p>What is the cost per beneficiary?</p> <p>Methodology:</p> $X = \frac{\text{Cost}}{\text{Beneficiaries}} = \text{Points Awarded (to two decimal places)}$ <p>X = the applicant's expenditure per person Cost = the TxCDBG Grant amount in dollars Beneficiaries = the amount of people projected to be served by the project</p>	Application, Project Details, Budget Details
<p>What is the cost per beneficiary for each applicant's jurisdiction in comparison to the cost per beneficiary for all applicants?</p> <p>Methodology: This score is determined by comparing the applicant's cost per beneficiary (CPB) to the cost per beneficiary for all applicants. The calculation considers the difference in the applicant's cost per beneficiary to the cost per beneficiary for all applicants. The CPB is determined by dividing the total TxCDBG project amount by the total number of beneficiaries (Project Amount / Total Benes) covered by the project. The percent "% of CPB" is then determined by dividing the applicant's project CPB by the sum of the CPB of all applicants (Cost Per Bene / Sum of Cost Per Benes).</p> <p>Next, using one (1) as a base value, subtract the % CPB from one to determine the Absolute Beneficiary Score (ABS CPB = 1 – "% of CPB").</p> <p>Finally, the ABS CPB can be used as a final score per applicant if using this scoring criteria as a tie breaker question only; or if this criteria is to be used as a weighted scoring criteria, multiply the ABS CPB by the total maximum score for this question to determine the final score for each applicant (ABS CPB * Total Points Available for this question). Any applicants exceeding the total allowed points will be capped at the maximum.</p> <p><i>(Project Amount / Total Benes)((Cost Per Bene/Sum of Cost Per Benes))(1- % of CPB)(ABS CPB * Total Points Available)</i></p>	Application, Project Details, Budget Details
<p>What is the cost per low-to-moderate income (LMI) beneficiary for each applicant's jurisdiction in comparison to the average cost per low-to-moderate income beneficiary for all applicants?</p> <p>Methodology: This score is determined by comparing the applicant's cost per LMI beneficiary (CPLMIB) to the average CPLMIB for all applicants. The calculation considers the difference in the applicant's CPLMIB to the average CPLMIB for all applicants.</p> <p>The applicant's CPLMIB is determined by dividing the total TxCDBG project amount by the total number of LMI beneficiaries (Project Amount / Total LMI Benes) covered by the project. The percent "% of CPLMIB" is then determined by dividing the applicant's project CPLMIB by the sum of the CPB of all applicants (CPLMIB / Sum of CPLMIB).</p> <p>Next, using one (1) as a base value, subtract the % CPLMIB from one to determine the Absolute Beneficiary Score (ABS CPB = 1 – "% of CPLMIB").</p> <p>Finally, multiply the ABS CPB by 30 and subtract 20 to determine the final score for each applicant (ABS CPB * 30 - 20). Any applicants exceeding the total allowed points will be capped at the maximum.</p>	Application, Project Details, Budget Details

Resource Factors – Per Capita Property Taxable Value

Factor & Methodology	Data Source
<p>What is the per capita property taxable value for the applicant's jurisdiction as compared to the average per capita property taxable value of all applicants for the region?</p> <p>Methodology: This score is determined by comparing the applicant's per capita net taxable property value to the average per capita net taxable property value of all applicants. The calculation considers the difference in the applicant's per capita net taxable property value to the average per capita net taxable property value of all applicants. The applicant's net taxable property value is derived from the 20XX net taxable property values as published each County Appraisal District. The applicant's per capita net taxable property value is derived by dividing the net taxable property value by the applicant's population. The average per capita net taxable property value of all applicant's is derived by totaling the net taxable property value of all applicants and then dividing by the total population of all applicants. The applicant's per capita percentage of the regional per capita average is determined by dividing the applicant's per capita net taxable property value by the average region per capita net taxable property value.</p> <p>Next, subtracting the applicant's percentage of the region average from 100% determines the applicant's percentage below the region average. (Cities will be compared to all Cities and Counties will be compared to all Counties)</p> <p>Projects that include multiple jurisdictions – applicant with the largest percentage (%) of beneficiaries will be considered the applicant of record.</p>	<p>Application, Project Details</p> <p>Official public record of action of the appropriate governing body</p>
<p>Does the service provider collect a property tax?</p> <p>Methodology: For multi-jurisdictional applications, all jurisdictions are considered in the scoring process. Example 1: Jurisdiction A and B both collect a property tax. Jurisdiction A and B both collect a tax that is equal to or greater than \$0.10 per one hundred dollars.</p>	<p>Evidence of property tax rate</p>
<p>What percentage increase has the applicant experienced in its taxable property valuation for 20XX? For multi-jurisdictional projects, the applicant of record shall be the entity with the largest percentage of beneficiaries.</p> <p>Methodology: The applicant's property valuation for 20XX will be compared to the property valuation for 20XX. The 20XX property valuation will be divided by the 20XX property valuation. The percentage derived will be subtracted from 100% to determine the percentage increase and rounded to one decimal point. For multi-jurisdictional applications, the applicant with the largest percentage (%) of beneficiaries will be considered the applicant of record. A certification for the property valuations for 20XX and 20XX from the applicant's Chief Appraiser/Tax Collector shall be provided.</p>	<p>Application, Project Details</p> <p>Official public record of action of the appropriate governing body</p>

Default Scoring Factors – 130 Points (Maximum)

Pursuant to 4 TAC §30.50 (f) (3) (B) - In the event the Unified Scoring Committee (USC) fails to approve an objective scoring methodology to the satisfaction of the department consistent with the requirements in the current TxCDBG Action Plan, the Department will establish a scoring methodology using the factors identified below.

Previous Funding – 60 Points (Maximum)

Has the applicant been funded an any of the four previous (4) Community Development Fund application cycles?

Methodology: The TDA tracking system report will be reviewed and points will be assigned. The total number of times an applicant has been funded during the previous four funding cycles will be counted to determine applicant's eligibility for points under this section.

The applicant has not received funding during the previous four funding cycles	60 Points
The applicant has been funded once (1x) during the previous four funding cycles	40 Points
The applicant has been funded twice (2x) during the previous four funding cycles	20 Points
The applicant has been funded three times (3x) during the previous four funding cycles	10 Points
The applicant has been funded four times (4x) during the previous four funding cycles	0 Points

Match – 20 Points (Maximum)

What is the applicant's match amount?

Methodology: If the project is for beneficiaries for the entire county, the total population of the county is used. If the project is for activities in the unincorporated area of the county with a target area for beneficiaries, the population category is based on the number of persons benefitting from the project's activities. If the project serves beneficiaries for applications submitted by cities, the total city population is used.

Applicant(s) population equal to or less than 1,500 according to most recent ACS data:

Match equal to or greater than 5% of grant request	20 Points
Match at least 4% but less than 5% of grant request	16 Points
Match at least 3% but less than 4% of grant request	12 Points
Match at least 2% but less than 3% of grant request	8 Points
Match less than 2% of grant request	0 Points

Applicant(s) population equal to or less than 3,000 but over 1,500 according to most recent ACS data:

Match equal to or greater than 10% of grant request	20 Points
Match at least 7.5% but less than 10% of grant request	16 Points
Match at least 5% but less than 7.5% of grant request	12 Points
Match at least 2.5% but less than 5% of grant request	8 Points
Match less than 2.5% of grant request	0 Points

Applicant(s) population equal to or less than 5,000 but over 3,000 according to most recent ACS data:

Match equal to or greater than 15% of the grant request	20 Points
Match at least 11.5% but less than 15% of the grant request	16 Points
Match at least 7.5% but less than 11.5% of the grant request	12 Points
Match at least 3.5% but less than 7.5% of the grant request	8 Points
Match less than 3.5% of the grant request	0 Points
Applicant(s) population over 5,000 according to most recent ACS data:	
Match equal to or greater than 20% of the grant request	20 Points
Match at least 15% but less than 20% of the grant request	16 Points
Match at least 10% but less than 15% of the grant request	12 Points
Match at least 5% but less than 10% of the grant request	8 Points
Match less than 5% of the grant request	0 Points
Poverty Rate - 25 Points (Maximum)	
What is the poverty rate of the applicant?	
Methodology: Determined by reviewing the most recent U.S. Census American Community Survey (ACS) 5-year estimate Table S1701 for the applicant.	
<ol style="list-style-type: none"> 1. The poverty rate for each applicant is calculated by dividing the total number of persons at or below the designated poverty level by the population from which impoverished persons was determined. Once this has been established, the average poverty rate is determined by dividing the sum of all poverty rate by the number of applicants. 2. A base is calculated by multiplying the average poverty rate by 1.25 3. The poverty rate of each applicant is then divided by the base to determine each applicant's poverty factor 4. The poverty factor for each applicant is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum. 	25 Points (Max)
Note: Cities will be compared to all cities, and counties will be compared to all counties	
Unemployment - 25 Points (Maximum)	
What is the applicant's unemployment rate?	
Methodology: Determined by reviewing the most recent U.S. Census American Community Survey (ACS) 5-year estimate Table DP05 for the applicant.	
<ol style="list-style-type: none"> 1. The average unemployment rate for the applicants is determined by dividing the sum of all unemployment rates by the number of applicants. 2. A base is calculated by multiplying the average unemployment rate by 1.25 3. The unemployment rate for each applicant is then divided by the base to determine their unemployment factor. 4. To determine the score, the applicant's unemployment factor is multiplied by the total maximum allowable points. Any applicants exceeding the total allowed points will be capped at the maximum. 	25 Points (Max)

Default Project Priorities

Pursuant to 4 TAC §30.50 (f) (3) (A) - For any region for which no project priorities are submitted, applications will be scored according to the priorities identified below:

Methodology: Application will be reviewed to determine the appropriate project type category based on TxCDBG funds requested and points will be assigned.

Projects that include multiple priority levels must be prorated based on the percentage of all TxCDBG dollars. First, subtract TxCDBG funds allocated to administration. Based on the figure calculated, a percentage of the TxCDBG dollars for each activity is calculated. Then, the percentage of the total TxCDBG funds for each activity is then multiplied by the appropriate score and the sum of those calculations determines the score.

Project Types	Points
Water Improvements, Wastewater Improvements, Street Improvements, Flood and Drainage Improvements, and Housing Rehabilitation	50 Points
All other eligible project types	30 Points

BRIEFING PAPER

ITEM 6:

Review and consider approval of a grant application to United Way of Lamar County in the amount of \$1,020 for the Paris Metro Bus System.

BACKGROUND

The Paris Metro fixed-route and accompanying Paratransit service were launched on July 27, 2016, operating Monday through Friday from 6:30 a.m. to 6:30 p.m. Funding for this service has historically been comprised of funds from federal, state, and local levels.

DISCUSSION

United Way of Lamar County (UWLC) has been an advocate of the Paris Metro Bus System since its inception. UWLC has been a strong voice in the Paris community for Paris Metro and TRAX services both. UWLC has contributed grant funds for Paris Metro for the past five years. ATCOG is requesting \$1,020 for FY2023 for reserve monthly bus passes for passengers in need. As part of the grant agreement, UWLC receives advertising space on Paris Metro buses and two Paris Metro shelters.

RECOMMENDATION

Staff recommends approval.

BRIEFING PAPER

ITEM 7:

Review and consider approval of the Ark-Tex Council of Governments Housing Choice Voucher Program Annual Plan to be effective October 1, 2022.

BACKGROUND:

The U.S. Department of Housing and Urban Development (HUD) requires an Annual Plan be submitted to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services. The Plan informs HUD, families served by the PHA, and members of the public of the PHA's mission, and goals. The Plan provides objectives for serving the needs of low-income, very low-income and extremely low-income families. Any revisions made to either plan must be formally adopted by the Board.

DISCUSSION:

The current policy under Local Preferences (24 CFR 982.204) states, "That ATCOG will support and administer vouchers for the HCV program."

ATCOG will continue to increase the number of HCV, VASH, and FSS clients.

The PHA requests approval for the Housing Choice Voucher Annual Plan to be submitted to establish goals and operating procedures for achieving PHA goals within the HCV program.

RECOMMENDATION:

Staff recommends approval.

Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																																			
A.1	<div style="display: flex; justify-content: space-between;"> PHA Name: <u>Ark-Tex Council of Governments</u> PHA Code: <u>TX499</u> </div> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>10/01/2022</u></p> <p>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</p> <p>Number of Housing Choice Vouchers (HCVs) <u>1775</u></p> <p>PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 25%;">Program(s) in the Consortia</th> <th style="width: 25%;">Program(s) not in the Consortia</th> <th style="width: 15%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr><td> </td><td></td><td></td><td></td><td></td></tr> <tr><td> </td><td></td><td></td><td></td><td></td></tr> <tr><td> </td><td></td><td></td><td></td><td></td></tr> <tr><td> </td><td></td><td></td><td></td><td></td></tr> <tr><td> </td><td></td><td></td><td></td><td></td></tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	Lead HA:																													
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B.	Plan Elements.
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Informal Review and Hearing Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p>
B.2	New Activities. – Not Applicable
B.3	<p>1. Progress Report.</p> <p>1. Customer Service Training has increased opportunities for staff to better comprehend the tenants they serve.</p> <p>2. Communication between staff and landlords continue to improve. Professional growth and leadership continue to improve among all staff which allows staff to provide better service to Housing clients.</p> <p>3. ATCOG continues to increase the number of HCV, VASH, and FSS clients.</p>
B.4	Capital Improvements. – Not Applicable
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N N/A</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
C.	Other Document and/or Certification Requirements.
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
C.2	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

C.3	Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i> , must be submitted by the PHA as an electronic attachment to the PHA Plan.					
C.4	Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public. (a) Did the public challenge any elements of the Plan? Y N <input type="checkbox"/> <input checked="" type="checkbox"/> If yes, include Challenged Elements.					
D.	Affirmatively Furthering Fair Housing (AFFH).					
D.1	Affirmatively Furthering Fair Housing (AFFH). Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item. <table border="1" data-bbox="180 766 1453 1192"> <tr> <td> Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u> </td> </tr> <tr> <td> 2. Increasing neighborhoods with lower concentrations of poverty and government assisted housing and greater ethnic diversity than the regional average. 3. Ensure that Elderly and Disabled families housing needs are being met by providing RAD PBV, PBV units, and Tax Credit developments. 3. Market landlords with property in areas of lower poverty and greater housing opportunities. </td> </tr> </table> <table border="1" data-bbox="180 1218 1453 1644"> <tr> <td> Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u> </td> </tr> <tr> <td> ATCOG HCV program is committed to affirmative furthering fair housing through affordable housing and: 1. Educating tenants to be responsible residents through the FSS program 2. Provide education to low-income families to help them live successfully in "Opportunity Neighborhoods" that give them access to better schools and employment, with less exposure to crime, and better amenities such as transportation, recreational facilities and shopping. </td> </tr> </table> <table border="1" data-bbox="180 1669 1453 1707"> <tr> <td> Fair Housing Goal: </td> </tr> </table>	Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u>	2. Increasing neighborhoods with lower concentrations of poverty and government assisted housing and greater ethnic diversity than the regional average. 3. Ensure that Elderly and Disabled families housing needs are being met by providing RAD PBV, PBV units, and Tax Credit developments. 3. Market landlords with property in areas of lower poverty and greater housing opportunities.	Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u>	ATCOG HCV program is committed to affirmative furthering fair housing through affordable housing and: 1. Educating tenants to be responsible residents through the FSS program 2. Provide education to low-income families to help them live successfully in "Opportunity Neighborhoods" that give them access to better schools and employment, with less exposure to crime, and better amenities such as transportation, recreational facilities and shopping.	Fair Housing Goal:
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Fair Housing Goal:						

Describe fair housing strategies and actions to achieve the goal

Instructions for Preparation of Form HUD-50075-HCV Annual PHA Plan for HCV-Only PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))

B. Plan Elements. All PHAs must complete this section. (24 CFR §903.11(c)(3))

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(2)(i)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. (24 CFR §903.7(a)(2)(ii))

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. (24 CFR §903.7(b))

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

☐ **Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. (24 CFR §903.7(d))

☐ **Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. (24 CFR §903.7(e)).

☐ **Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants. (24 CFR §903.7(f))

☐ **Homeownership Programs.** A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

☐ **Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. ([24 CFR §903.7\(l\)\(i\)](#)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)\(iii\)](#)).

☐ **Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

☐ **Significant Amendment/Modification.** PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan.

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. This section refers to new capital activities which is not applicable for HCV-Only PHAs.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.11\(c\)\(3\)](#), [24 CFR §903.7\(r\)\(1\)](#))

B.4 Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. ([24 CFR §903.7\(p\)](#))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. ([24 CFR §903.13\(c\)](#), [24 CFR §903.19](#))

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](#)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7\(o\)](#)).

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing." Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development

Office of Public and Indian Housing

OMB No. 2577-0226

Expires 3/31/2024

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Chris Brown, the Executive Director
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2022 and/or Annual PHA Plan for fiscal
year 2022 of the Ark-Tex Council of Governments is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair
Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

Little Rock, Regional HUD Office

Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or
State Consolidated Plan.

Ark-Tex Council of Governments mission is to ensure all families sustain affordable, safe and
quality housing. ATCOG continues to promote and market the Family Self Sufficiency
program to encourage and inspire families toward self-reliance, growth, and optimism.

Ark-Tex Council of Governments is the contract Administrator for RAD Project Based and Project
Based Vouchers which allows housing assistance payments to be made on behalf of over 300
families.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will
prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official:

Chris Brown

Title:

Executive Director

Signature:

Date:

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S.
Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information

are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Certifications of Compliance with PHA Plans and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing OMB No. 2577-0226 Expires 02/29/2016
--	---

**PHA Certifications of Compliance with the PHA Plan and Related Regulations including
Required Civil Rights Certifications**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or _x Annual PHA Plan for the PHA fiscal year beginning 10/01/2022, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).

13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Ark-Tex Council of Governments
PHA Name

TX499
PHA Number/HA Code

x Annual PHA Plan for Fiscal Year 2022

 5-Year PHA Plan for Fiscal Years 20 - 20

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Authorized Official	Title
Chris Brown	Executive Director
Signature	Date

RESOLUTION NO. AEC22-20

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS FOR APPROVAL OF THE PUBLIC HOUSING AUTHORITY (PHA) CERTIFICATIONS OF COMPLIANCE WITH THE PHA PLANS AND RELATED REGULATIONS REGARDING THE ANNUAL PLAN FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022.

WHEREAS, the Quality Housing and Work Responsibility Act of 1998 enacted by the U. S Department of Housing and Urban Development (HUD) requires the Annual Plan be submitted to establish goals and operating procedures for achieving PHA goals within the HCV program; and

WHEREAS, the Annual Plan for the fiscal year beginning on October 1, 2022, is now due and must be approved and certified by the Board of Directors; and

WHEREAS, a public meeting was held at 4:00 P.M. on May 12, 2022 to hear comments and/or recommendations for changes in the Plan; and no comments or recommendations were received.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Executive Committee approves the Annual Plan for the fiscal year beginning October 1, 2022.

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the HCV Program Annual Plan.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 26TH DAY OF MAY, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

NEW PROGRAMS

		FEDERAL ALLOCATION	TEXAS ESTIMATED ALLOCATION FY 2022-2026
TRANSPORTATION	Bridge Investment Program, a bridge replacement, rehabilitation, preservation, protection and construction program	\$27.5 BILLION	\$577 MILLION
	Promoting Resilient Operations for the Transformative, Efficient and Cost-saving Transportation (PROTECT) Program	\$7.3 BILLION	\$729 MILLION
	Carbon Reduction Program to support projects that support a reduction in transportation emissions	\$6.4 BILLION	\$641 MILLION
	Electric Vehicle Charging Infrastructure Program to provide funding to states to deploy EV charging infrastructure	\$5 BILLION	\$407 MILLION
BROADBAND	Broadband Equity, Access and Deployment State Grants for the purpose of expanding broadband deployment (\$100 million minimum per state, remaining funds will be allocated based on a formula and are pending the completion of new Federal Communications Commission (FCC) maps)	\$42.5 BILLION	TBD
	State Digital Equity Capacity Grant Program	\$1.5 BILLION	TBD
CYBERSECURITY	State and Local Cybersecurity Grant Program for states to address cybersecurity risks and threats	\$1 BILLION	\$38 MILLION
ENERGY	Energy Efficiency Revolving Loan Fund Capitalization Grant program for states to conduct commercial or residential energy audits or upgrades and retrofits	\$250 MILLION	\$13 MILLION*
	Preventing Outages and Enhancing the Resilience of the Electric Grid Grant for states to upgrade transmission infrastructure	\$2.5 BILLION	\$151 MILLION
WATER REVOLVING FUNDS	Drinking Water State Revolving Funds for lead service line replacement	\$15.0 BILLION	\$1 BILLION
	Drinking Water State Revolving Funds to address per-and polyfluoroalkyl substances in drinking water	\$4 BILLION	\$298 MILLION
	Clean Water State Revolving Funds to address emerging contaminants in wastewater	\$1 BILLION	\$43 MILLION

*This program's total allocation is available in FY 2022.

The president signed HR 3684, the Infrastructure Investment and Jobs Act on Nov. 15, 2021. HR 3684 is a five-year infrastructure bill that totals \$1.2 trillion and includes federal funding for wide range of existing and new programs related to transportation, drinking water and wastewater, broadband and energy.



THE INFRASTRUCTURE INVESTMENT AND JOBS ACT

EXISTING PROGRAMS

		FEDERAL ALLOCATION	TEXAS ESTIMATED ALLOCATION FY 2022-2026
TRANSPORTATION	Federal-Aid Highway apportioned programs (Contract Authority)	\$259.4 BILLION	\$26 BILLION
	Ferry Boats and Ferry Terminal Facilities Program for the construction of ferry boats and ferry terminal facilities	\$570 MILLION	\$15 MILLION
	Public Transit (includes local funds)	\$69.9 BILLION	\$3.3 BILLION
	Aviation Infrastructure Grants (all local funds)	\$15 BILLION	\$1.2 BILLION
WATER REVOLVING FUNDS	Small, Underserved, and Disadvantaged Communities Program to award grants to states to assist small and disadvantaged communities that are otherwise unable to finance projects or activities required to comply with the Safe Drinking Water Act	\$5 BILLION	\$316 MILLION
	Clean Water State Revolving Funds	\$11.7 BILLION	\$509 MILLION
	Drinking Water State Revolving Funds	\$11.7 BILLION	\$874 MILLION
ENVIRONMENTAL REMEDIATION	Assistance to states to fund orphaned well site plugging, remediation and restoration initiatives	\$2.7 BILLION	\$344 MILLION*
	Abandoned Mine Reclamation Fund that is accessed by states to reclaim and restore land and water resources that have been impacted by mining.	\$11.3 BILLION	\$0.9 MILLION*
ENERGY	State Energy Program to expand use of current programs	\$500 MILLION	\$33 MILLION*
	Weatherization Assistance Program that provides funding for low-income homeowners to improve building energy efficiency	\$3.5 BILLION	\$173 MILLION*
	Energy Efficiency and Conservation Block Grant program to finance energy efficiency and other clean energy capital investments, projects, loan programs and performance contracting programs	\$550 MILLION	\$9.1 MILLION
	Low Income Home Energy Assistance Program (LIHEAP)	\$500 MILLION	\$10 MILLION

*This program's total allocation is available in FY 2022.

PUBLIC TRANSIT

\$69.9 BILLION

for Federal Transit Administration Grants to state and local governments

TEXAS STATE ESTIMATE

\$450 MILLION

TEXAS LOCALS ESTIMATE

\$2.8 BILLION

AVIATION

\$15 billion for Aviation Infrastructure Grants to airports

TEXAS AIRPORTS ESTIMATE

\$1.2 BILLION



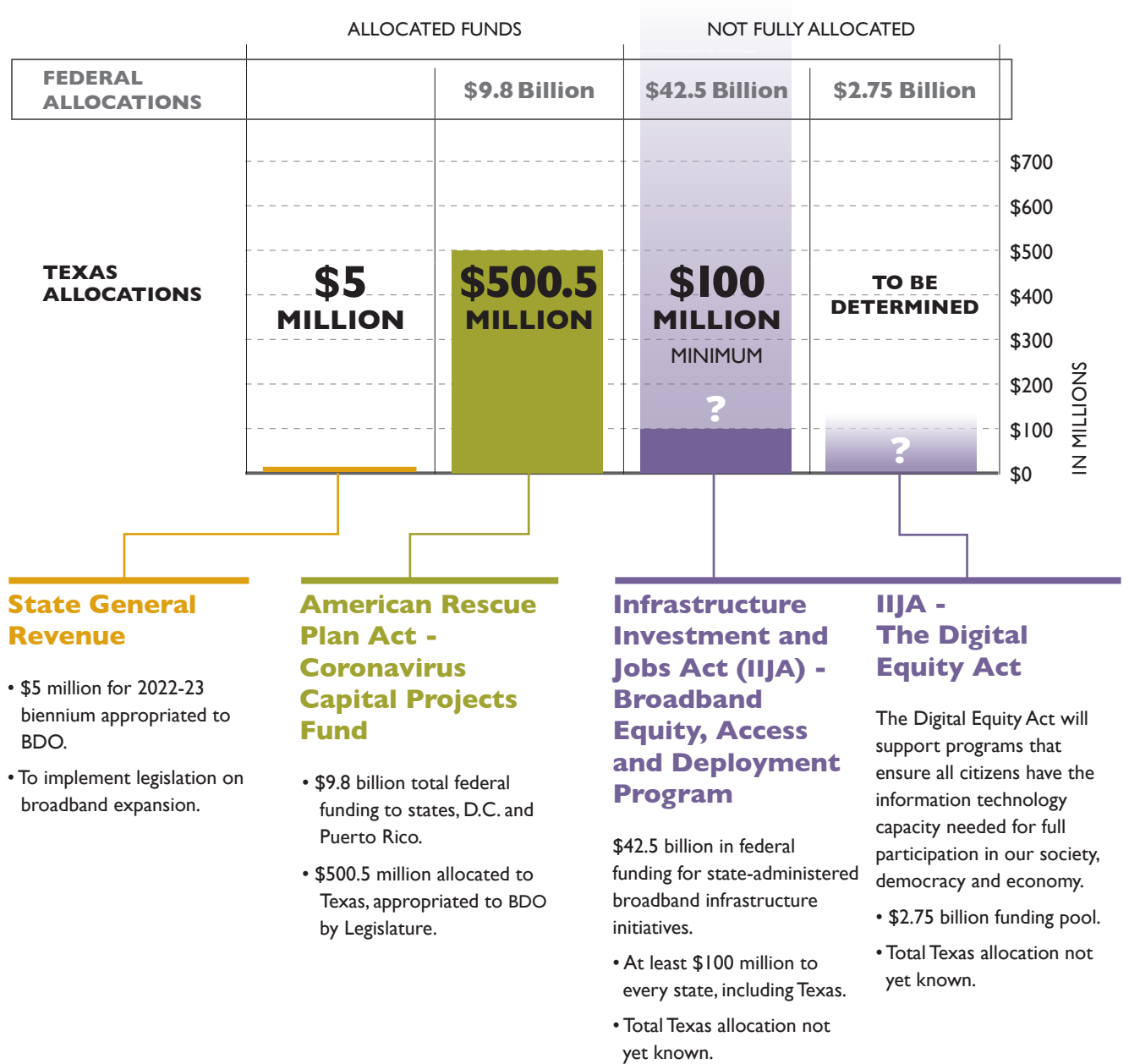
TEXAS BROADBAND DEVELOPMENT OFFICE

FUNDING SOURCES

The **Broadband Development Office** (BDO) is the steward of state and federal dollars intended to close the digital divide by increasing access to reliable, **high-speed internet** in the state. The BDO will award grants, low-interest loans and other financial incentives to internet service providers who expand access in eligible areas. The office is also engaging with communities to address their broadband needs and is a resource for local governments seeking information on funding opportunities.

By early October 2022, the BDO expects to have the process ready for accepting applications and making initial financial awards.

BroadbandForTexas.com

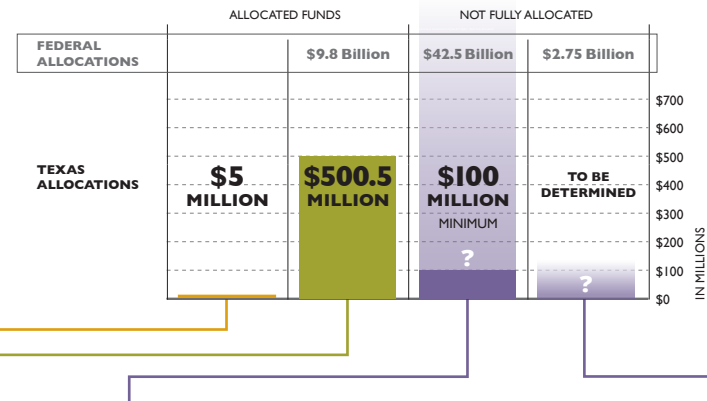


SEE NEXT PAGE FOR MORE DETAILED INFORMATION.



FUNDING SOURCES

BroadbandForTexas.com



State General Revenue

- **Senate Bill (SB) 1**, Sec 18.01 - Contingency for House Bill 5, 87th Legislature, Regular Session.
- \$5 million for 2022-23 biennium appropriated to BDO.
- Develop and publish the state broadband plan, create the broadband development program, establish a broadband availability map and engage in stakeholder outreach.

American Rescue Plan Act - Coronavirus Capital Projects Fund

- Administered by U.S.Treasury.
- \$9.8 billion total **federal funding to states, D.C. and Puerto Rico.**
- \$500.5 million allocated to Texas, appropriated to BDO by Legislature (**SB 8**, 87th Legislature, Third Called Session).
 - BDO successfully submitted an application to the U.S.Treasury to draw down the \$500.5 million for broadband deployment.
 - Guidance has **been released** by the U.S. Treasury for eligible projects and oversight requirements,
 - Uses include broadband infrastructure projects, digital connectivity technology projects and multi-purpose community facility projects.
 - For infrastructure that meets or exceeds 100 Mbps download/100 Mbps upload. If not practical, speeds can be as low as 100/20.
- Next steps include developing and submitting a grant plan to Treasury for approval by Sept. 26, 2022.
- Match not required.
- Administrative funds not to exceed 5% of total allotment.
- All funds must be expended by Dec. 31, 2026.

Infrastructure Investment and Jobs Act (IIJA) - Broadband Equity, Access and Deployment Program

- \$65 billion in federal funding for national broadband initiatives includes the Broadband Equity, Access and Deployment Program (**BEAD**).
- Objective: Close the availability gap in broadband access.
- Administered by the National Telecommunications and Information Administration (NTIA) within the U.S. Department of Commerce.
- **\$42.5 billion** total grants to states, territories, D.C. and Puerto Rico.
- At least \$100 million to every state, including Texas.
- Total Texas allocation not yet known.
 - Further allocations to be determined by new Federal Communications Commission maps (estimated completion mid-2022).
- States must have enforceable plans to address all unserved areas before funding deployment projects in underserved areas. After both unserved and underserved areas are addressed, states may use funds for anchor institution projects.
- Required to offer a low-cost plan to eligible subscribers (to be determined by NTIA).
- Predeployment and planning expenses cannot exceed 5% of minimum allotment.
- Administrative funds not to exceed 2% of total allotment.
- Match requirement: Eligible entities must ensure that they or a subgrantee provide at least 25% match (unless in high-cost areas or special cases where a waiver is granted by NTIA).
- Applications projected to be due from the state to NTIA in second quarter of 2022.
- States will be issued funds for predeployment and planning after the Notice of Funding Opportunity from NTIA is released in May and states submit a letter of intent.
- Each state will develop and submit a 5-year plan on how they intend to deploy their BEAD funds to expand broadband.

IIJA - The Digital Equity Act

- The \$65 billion in IIJA funding for national broadband initiatives also includes the Digital Equity Act.
- Objective: Support the closure of the digital divide by expanding access to digital devices and digital training in underserved communities.
- Administered by NTIA.
- **\$2.75 billion** funding pool.
- Total Texas allocation not yet known.
- Requires designation from the governor.
- States will have the ability to develop a digital equity plan.
- Two of three programs are available to states:
 - State Digital Equity Planning Grants, \$60 million total.
 - State Digital Equity Capacity Grants, \$1.44 billion funding pool.
- (States not eligible for Digital Equity Competitive Grant Program, \$1.25 billion funding pool.)

BRIEFING PAPER

ITEM 9:

CCH Eligibility Requirement for all FY2023 grant applications:

- 1) In order for an applicant to be eligible for FY23 grant funding through the Office of the Governor-Public Safety Office (OOG/PSO), the county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions to the Texas Department of Public Safety for calendar years 2016 through 2020. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system. See percentages as of May 1, 2022 in the table below.

This OOG/PSO requirement must be met by August 1, 2022.

- 2) Beginning January 1, 2021, counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions and other dispositions ***within five business days*** to the Criminal Justice Information System at the Department of Public Safety. ****All ATCOG counties are in compliance with this portion of the requirement.***

As of May 1, 2022	Adult criminal history disposition completeness avg.	Juvenile criminal history disposition completeness avg.
Bowie	92	99
Cass	91	97
Delta	89	85
Franklin	91	100
Hopkins	94	98
Lamar	94	96
Morris	93	95
Red River	87	91
Titus	93	95

CCH Compliance Contact:

Craig Lopez

DPS Field Director

(512)424-7614 (desk)

(512)920-4092 (cell)

craig.lopez@dps.texas.gov

BRIEFING PAPER

ITEM 10:

Discussion of cybersecurity training requirements for local governments.

BACKGROUND:

The Texas House of Representatives State Affairs Committee recently met to discuss the topic of broadband. During their testimony to the committee on Tuesday April 26th, the Texas Department of Information Resources expressed that many local governments are not in compliance with the cybersecurity training requirements established in Texas Government Code Sec. 2054.5191. The local government requirement states:

At least once each year, a local government shall:

(1) identify local government employees and elected and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of the employee's or official's required duties; and

(2) require the employees and officials identified to complete a cybersecurity training program certified under Section 2054.519.

Government entities must certify their compliance with the training requirements by August 31st each year using the [Cybersecurity Training Certification for State and Local Governments](#) on the DIR website.

DISCUSSION:

This requirement was amended during the 87th Legislature (HB 1118) to tie completion and reporting of this training requirement to receipt or reclamation of funding from the Office of the Governor, Public Safety Office.

Because we know how important these funds are to you and the communities you serve, we encourage you to ensure staff within your jurisdiction are completing the required trainings and reporting to DIR. For more information and information on how to certify compliance with cybersecurity training requirements, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

RECOMMENDATION:

Ensure local government staff complete the required training and submit the certification to DIR by August 31st.

OUR REGION.
OUR FUTURE.



Red River
Leadership Institute

ABOUT

The Red River Leadership Institute (RRLI) is designed to provide participants from the public, private and non-profit sectors of the Red River Region the leadership skills to build a more livable regional community through the

3Ts: Talent, Technology, Tolerance.

The Institute is dedicated to preparing leaders that will create real economic development opportunities for the Red River Region and beyond.

Off-site tours, subject-matter experts, and curriculum designed to explore the RRLI priority areas stress

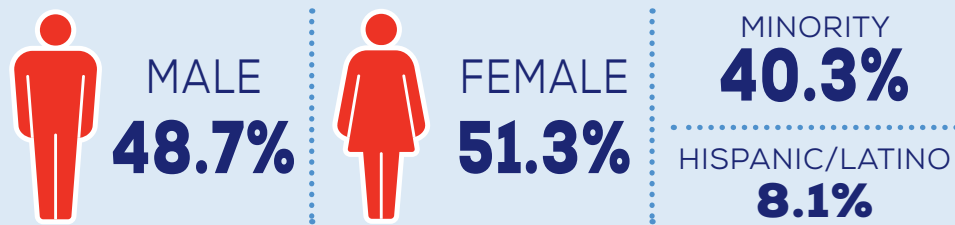
economic development and analysis, thinking regionally and leadership dilemmas. In addition, participants will have the opportunity to experience an area of the region not their own, as the schedule's locations are diversified among the four states. Participants achieve better outcomes when given learning opportunities that incorporate real life challenges. RRLI will integrate leadership and regional priority areas, i.e. education, transportation, technology, small business entrepreneurship, healthcare, and tourism to create projects the participants will work on between sessions that involve reflection, practice, synthesis, and the application of the concepts discussed.



RED RIVER REGION

Red River Region 4 States | 20 Counties/Parishes

POPULATION: 838,408¹



DEMOGRAPHICS: MEDIAN AGE 37.2

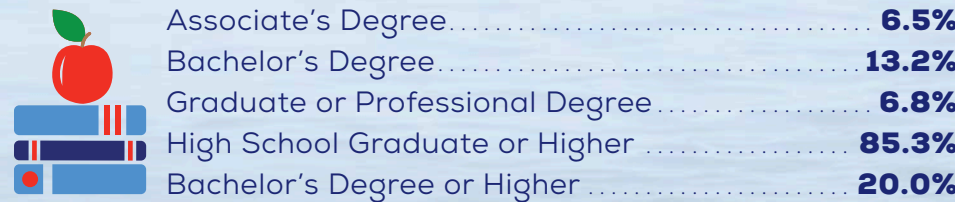


ECONOMICS: LABOR FORCE:



TOTAL POPULATION LIVING IN POVERTY 20.3%	UNEMPLOYMENT RATE 5.0%
--	------------------------

EDUCATION: EDUCATIONAL ATTAINMENT FOR THE POPULATION 25 YEARS & OVER



Sources: U.S. Census Bureau, Bureau of Labor Statistics (BLS), and Local Area Unemployment Statistics (LAUS)
¹ July 1, 2017 Estimate
² 2017 Annual Averages



*The Red River Leadership Institute
presents high impact custom leadership
programs by renowned presenters.*

SNEAK PEAK INTO THE LEADERSHIP EXPERIENCE

SESSION 1



LEADERSHIP & REGIONALISM

September 1-2, 2022 | Texarkana, TX

Regionalism 101

We make the most progress when we work strategically and effectively together in a strong collaborative capacity to plan, to act and to invest as a region.

The Art of Leadership

By understanding leadership and its challenges, and developing the skills required for effective leadership you will become (1) more effective at work, (2) gain knowledge and skills, and (3) have the ability to lead others when the opportunity occurs.

SESSION 2



WORKFORCE DEVELOPMENT/ ENTREPRENEURSHIP

October 7, 2022 | Hope, AR

Understanding Power

The core of leadership is the influence over others. The successful leader masters the use of power to influence the behavior of others.

SESSION 3



ECONOMIC DEVELOPMENT/ INNOVATION

November 4, 2022 | Broken Bow, OK

Leadership Principles and Team Concepts

Leadership is an ongoing journey of discovery and certain principles have optimum positive influence on followers. The most effective leaders work with a team who has a clear, motivating purpose.



Red River Leadership Institute

SESSION 4



DOWNTOWN DEVELOPMENT/ INFRASTRUCTURE

January 13, 2023 | Bossier City, LA

Performance Management

Create a high performance team through personal example, goal setting, positive reinforcement, addressing deficiencies, benchmarking success, and performance improvement.

.....

SESSION 5



COMMUNITY DEVELOPMENT

March 10, 2023 | Sulphur Springs, TX

Leadership Ethics

Ethics is the most important subject in the study and practice of leadership. Leaders are judged not only in terms of decisiveness and efficiency, but more importantly on the basis of values and moral reasoning.

.....

SESSION 6



CLOSING RETREAT & GRADUATION

May 11-12, 2023 | Texarkana, AR

George Manning – The Road Ahead & Change

It is no longer just the “boss” who leads. Organizations are shifting to encourage leadership in all levels of an organization to reflect a changing society. Learn to apply the techniques you have learned throughout this course as you consider your own work and life and the occasions you may have to provide leadership to others.

Fulfill your potential as a leader through effective leadership skills training and APPLY TODAY!



DISTINGUISHED PRESENTERS BIOS



George Manning is a professor emeritus of psychology and business at Northern Kentucky University, is internationally known as a speaker, author of eleven books, and consultant to business, industry and government. His clients include AT&T, AMA, IBM, GE, Marriott, UAW, IRS, US Navy and the National Institutes of Health, among others. George's unique approach and magic for connecting with people includes a blend of humor, interesting facts, and practical applications. He was selected "Outstanding Professor" at Northern Kentucky University and has received the "Strongest Influence Award" given by the Northern Kentucky Alumni Association.



Steve Luoni is the Director and Principal Designer at the UA Community Design Center, where he is the Steven L. Anderson Chair in Architecture and Urban Studies and a Distinguished Professor of Architecture. His work at UACDC specializes in interdisciplinary public works projects combining landscape, urban, and architectural design. In addition to being appointed a 2012 Ford Fellow by the United States Artists, he has regularly served as a resource team member for the Mayors' Institute on City Design. Luoni has a BS in Architecture from Ohio State University and a Master of Architecture from Yale University.



PARTNERS



FAQs

1) How do I apply?

Go to redriverleadershipinstitute.com to apply! Please pay attention to the application deadline, which includes reference letters.

2) How long is each session?

The kick-off session and closing session are both overnight retreats beginning at 3:00 p.m. on Thursday and ending at 3:00 p.m. Friday. The five sessions between the kick-off are one day from 8:00 a.m. – 4:00 p.m.

**All times are tentative and subject to change.*

3) What is the cost of the program?

Each participant will be responsible for a \$750 program fee. There will be scholarship opportunities available.

4) What is the time commitment between each session?

All participants are required to spend some time between sessions communicating with their team members on a group project, and studying materials for upcoming sessions.



Red River Leadership Institute



4808 Elizabeth Street, Texarkana, TX 75503
903-255-3520 | info@redriverleadershipinstitute.com
redriverleadershipinstitute.com