

## STATE OF OKLAHOMA

### CDBG-DISASTER RECOVERY

#### NON-SUBSTANTIAL AMENDMENT #13 – 12/2/2019

The State is required to submit an Action Plan Amendment and obtain approval by the US Department of Housing and Urban Development (HUD) before it can receive any portion of the requested disaster funding. This Action Plan Amendment describes the programs and activities for which the State intends to expend the disaster funding in compliance with the federal requirements set forth in the Federal Register.

To date, the Oklahoma Department of Commerce / Community Development (ODOC/CD) has officially received two allocations (\$10.6 & \$83.1 Million) of CDBG Disaster Recovery funding (CDBG-DR). Collectively, these two allocations total \$93.7 million in disaster related funding being provided to the State of Oklahoma from HUD.

The first allocation (\$10.6 Million) was released by HUD on March 5, 2013, in the Federal Register at Vol. 78, No. 43, Page 14329 entitled: "Allocations, Common Application, Waivers and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy" (FR-5696-N-01); April 19, 2013 in the Federal Register at Vol. 78, No. 76, page 23578 entitled: "Clarifying Guidance, Waivers and Alternative Requirements for Hurricane Sandy Grantees in Receipt of Community Development Block Grant Disaster Recovery Funds" (FR-5710-N-01); and December 16, 2013 in the Federal Register at Vol. 78, No. 241 page 76154 "Allocations, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant Disaster Recovery Funds in Response to Disasters Occurring in 2013" (FR-5696-N-07) (collectively, the "Federal Register Notice").

The second allocation (\$83.1 Million) was released by HUD on June 3, 2014, in the Federal Register at Vol. 79, No. 106, Page 31964 in a notice entitled: "Second Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant Disaster Recovery Funds in Response to Disasters Occurring in 2013".

Pursuant to these aforementioned Federal Register Notices and as outlined in the State's original CDBG-DR Action Plans (1<sup>st</sup> Allocation, \$10.6 Million & 2<sup>nd</sup> Allocation \$83.1 Million) submitted to HUD, the State

has reserved the right to “tranche” or segment the CDBG-DR allocation in order to enable the completion of large infrastructure projects under taken by the disaster recovery funding.

### **Action Plan Amendments**

**Non-Substantial: This CDBG DR Action Plan modification is classified as a Non-Substantial Amendment as referenced on page 114 of the CDBG DR Action Plan.** Non-Substantial Amendments to the Action Plan are defined as minor, one that does not materially change the activities or eligible beneficiaries. This provision should not be construed as allowing the general administrative budget to exceed the allowable limit. Additionally, a Substantial Amendment is not required in the case where the State is simply requesting additional funding from HUD. HUD must be notified in advance of a Non-Substantial Amendment becoming effective. Non-Substantial Amendments are NOT subject to the public notification and public comment procedures such as a seven (7) day review and comment period. Per the Federal Register Notice guidelines, all amendments (Non-Substantial and Substantial) to the Action Plan will be posted online at the ODOC/CD CDBG Disaster Recovery webpage (<https://okcommerce.gov/about/reports-planning-documents/cdbg-disaster-recovery/>). Additionally, the CDBG Disaster Recovery Action Plan will be revised to reflect the amendments (Non-Substantial and Substantial) to the Action Plan. As with the amendments, the CDBG Disaster Recovery Action Plan is posted online at the ODOC/CD CDBG Disaster Recovery webpage. Hard copies will also be made available upon request. Each amendment submitted to HUD for approval will be numbered sequentially and is meant to supersede the earlier amendments in the published Action Plan.

**Substantial:** A Substantial Amendment to the Action Plan is defined as:

1. a change in program benefit or eligibility criteria;
2. the addition or deletion of an activity; or
3. the allocation or reallocation of more than \$1 million between activities.

Only those amendments that meet the definition of a Substantial Amendment are subject to the public notification and public comment procedures. Specifically, a public notice will be published online at the ODOC/CD CDBG Disaster Recovery webpage (<https://okcommerce.gov/about/reports-planning-documents/cdbg-disaster-recovery/>) and comment will be sought when assistance programs are further defined (i.e. change in program benefit or eligibility criteria) or when funding allocations are further

refined by type of activity and location, if applicable. Per the Federal Register Notice guidelines, all amendments (Non-Substantial and Substantial) to the Action Plan will be posted online at the ODOC/CD CDBG Disaster Recovery webpage. Additionally, the CDBG Disaster Recovery Action Plan will be revised to reflect the amendments (Non-Substantial and Substantial) to the Action Plan. As with the amendments, the CDBG Disaster Recovery Action Plan is posted online at the ODOC/CD CDBG Disaster Recovery webpage. Hard copies will also be made available upon request. Citizens, units of local government, and community partners will be provided notice and the opportunity to comment on proposed Substantial Amendments to the Action Plan. No less than seven (7) days will be provided for review and comment on the Substantial Amendment. Comments will be accepted electronically or in writing and will be posted online at the ODOC/CD CDBG Disaster Recovery webpage. A summary of all comments received and responses will be included in the Substantial Amendment that is submitted to HUD for approval. Each amendment submitted to HUD for approval will be numbered sequentially and is meant to supersede the earlier amendments in the published Action Plan.

**Overview:**

It should be noted that this amendment includes multiple budget modifications made necessary by projects entering their final stages of completion. As these projects enter completion and the final project costs are realized, it is necessary to start making various budgetary adjustments. As indicated in the Action Plan, ODOC/CD reserves the right to adjust any of the CDBG-DR funding to ensure the maximum utilization of funds. Such adjustments would be in conjunction with unforeseen events such as the cancellation of projects; projects completed under budget; or from funds designated but not allocated. These adjustments may be used to offset any unforeseen eligible project cost increases such as in the case of construction. Such adjustments, if made available by ODOC/CD, shall be the minimum amount necessary to fund projects efficiently. ODOC/CD will make adjustments as necessary using funding priorities outlined under the earlier published Action Plans.

The following table illustrates the State's requested revision at this time. Please note that the following tables account for the collective \$93.7 million in State CDBG-DR funding. **Amendment #13 effectively updates the previous Amendment #12.**

| Activity Category                               | Current Allocation | Increase      | Decrease        | Proposed Allocation |
|-------------------------------------------------|--------------------|---------------|-----------------|---------------------|
| Housing (Owner-Occupied & Multi-family Housing) | \$ 6,970,535.89    | \$ -          | \$ -            | \$ 6,970,535.89     |
| Infrastructure                                  | \$ 60,720,202.57   | \$ 324,937.75 | \$ (34,505.98)  | \$ 61,010,634.34    |
| Resiliency & Mitigation                         | \$ 20,112,622.01   | \$ 34,505.98  | \$ -            | \$ 20,147,127.99    |
| Public Facilities                               | \$ -               | \$ -          | \$ -            | \$ -                |
| Economic Revitalization                         | \$ -               | \$ -          | \$ -            | \$ -                |
| Planning                                        | \$ 1,632,811.58    | \$ -          | \$ (29,937.75)  | \$ 1,602,873.83     |
| Administration                                  | \$ 4,263,827.95    | \$ -          | \$ (295,000.00) | \$ 3,968,827.95     |
| <b>Total</b>                                    | \$ 93,700,000.00   |               |                 | \$ 93,700,000.00    |

## REVISIONS / MODIFICATIONS

The State's previous CDBG DR Action Plan amendments' #1 – #12 primarily focused on incremental requests for the allocation of additional CDBG DR funds. Tranche/Round #12 marked the last ODOC request to HUD for CDBG DR funding with the full \$93.7 million allocation realized. CDBG DR Action Plan amendment #12 also marked the start of multiple fund movement requests for such modifications as tranche to tranche and activity to another activity increases and decreases. The following changes outlined in the narratives below illustrate this as part of amendment #13. This revision is an update to the allocations already contained in amendment #12 dated 4/10/2017. This amendment serves as an update to amendment #12.

1. City of Oklahoma "DR-2014-OKLAHOMA CITY CI-00005" – OKC submitted a request to move unused PLANNING funds from the Drainage Master Plan (\$23,861.39) and Deep Fork Basin (\$6,076.36) to Drainage Improvements under INFRASTRUCTURE for a total of (\$29,937.75).
2. Cleveland County "DR-2014-CLEVELAND CO-00080" submitted requests for unused remaining INFRASTRUCTURE project funding to be moved to offset the additional \$2,919.98 fire truck activity costs under RESILIENCY/MITIGATION to Cedar County "DR-2014-CLEVELAND CO-(SP) Cedar Country 00085".
3. Cleveland County "DR-2014-CLEVELAND CO-00080" submitted requests for unused remaining INFRASTRUCTURE project funding to be moved to offset the additional \$18,995.00 fire truck activity costs under RESILIENCY/MITIGATION to Lexington "DR-2014-CLEVELAND CO-(SP) Lexington 00082".

4. Cleveland County “DR-2014-CLEVELAND CO-00080” submitted requests for unused remaining INFRASTRUCTURE project funding to be moved to offset the additional \$8,896.00 fire truck activity costs under RESILIENCY/MITIGATION to Little Axe “DR-2014-CLEVELAND CO-(SP) Little Axe 00084”.

5. Cleveland County “DR-2014-CLEVELAND CO-00080” submitted requests for unused remaining INFRASTRUCTURE project funding to be moved to offset the additional \$2,970.00 fire truck activity costs under RESILIENCY/MITIGATION to Noble “DR-2014-CLEVELAND CO-(SP) Noble 00081”.

6. Cleveland County “DR-2014-CLEVELAND CO-00080” submitted requests for unused remaining INFRASTRUCTURE project funding to be moved to offset the additional \$725.00 fire truck activity costs under RESILIENCY/MITIGATION to Slaughterville “DR-2014-CLEVELAND CO-(SP) Slaughterville 00083”.

7. Norman “DR-2014-NORMAN CI-00064” This City of Norman requested that funds under ADMINISTRATION be moved to INFRASTRUCTURE. Norman indicated that as the design for the designated CDBG DR projects are now finalized. It was determined that \$295,000.00 in additional construction funds were necessary for completion of the proposed projects.

**Contact Information:**

Requests for this Plan or related documents in alternate formats consistent with the provisions of federal requirements related to limited English proficiency or persons with disabilities may be directed to ODOC/CD using the following methods:

- Via telephone: (405) 815-6552 Toll Free: (800)-879-6552
- Via email: [steven.hoover@okcommerce.gov](mailto:steven.hoover@okcommerce.gov)
- Online at: <https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery/>
- In writing at:

Oklahoma Department of Commerce  
Attn: Community Development: CDBG Disaster Recovery  
900 N. Stiles Ave.  
Oklahoma City, OK 73104-3234

**Individuos con Discapacidades o Impedimentos de Lenguaje**

El Estado valora la opinión del público al aceptar los comentarios de los ciudadanos y otras partes interesadas durante el desarrollo y la implementación de su programa de Ayuda Local de Desarrollo

Comunitario Recuperación de Desastres (CDBG-DR). Se hará todo lo posible para llegar a las minorías, los residentes que no hablan inglés, así como a las personas con discapacidades. Para todas las reuniones, para facilitar comentarios, preguntas y otra información; Un traductor de habla hispana y / o un intérprete de lenguaje de señas para discapacidad auditiva está disponible si es solicitado. La información del programa publicada en el sitio web será accesible y estará disponible en formatos accesibles, incluidos los que puedan leer los lectores de pantalla. El Departamento de Comercio de Oklahoma/ Desarrollo Comunitario (ODOC/CD) trabaja para publicar toda la documentación pública en formatos compatibles con la tecnología de lector de pantalla. ODOC/CD pondrá a disposición información en formatos alternativos según sea necesario y a pedido para garantizar una comunicación efectiva a las personas con discapacidades y discapacidades relacionadas con el lenguaje.

Las solicitudes de este Plan o documentos relacionados en formatos alternativos consistentes con las disposiciones de los requisitos federales relacionados con el dominio limitado del inglés pueden dirigirse a ODOC/CD utilizando los siguientes métodos:

- Por el telefono: (405) 534-6814
- Por el correo electrónico: [Jessica.Izquierdo@okcommerce.gov](mailto:Jessica.Izquierdo@okcommerce.gov)
- En línea a: <https://www.okcommerce.gov/reporting-compliance/cdbg-disaster-recovery/>
- Por escrito en  
Oklahoma Department of Commerce  
Attn: Community Development: CDBG Disaster Recovery  
900 N. Stiles Ave.  
Oklahoma City, OK 73104-3234