



TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

October 3, 2018

Betty Voights  
Executive Director  
Capital Area Council of Governments  
6800 Burleson Rd, Bldg 310, Ste 165  
Austin, TX 78744

**Re: Capital Area Council of Governments Method of Distribution (MOD) — 2017  
Hurricane Harvey CDBG-DR Funds**

Dear Ms. Voights:

The Texas General Land Office Community Development and Revitalization program (GLO-CDR) has completed its review of materials submitted in support of Capital Council of Governments' (CAPCOG) proposed MOD for the Community Development Block Grant Disaster Recovery (CDBG-DR) funds reserved for communities affected by Hurricane Harvey. We are happy to inform you that CAPCOG's MOD submitted on July 13, 2018, with supplemental material submitted on August 10, 2018, is approved.

GLO-CDR approves CAPCOG's proposed allocation of Local Buyout and Acquisition Program and Local Infrastructure Program funds to the identified entities. The terms of the approval are noted below:

1. As part of the application process, subrecipients are required to hold a public hearing and conduct outreach to local governments; housing advocacy organizations; faith-based organizations; community groups representing protected classes and vulnerable populations; groups interested in fair housing issues; and limited English proficient (LEP) persons.
2. Acceptance of the MOD does not indicate eligibility or approval of funding for any proposed projects.
3. CAPCOG's allocation must meet the requirement that 70 percent of funds benefit low- to moderate-income persons. Projects that do not meet HUD's national objective for benefitting low- to moderate-income persons may not be approved until this allocation requirement is met.

CAPCOG MOD Approval Letter

October 3, 2018

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4. Acceptance of the MOD does not indicate approval of any proposed re-allocation recommendations.

If you have any questions, please feel free to contact me at (512) 475-5027, or Alexandra Gamble, Manager, Policy Development, at [alexandra.gamble.glo@recovery.texas.gov](mailto:alexandra.gamble.glo@recovery.texas.gov) or (512) 475-5021.

Sincerely,



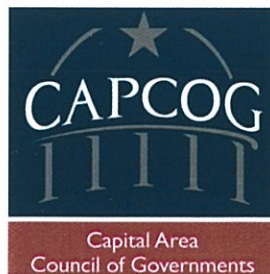
Heather Lagrone, Deputy Director  
Community Development and Revitalization  
Texas General Land Office

cc Angela Hahn, Assistant Director, CAPCOG  
Alexandra Gamble, Manager, Policy Development, GLO-CDR  
Shawn Strange, Program Manager, Policy Development, GLO-CDR  
Zachary Stern, Planner, Policy Development, GLO-CDR  
Christopher Smith, Planner, Policy Development, GLO-CDR

# **Final MOD Summary Form**

# Method of Distribution for 2017 Hurricane Harvey CDBG-Disaster Recovery Allocation

Bastrop Blanco Burnet Caldwell Fayette Hays Lee Llano Travis Williamson



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CAPITAL AREA COUNCIL OF GOVERNMENTS

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# Council of Government (COG) Method of Distribution for 2017 Hurricane Harvey CDBG-Disaster Recovery Allocation

## Summary Information

### Contact Information

Council of Government (COG): **Capital Area Council of Governments**

Principal Contact Name, Title: **Betty A. Voights, Executive Director**

Principal Contact Telephone: **(512) 916-6000**

Principal Contact Email: **bvoights@capcog.org**

Principal Contact Address: **6800 Burleson Road, Building 310, Suite 155**

City, State, Zip: **Austin, Texas 78744**

### Allocation Summary

COG Allocation for All Programs: **\$ 17,234,948**

Local Buyout and Acquisition Program Total: **\$ 12,929,474**

Local Infrastructure Program Total: **\$ 4,305,474**

## Citizen Participation

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

CAPCOG utilized several methods for encouraging citizen participation. CAPCOG engaged in outreach efforts to citizens and non-governmental entities representing the protected classes and low-to-moderate citizens to discuss unmet needs within the four (4) impacted counties related to CDBG-DR funds. Outreach efforts included newspaper advertisements in regional newspapers, conducting two (2) formal public hearings in Bastrop County, conducting a town hall meeting in Lee County at the request of citizens and public officials, and conducting community surveys to ascertain the public interest and unmet needs.

**First Public Hearing Information**

Date/Time: Wednesday, May 30, 2018 at 9:00 A.M.

Location: Bastrop County Courthouse Annex

Attendance: 13

Public Planning Meeting:

*Personal Notice.* As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

	Method	Date Sent	Documentation
<input checked="" type="checkbox"/>	Electronic Mail	Tuesday, May 22, 2018	See the attached list of individuals receiving notification in this manner, with a copy of the email.
<input type="checkbox"/>	Fax		
<input type="checkbox"/>	Hand Delivery		
<input type="checkbox"/>	Certified Mail		

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

	Method	Date Published	Documentation
<input checked="" type="checkbox"/>	COG Website	Friday, May 25, 2018	See attached an electronic verification of the hearing notice as posted on the CAPCOG website with notification of the same routed to <a href="mailto:cdr@glo.texas.gov">cdr@glo.texas.gov</a>

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

	Newspaper Name	Date Published	Documentation
<input checked="" type="checkbox"/>	<i>Smithville Times</i>	5/24/2018	See attached copy of the hearing notice and a publisher's affidavit.
<input checked="" type="checkbox"/>	<i>Bastrop Advertiser</i>	5/24/2018	See attached copy of the hearing notice and a publisher's affidavit.
<input checked="" type="checkbox"/>	<i>Austin American-Statesman</i>	5/24/2018	See attached copy of the hearing notice and a publisher's affidavit.

**Citizen Comment Documentation**

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

Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages (persons with Limited English Proficiency).	To keep in compliance with the Americans with Disabilities Act, CAPCOG provided reasonable accommodations for persons with disabilities attending CAPCOG functions, which included consideration of access to handicap-accessible parking and meeting venue. The public hearing location was centrally located and most accessible to the residents of the 4 county impacted area. CAPCOG purchased and advertised the public hearing notices in English and Spanish in regional newspapers that reached the 4 impacted counties. CAPCOG also provided handouts to hearing attendees and provided aid to participants completing questionnaires in English and Spanish during the meeting. CAPCOG also had a Spanish-speaking representative present to assist in translating information to participants who had Limited English Proficiency.
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**Second Public Hearing Information**

Date/Time: Tuesday, June 19, 2018 at 6:00 P.M. Location: Bastrop County Courthouse Annex – Commissioners Courtroom

Attendance: 27 Public Planning Meeting:

*Personal Notice.* As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

	Method	Date Sent	Documentation
<input checked="" type="checkbox"/>	Electronic Mail	Tuesday, May 22, 2018	See the attached list of individuals receiving notification in this manner, with a copy of the email.
<input type="checkbox"/>	Fax		
<input type="checkbox"/>	Hand Delivery		
<input type="checkbox"/>	Certified Mail		

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

	Method	Date Published	Documentation
<input checked="" type="checkbox"/>	COG Website	Monday, June 11, 2018	See attached notification of public hearing notice on CAPCOG website in the “In the News” section, along with email notification to <a href="mailto:cdr@glo.texas.gov">cdr@glo.texas.gov</a>

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

	Newspaper Name	Date Published	Documentation
<input checked="" type="checkbox"/>	<i>Austin American-Statesman</i>	Thursday, June 14, 2018	See attached copy of the hearing notice and a publisher’s affidavit.
<input checked="" type="checkbox"/>	<i>Bastrop Advertiser</i>	Thursday, June 14, 2018	See attached copy of the hearing notice and a publisher’s affidavit.
<input checked="" type="checkbox"/>	<i>Smithville Times</i>	Thursday, June 14, 2018	See attached copy of the hearing notice and a publisher’s affidavit.

**Citizen Comment Documentation**

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached.	
<input checked="" type="checkbox"/>	A summary of the citizen comments, responses, and meeting discussion is attached.	
	Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages.	To keep in compliance with the Americans with Disabilities Act, CAPCOG provided reasonable accommodations for persons with disabilities attending CAPCOG functions, which included consideration of access to handicap-accessible parking and meeting venue. The public hearing location was centrally located and most accessible to the residents of the 4 county impacted area. CAPCOG purchased and advertised the public hearing notices in English and Spanish in regional newspapers that reached the 4 impacted counties. CAPCOG also provided handouts to hearing attendees and provided aid to participants completing questionnaires in English and Spanish during the meeting. A CAPCOG representative was also present at this hearing to accommodate the Spanish speaking people present at this meeting.

**Town Hall Meeting – Request for Information<sup>1</sup>**

Date/Time: Monday, June 25, 2018 at 6:00 P.M. Location: Lee County Courthouse, Giddings, TX  
 Attendance: 33 Public Planning Meeting:

*Personal Notice.* As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

	Method	Date Sent	Documentation
<input type="checkbox"/>	Electronic Mail		
<input type="checkbox"/>	Fax		
<input checked="" type="checkbox"/>	Hand Delivery	<b>Wednesday, June 20, 2018</b>	See email notification from Lee County verifying submission of hand delivery.
<input checked="" type="checkbox"/>	Regular Mail	<b>Wednesday, June 20, 2018</b>	See email notification from Lee County verifying submission of regular mail delivery.

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

	Method	Date Published	Documentation
<input type="checkbox"/>	COG Website		

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

	Newspaper Name	Date Published	Documentation
<input type="checkbox"/>			

**Citizen Comment Documentation**

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached.
<input checked="" type="checkbox"/>	A summary of the citizen comments, responses, and meeting discussion is attached.
Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages.	This was a requested, coordinated, and scheduled meeting to be held in Lee County with CAPCOG's presence to answer citizen questions on the Method of Distribution. Lee County took the role of accommodating and providing reasonable accommodations for persons with disabilities attending this meeting. The meeting was requested to accommodate residents who had the inability to travel to Bastrop County to attend the 2 previous public hearings. Lee County advertised this meeting by public bulletin board posting at the County courthouse, in addition to conducting regular mail and hand delivery of an English and Spanish version of the notice to impacted county residents who demonstrated interest in the MOD process. At this meeting, CAPCOG also provided handouts to meeting attendees and provided aid to participants completing questionnaires in English and Spanish during the meeting. A CAPCOG representative was also present at this hearing to accommodate the Spanish speaking people present at this meeting.

<sup>1</sup> At the request of various Lee County residents in attendance from the June 19, 2018 public hearing, a town hall meeting was coordinated by county officials, scheduled, and held on June 25, 2019 at the Lee County Courthouse by CAPCOG representatives.



## **Long-Term Planning and Recovery**

Below is an explanation of how the COG's method of distribution fosters long-term community recovery that is forward-looking and focused on permanent restoration of infrastructure, housing and the local economy and primarily, how these activities will contribute to the long-term recovery and restoration of housing in the HUD-identified most impacted and distressed areas and/or other impacted areas.

The Capital Area Council of Governments (CAPCOG) has reviewed and received feedback from the public on the Hurricane Harvey related issues which impacted Bastrop, Caldwell, Fayette, and Lee Counties. The Method of Distribution for the CAPCOG region initiates the long-term community recovery effort by allocating needed funds to these impacted areas that have an identified unmet need to restore housing stock and sufficient infrastructure that was damaged in their communities. In an effort to foster long-term recovery and to expand the restoration of infrastructure, housing, and the local economy, CAPCOG has extended their knowledge resources to assist impacted and distressed areas with efficient planning and project administration to rebuild and rehabilitate damaged homes, dilapidated infrastructure, and spur growth and restoration of a stable economic base. With recovery funds being made available to these distressed areas, new opportunities will be established with the long-term effect of potentially creating local partnerships, job training, small business growth, and a residential population increase. The long term goal for the impacted areas is to rehabilitate and establish resilient communities that can withstand future disasters and continue to grow.

## **Unmet Housing Needs**

Below is an explanation of how unmet housing needs will be addressed or how economic revitalization or infrastructure activities will contribute to long-term recovery and restoration of housing in the HUD-identified most impacted and distressed areas and/or other impacted areas.

The Capital Area Council of Governments (CAPCOG) will work in cooperation with the allocated counties to address the financial shortfall and unmet housing needs of their impacted areas. CAPCOG will utilize their extended knowledge base to assist impacted and distressed areas with efficient planning and project administration to rebuild and rehabilitate damaged homes, dilapidated infrastructure, and spur growth and restoration of a stable economic base. With recovery funds being made available to these distressed areas, new opportunities will be established with the long-term effect of potentially creating local partnerships, job training, small business growth, and a residential population increase. The long term goal for the impacted areas is to rehabilitate and establish resilient communities that can withstand future disasters and continue to grow.

## **Affirmatively Furthering Fair Housing Statement**

All subrecipients will certify that they will affirmatively further fair housing ("AFFH") in their grant agreements, and will receive GLO training and technical assistance in meeting their AFFH obligations. Additionally, all project applications will undergo AFFH review by GLO before approval of projects. Such review will include assessment of a proposed project's area demography, socioeconomic characteristics, housing configuration and needs, educational, transportation, and health care opportunities, environmental hazards or concerns, and all other factors material to the AFFH determination. Applications should show that projects are likely to lessen area racial, ethnic, and low-income concentrations, and/or promote affordable housing in low-poverty, nonminority areas in response to natural hazard related impacts.

## Low-to Moderate Income Requirement

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

The Capital Area Council of Governments (CAPCOG) has conformed with the program guidelines received from U.S. Department of Housing and Urban Development (HUD) and the Texas General Land Office (GLO) that at least 70% of all program funds allocated must benefit low and moderate income (LMI) persons. To further our efforts to ensure that these program guidelines are met, CAPCOG formulated the Method of Distribution by utilizing quantifiable data provided from FEMA, HUD, and GLO to best assess and validate allocations to be made to the most distressed and impacted areas within the CAPCOG region.

## Local Buyout and Acquisition Program Method of Distribution Detail

The COG is required to prepare a method of distribution for the local buyout and acquisition program funds between the eligible cities, counties, and entities with eminent domain authority. The GLO has directed the COG to use a direct allocation technique based on objective and verifiable data.

### Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
<b>Regional Share of Individual Housing Assistance Claims Reported</b>	<b>0.20</b>	<b>Federal Emergency Management Agency (FEMA)</b>	<b>Criteria selected is quantifiable and reports the actual individual housing assistance claims received by FEMA for DR-4332. It further supports the number of damaged structures reported within an impacted area.</b>
<b>Regional Share of Individual Housing Damage Amounts Assessed and Reported</b>	<b>0.40</b>	<b>Federal Emergency Management Agency (FEMA)</b>	<b>Criteria selected is quantifiable and reports the actual individual housing damage amounts and assessments made by FEMA for DR-4332. It further supports the damage assessed amounts reported for damaged structures within an impacted area.</b>
<b>Regional Share of Low-to-Moderate Income Persons</b>	<b>0.40</b>	<b>Housing and Urban Development (HUD)</b>	<b>HUD and GLO requires that LMI be considered during allocation. CDBG-DR funds must be expended to benefit 70% of the LMI population identified.</b>

\*Add more rows if needed

All allocations must meet or exceed a floor of \$1,000,000 to help ensure sufficient funds for the Local Buyout and Acquisition program.

### Eligible Activities

Activities must be specifically related to Hurricane Harvey, and must meet the following criteria as outlined in the State of Texas Plan for Disastery Recovery: Hurricane Harvey (Section IV.F.2.d).

The COG has addressed prioritization of eligible activities as follows:

<input checked="" type="checkbox"/>	The COG has chosen not to limit Grantees in the region to projects meeting regional priority activities.		
<b>-OR-</b>			
<input type="checkbox"/>	The COG has limited Grantees in the region to selecting projects meeting the following regional priority activities:		
<input type="checkbox"/>	Buyout	<input type="checkbox"/>	Activities designed to relocate families outside of floodplains
<input type="checkbox"/>	Acquisition	<input type="checkbox"/>	Public service within the 15 percent cap (e.g. housing counseling, legal counseling, job training, mental health, and general health services)
<input type="checkbox"/>	Relocation Assistance with buyout or acquisition activities	<input type="checkbox"/>	FEMA Hazard Mitigation Grant Program (HMGP) cost share
<input type="checkbox"/>	Demolition only		

**Ineligible Activities**

Incentive payments to households that move to disaster-impacted floodplains. Activities located within the city limits of Houston and/or within Harris County are ineligible to participate in the program.

**Local Infrastructure Program Method of Distribution Detail**

The COG is required to prepare a method of distribution for the local infrastructure program funds between the eligible cities and counties. The GLO has directed the COG to use a direct allocation technique based on objective and verifiable data.

**Distribution Factors**

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Regional Share of Individual Assistance Claims Reported to FEMA	0.40	Federal Emergency Management Agency (FEMA)	Criteria selected is quantifiable and reports the individual assistance claims received by FEMA for DR-4332.
Regional Share of Individual Assistance Damage Amounts Assessed and Reported to FEMA	0.40	Federal Emergency Management Agency (FEMA)	Criteria selected is quantifiable and reports the actual infrastructure damage amounts and assessments made by FEMA for DR-4332.
Regional Share of Low-to-Moderate Income Persons	0.20	Housing and Urban Development (HUD)	HUD and GLO requires that LMI be considered during allocation. CDBG-DR funds must be expended to benefit 70% of the LMI population identified.

\*Add more rows if needed

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

**Eligible Activities**

Activities must be specifically related to Hurricane Harvey, and must meet the following criteria as outlined in the State of Texas Plan for Disaster Recovery: Hurricane Harvey (Section IV.F.7.d).

Each infrastructure activity must demonstrate how it will contribute to the long-term recovery and restoration of housing.

The COG has addressed prioritization of eligible activities as follows:

<input type="checkbox"/>	The COG has chosen not to limit Grantees in the region to projects meeting regional priority activities.	
<b>-OR-</b>		
<input checked="" type="checkbox"/>	The COG has limited Grantees in the region to selecting projects meeting the following regional priority activities:	
<input checked="" type="checkbox"/>	Water Facilities	<input checked="" type="checkbox"/> Specially Authorized Public Facilities & Improvements
<input checked="" type="checkbox"/>	Sewer Facilities	<input type="checkbox"/> Public Services
<input type="checkbox"/>	Other Public Utilities (gas, et al)	<input checked="" type="checkbox"/> Clearance & Demolition Activities
<input checked="" type="checkbox"/>	Street Improvements	<input type="checkbox"/> Code Enforcement
<input checked="" type="checkbox"/>	Flood and Drainage Improvements	<input type="checkbox"/> Senior Centers
<input checked="" type="checkbox"/>	Debris Removal	<input type="checkbox"/> Economic Development
<input type="checkbox"/>	Community Centers & Emergency Shelters (Existing)	<input type="checkbox"/> Parks, Playgrounds and other Recreational Facilities
<input checked="" type="checkbox"/>	Fire Protection Facilities and Equipment	<input type="checkbox"/> Other CDBG-DR eligible activities related to infrastructure

**Ineligible Activities**

Ineligible activities for the local infrastructure program are outlined in the State of Texas Plan for Disastery Recovery: Hurricane Harvey (Section IV.F.7.e) and should be referenced accordingly.

**Approval and Signatory Authority**

A Resolution of the COG is attached approving the method of distribution and authorizing its submittal to the Texas General Land Office. I certify that the contents of this document and all related attachments are complete and accurate.

Signature Betty Voights

Date 9-13-18

Betty A. Voights  
Printed Name

Executive Director  
Title

bvoights@capcog.org  
Email Address

(512) 916-6000  
Telephone Number

**CAPITAL AREA COUNCIL OF GOVERNMENTS**  
**Method of Distribution**  
**for Community Development Block Grant – Disaster Recovery Program**  
**Disaster Recovery Allocation for Hurricane Harvey**

**Introduction**

On April 19, 2018, Texas General Land Office (GLO) released guidance for regional method of distribution (MOD) for federal disaster recovery funds as a result of Hurricane Harvey, DR-4332. This document describes how Capital Area Council of Governments (CAPCOG) proposes to distribute funds to foster long-term recovery, emphasize a focus on the permanent restoration in infrastructure, and to utilize a local buyout and acquisition of land and property to remove Hurricane Harvey survivors out of harm's way.

**Local Buyout and Acquisition Program<sup>1</sup>**

The purpose of the Local Buyout and Acquisition Program is to remove survivors and homes out of harm's way. Due to the nature of this activity, this program will be administered by local units of government and entities with the power of eminent domain authority. With the allocation of CDBG-DR funds, the following lists the eligible and ineligible activities allowed under this program.

**Eligible Activities:**

1. Buyouts
2. Acquisition
3. Relocation Assistance with buyout or acquisition activities
4. Down Payment Assistance with buyout or acquisition activities
5. Demolition only
6. Activities designated to relocate families outside of floodplains
7. Public service within the 15% cap (e.g. – housing counseling, legal counseling, job training, mental health, and general health services)
8. FEMA Hazard Mitigation Grant Program (HMGP) cost share.

**Ineligible Activities:**

1. Incentive payments to households that move to disaster-impacted floodplains.

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<sup>1</sup> See *Texas General Land Office State Action Plan*, pg. 78-80.,  
<http://texasrebuilds.org/Documents/Action%20Plan%20-%205%20Billion%20Final%20Draft%205-8-2018.pdf>

## Local Infrastructure Program<sup>2</sup>

The Local Infrastructure Program serves to provide disaster relief, long-term recovery, and restoration of infrastructure for local communities impacted by Hurricane Harvey. Due to the nature of this activity, this program will be administered by GLO, with local units of governments as subrecipients. With the allocation of CDBG-DR funds, the following lists the eligible and ineligible activities allowed under this program.

### Eligible Activities:

1. Flood control and drainage repair and improvements, including the construction or rehabilitation of storm water management systems.
2. Restoration of infrastructure (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.).
3. Demolition, rehabilitation of publicly or privately-owned commercial or industrial buildings.

### Ineligible Activities:

1. Size increase or enlargement of a dam or levee beyond the original footprint of the structure that existed prior to the disaster event.
  - a. CDBG-DR funds for levees and dams are required to:
    - i. Register and maintain entries regarding such structures with the U.S. Army Corps of Engineers National Levee Database or National Inventory of Dams;
    - ii. Ensure that the structure is admitted in the U.S. Army Corps of Engineers PL 84-99 Rehabilitation Program (Rehabilitation Assistance for Non-Federal Flood Control Projects)
    - iii. Ensure the structure is accredited under the FEMA National Flood Insurance Program
    - iv. Maintain file documentation demonstrating a risk assessment prior to funding the flood control structure and documentation that the investment includes risk reduction measures.
2. Funds may not be used to assist a privately-owned utility for any purpose.
3. Funds may not be used for buildings and facilities used for the general conduct of government (e.g., city halls, courthouses, and emergency operation centers).
4. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by the Federal Emergency Management Agency (FEMA), the Army Corps of Engineers (USACE), insurance, or another source due in part to the restrictions against duplication of benefits outlined in the Action Plan. An activity underway prior to the Presidential Disaster Declaration will not qualify unless the disaster directly impacted said project.
5. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG-DR funds that may be contributed to a USACE project is \$250,000 or less.

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<sup>2</sup> See *Texas General Land Office State Action Plan*, pg. 86-89.,  
<http://texasrebuilds.org/Documents/Action%20Plan%20-%205%20Billion%20Final%20Draft%205-8-2018.pdf>

### **HUD Most Impacted and Distressed Area**

For the CAPCOG region, Department of Housing and Urban Development (HUD) has identified and designated Zip Code “78945” as the “most impacted and distressed” area. CAPCOG has identified that the beneficiaries within this zip code reside within the City of La Grange and in other qualifying areas within Fayette County. HUD and the Texas General Land Office require that 80% of the total regional allocation must benefit the Hurricane Harvey survivors that resided within the 78945 zip code at the time of the event and must address unmet housing-related needs.<sup>3</sup>

### **CDBG-DR Eligible Counties**

For the CAPCOG region, the GLO has identified 4 eligible counties as “CDBG-DR Eligible”. The counties identified include Bastrop County, Caldwell County, Fayette County, and Lee County. HUD and the Texas General Land Office require that the remaining 20% of the total regional allocation must benefit the Hurricane Harvey survivors that resided within these CDBG-DR Eligible counties during the time of the event and must address unmet housing-related needs.<sup>4</sup>

### **Low to Moderate Income Thresholds**

The Community Development Block Grant (CDBG) program requires that each CDBG funded activity must either principally benefit low- and moderate-income persons, aid in the prevention or elimination of slums or blight, or meet a community development need having a particular urgency. With respect to activities that benefit all the residents of a given area, at least 51 percent of the area’s residents must be low and moderate income. The Office of Community Planning and Development provides estimates of the number of persons that can be considered Low, Low to Moderate, and Low, Moderate, and Medium income persons according to annually revised income limits. Estimates are provided at three income levels:

- Very Low Income (50 percent);
- Low to Moderate Income (80 percent), and
- Medium Income (120 percent).<sup>5</sup>

Of the total regional allocations made, 70% of all total CDBG-DR funds must benefit a population that is categorized as Low-to-Moderate Income (LMI).<sup>6</sup>

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<sup>3</sup> See Table #1 and Department of Housing and Urban Development, Allocations, Common Application, Waivers, and Alternative Requirements for 2017 Disaster Community Development Block Grant – Disaster Recovery Grantees. *Federal Register Notice of Funding Opportunity (Vol. 83, No. 28, Friday, February 9, 2018).*

<sup>4</sup> See Table #1 and *Texas General Land Office State Action Plan*, pg. 97-98., <http://texasrebuilds.org/Documents/Action%20Plan%20-%205%20Billion%20Final%20Draft%205-8-2018.pdf>

<sup>5</sup> Reference HUD Low to Moderate Income Data, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-local-government/> and FY2018 State Income Limits, <https://www.huduser.gov/portal/datasets/il/il18/State-Incomelimits-Report-FY18r.pdf>

<sup>6</sup> See attached: State Action Plan - Total Allocation Budget. *Texas General Land Office State Action Plan*, pg. 74.

## **Fund Availability**

The CAPCOG region was awarded a total of \$12,929,474 for the distribution of funds for a local buyout and acquisition program and \$ 4,305,474 for the distribution of funds for a local infrastructure program.

The identified entities to receive the 80% fund allocation include survivors which resided in the Zip Code area of 78945 at the time of the event. According to HUD's determination, the survivors within the 78945 zip code shall receive the benefit of an allocation totaling \$6,347,500 for the Local Buyout / Acquisition Program. According to GLO, no direct funding allocation can be provided specifically for zip code 78945 for the Infrastructure Program.<sup>7</sup> However, the benefit of an allocation for the Infrastructure Program for survivors within the 78945 zip code shall be deferred to Fayette County. However, the identified entities to receive the 20% fund allocation will include survivors within the Counties of Bastrop, Caldwell, Fayette and Lee. According to GLO's State Action Plan Total Allocation Budget, qualified entities within the CAPCOG region are entitled to receive a partial allocation of the total allocated amount of \$6,581,974 for the Local Buyout and Acquisition Program and a partial allocation of the total allocated amount of \$4,305,474 for the Infrastructure Program.<sup>8</sup>

## **Fund Allocation Threshold**

The funding floor for each program has been laid out by the Texas General Land Office. Funding parameters for the Local Buyout and Acquisition Program require that a minimum of \$1,000,000 be allocated to any qualified local entity receiving CDBG-DR funds. Funding parameters for the Infrastructure Program require that a minimum of \$100,000 be allocated to any qualified local entity receiving CDBG-DR funds.<sup>9</sup>

According to FEMA data, Lee County did not meet the threshold of damage for the local buyout and acquisition program. However, since the funding requirements state that each qualified local entity must receive the minimum amount of \$1,000,000, allocation adjustments were made with funding coming from the other three designated counties. Caldwell, Fayette and Bastrop had their allocations reduced in order to ensure Lee County received the minimum amount required.

## **Methodology and Analysis**

Funds to be allocated for both programs will be awarded directly to the Counties. Based upon discussions and analysis with county and local governmental leaders, it has been determined that allocating directly to the impacted counties will be most economically feasible in satisfying the cumulative unmet needs in the impacted areas identified by FEMA and HUD.<sup>10</sup> Analysis and methodology utilized considers information received documenting an unmet housing-related need

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> See *Texas General Land Office State Action Plan*, pgs. 80, 87.

<sup>10</sup> See Table #2. Original Source: <https://www.fema.gov/openfema-dataset-individual-assistance-housing-registrants-large-disasters-v1> and FEMA Public Assistance Data 6/8/2018 provided to GLO.



resulting from Hurricane Harvey. Statistical data outlining the shortfalls anticipated for each qualifying entity is derived from the following sources:

- FEMA Individual Assistance Data;
- FEMA Public Assistance Data;
- U.S. Census TIGER Geodatabase; and
- The Hurricane Harvey damage impact sustained and reported by and/or within a qualified entity.

A preliminary allocation the Local Buyout and Acquisition Program was determined and weighted by the following criteria:

- 20% - Regional Share of Individual Housing Assistance Claims Reported
- 40% - Regional Share of Individual Housing Damage Amounts Assessed and Reported
- 40% - Regional Share of Low-to-Moderate Income Persons.

A preliminary allocation for the Infrastructure Program was determined and weighted by the following criteria:

- 40% - Regional Share of Individual Assistance Claims Reported to FEMA
- 40% - Regional Share of Individual Assistance Damage Amounts Assessed and Reported to FEMA
- 20% - Regional Share of Low-to-Moderate Income Persons.

**Entity Fund Allocation Policy**

Identified qualifying entities will not have to submit a MOD unless they are applying to GLO for CDBG-DR funds to directly distribute out to individual communities within their boundaries for specific projects. CAPCOG is required to recommend allocations for the impacted counties identified. The GLO will make the final determinations on the awarding of all CDBG-DR allocated funds. All funding will be granted at the county level only.

**Proposed Fund Allocations**

Based upon the statistical data provided by FEMA and GLO, the following fund allocations were derived and proposed:

**Local Buyout and Acquisition Program – HUD Most Impacted Area – 80% Allocation**

<u>Qualifying Entity</u>	<u>Designated Allocation</u>
Zip Code Area of 78945 - (City of La Grange and all other qualified areas within the zip code will receive the benefit. Allocations will be made to Fayette County. )	\$ 6,347,500.00

Local Buyout and Acquisition Program – State Most Impacted Areas – 20% Allocation

<u>Qualifying Entity</u>	<u>Proposed Allocation Amount</u>
Bastrop County	\$ 2,015,856.38
Caldwell County	\$ 1,000,000.00
Fayette County	\$ 2,566,117.62
Lee County	\$ 1,000,000.00

Local Infrastructure Program – HUD Most Impacted Area – 80% Allocation

<u>Qualifying Entity</u>	<u>Designated Allocation</u>
Zip Code Area of 78945 (City of La Grange and all other qualified areas within the zip code. Any funds designated will be allocated to Fayette County.)	\$ 0.00

Local Infrastructure Program – State Most Impacted Areas – 20% Allocation

<u>Qualifying Entity</u>	<u>Proposed Allocation Amount</u>
Bastrop County	\$1,632,148.07
Caldwell County	\$1,458,279.69
Fayette County	\$929,021.13
Lee County	\$286,025.11

**Citizens Participation Plan**

In order to comply with HUD regulations, CAPCOG formulated a Citizens Participation Plan which is posted on the CAPCOG website and includes public hearing information and opportunities for public participation for input.

**MOD Schedule**

The following schedule has been made available for the public to participate in public hearings and to receive input from the impacted areas:

- Thursday, May 24, 2018 – Initial Notice of Public Hearing Meetings Published in all regional newspapers
- Wednesday, May 30, 2018 – 1<sup>st</sup> Public Hearing (Planning Meeting) – Bastrop County Courthouse
- Thursday, June 7, 2018 – Second Public Hearing Meetings Published in all regional newspapers
- Wednesday, June 13, 2018 – Publication of Draft MOD on CAPCOG website, start of public comment period for 14 days.
- Tuesday, June 19, 2018 – Second Public Hearing Meeting – Bastrop County Courthouse
- Wednesday, June 27, 2018 – End of Public Comment Period
- Wednesday, July 11, 2018 – Review, approval and adoption of Final MOD by CAPCOG Executive Committee
- Thursday, July 12, 2018 – Submit Final MOD to Texas General Land Office for review and approval.

**Conclusion**

State guidance requires CAPCOG to submit its MOD to Texas General Land Office by July 13, 2018. An extensive citizen participation and a comment process is required. The CAPCOG region will utilize several factors in determining the final regional distribution of the funds to ensure that decisions were made to conform with Federal and State requirements to support the affirmative furthering of fair housing in all funding decisions, and to support the long-term recovery of the entire CAPCOG region.

# **CAPCOG Resolution**

**RESOLUTION**

**A RESOLUTION AUTHORIZING CAPITAL AREA COUNCIL OF GOVERNMENTS TO SUBMIT A METHOD OF DISTRIBUTION FOR THE 2017 HURRICANE HARVEY CDBG-DISASTER RECOVERY (DR-4332) ALLOCATION APPLICABLE FOR THE HUD MOST IMPACTED ZIP CODE AND THE CDBG-DR ELIGIBLE COUNTIES IN ACCORDANCE WITH THE STATE OF TEXAS ACTION PLAN OF April 6, 2018**

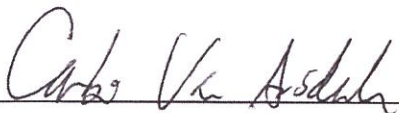
**WHEREAS**, the Texas General Land Office has directed the Texas Councils of Governments (COGs) to develop a Method of Distribution (MOD) for purposes of allocating CDBG-DR funding to those jurisdictions within the COG's boundaries that were impacted by 2017 Hurricane Harvey disaster, and,

**WHEREAS**, the Capital Area Council of Governments has been notified of a regional allocation of \$12,929,474 for a local buyout and acquisitions program and \$4,305,474 for a local infrastructure program to be allocated based on criteria appropriate for the needs of the impacted jurisdictions, and,


**WHEREAS**, the Capital Area Council of Governments conducted two public hearings, a town hall meeting, received written comments to the published draft MOD, and met with elected officials of the four eligible counties, as well as, worked with interest groups and local government staff to develop criteria for the proposed allocation of the 20 percent funding taking into consideration all input received, and,

**WHEREAS**, CAPCOG has proposed allocations of CDBG-DR funds based on claims received by FEMA, damage estimates as provided by FEMA, and Low-to-Moderate Income data of fiscal year 2018 by HUD,

**THEREFORE, BE IT RESOLVED** that the Executive Committee of the Capital Area Council of Governments hereby approves and authorizes submission of the Method of Distribution for the allocation of CDBG-DR funding for housing buyout/acquisitions and infrastructure improvements for the most impacted zip code 78945 and the eligible counties of Bastrop, Caldwell, Fayette and Lee on this 12th day of September, 2018.



Mayor Corbin Van Arsdale, Chair  
Executive Committee  
Capital Area Council of Governments



Judge Paul Pape, Secretary  
Executive Committee  
Capital Area Council of Governments



# Capital Area Council of Governments

6800 Burleson Road, Building 310, Suite 165, Austin, Texas 78744

(p) 512-916-6000 (f) 512-916-6001

[www.capcog.org](http://www.capcog.org)

July 12, 2018

Mr. Shawn Strange  
Texas General Land Office  
Attn: Community Development and Revitalization  
P.O. Box 12873  
Austin, TX 78711-2873

Dear Mr. Strange:

On July 11, 2018 the Executive Committee of CAPCOG at a regular meeting of the governing body, approved by unanimous vote the proposed Method of Distribution for the CDBG-DR funds allocated by your agency for the four counties in our region impacted by Hurricane Harvey – Bastrop, Caldwell, Fayette and Lee.

We inadvertently omitted the resolution from the board’s action yesterday. We will place that on the agenda for the next meeting scheduled August 8, 2018. I am attaching a copy for reference.

Sincerely,

Betty Voights  
Executive Director

- Chair  
Mayor Corbin Van Arsdale  
City of Cedar Park
- 1st Vice Chair  
Commissioner Gerald Daugherty  
Travis County
- 2nd Vice Chair  
Council Member Andrea Navarrette  
City of Leander
- Secretary  
Judge Paul Pape  
Bastrop County
- Past Chair  
Judge Bert Cobb  
Hays County
- Parliamentarian  
Commissioner Cynthia Long  
Williamson County
- Judge Brett Bray  
Blanco County
- Judge Mary Cunningham  
Ulano County
- Representative John Cyrier  
Texas House
- Commissioner Joe Don Dockery  
Burnet County
- Judge Dan Gattis  
Williamson County
- Council Member William Gordon  
City of Smithville
- Council Member Mike Heath  
City of Pflugerville
- Mayor Pro Tem Wiley Hopkins  
City of Buda
- Council Member Jane Hughson  
City of San Marcos
- Commissioner Debbie Ingalsbe  
Hays County
- Representative Jason Isaac  
Texas House
- Representative Celia Israel  
Texas House
- Judge Ed Janecka  
Fayette County
- Council Member Tammy Young  
City of Round Rock
- Former Mayor Caroline Murphy  
City of Bee Cave
- Judge James Oakley  
Burnet County
- Commissioner Maurice Pitts  
Lee County
- Mayor Brandt Rydell  
City of Taylor
- Judge Ken Schawe  
Caldwell County
- Commissioner Brigid Shea  
Travis County
- Council Member Ellen Troxclair  
City of Austin
- Mayor Lew White  
City of Lockhart
- Representative Paul Workman  
Texas House

# **Final Allocation Summary Spreadsheet**



Hurricane Harvey  
 Capital Area Council of Governments (CAPCOG)  
 Regional Method of Distribution Allocation Summary  
 80% HUD Designated Most Impacted Area

<i>Required</i>	Local Buyout and Acquisition Program (80% HUD Designated Most Impacted Area)		Local Infrastructure Program (80% HUD Designated Most Impacted Area)		Total		
	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>
City, County or Eligible Entity	Allocation	Percentage of Allocation	Allocation	Percentage of Allocation	Total Allocation	Percentage of Total Regional Allocation	70% Low-to-Moderate Income Benefit Requirement
Fayette County - (The City of La Grange and all other qualified areas within zip code 78945 will receive the allocation benefit from the County).	\$6,347,500.00	100.00%	\$ -	0.00%	\$6,347,500.00	100.00%	\$4,443,250.00
	\$6,347,500.00	100.00%	\$0.00	0.00%	\$6,347,500.00	100.00%	\$4,443,250.00
	Percentage of Total Allocation:	100.00%	0.00%		Low-to-Moderate Income Benefit Requirement	70%	\$4,443,250.00

No direct CDBG-DR funding for the Infrastructure Program was assigned to the 80% HUD Designated Most Impacted Area by the Texas General Land Office. However, the impacted area will share in the receipt of the funding benefit from Fayette County's portion of their 20% allocation amount to be received. (Ref. Texas General Land Office - State Action Plan - Total Allocation Budget, pg. 74).

Hurricane Harvey  
Capital Area Council of Governments (CAPCOG)  
Regional Method of Distribution Allocation Summary  
20% CDBG-DR Eligible Entities

<i>Required</i>	Local Buyout and Acquisition Program (20% CDBG-DR Eligible Entities)		Local Infrastructure Program (20% CDBG-DR Eligible Entities)		Total		
	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>
City, County or Eligible Entity	Allocation	Percentage of Allocation	Allocation	Percentage of Allocation	Total Allocation	Percentage of Total Regional Allocation	70% Low-to-Moderate Income Benefit Requirement
Bastrop County	\$2,015,856.38	30.63%	\$ 1,632,148.07	37.91%	\$3,648,004.45	33.51%	\$2,553,603.12
Caldwell County	\$1,000,000.00	15.19%	\$ 1,458,279.69	33.87%	\$2,458,279.69	22.58%	\$1,720,795.78
Fayette County	\$2,566,117.62	38.99%	\$ 929,021.13	21.58%	\$3,495,138.75	32.10%	\$2,446,597.13
Lee County	\$1,000,000.00	15.19%	\$ 286,025.11	6.64%	\$1,286,025.11	11.81%	\$900,217.58
	\$6,581,974.00	100.00%	\$4,305,474.00	100.00%	\$10,887,448.00	100.00%	\$7,621,213.60
	Percentage of Total Allocation:	60.45%	39.55%		Low-to-Moderate Income Benefit Requirement	70%	\$7,621,213.60

CAPITAL AREA COUNCIL OF GOVERNMENTS  
HURRICANE HARVEY: REGIONAL METHOD OF DISTRIBUTION  
LOCAL ACQUISITION AND BUYOUT PROGRAM -  
SUMMARY OF ALLOCATION FOR HUD DESIGNATED MOST IMPACTED AREA (80%)

City, County or Eligible Entity	First Distribution Factor:			Second Distribution Factor:			Third Distribution Factor:			Fourth Distribution Factor: N/A			Proportional Weighted Factor (PWF)	Housing - Allocation for Formulaic Distribution (AFD)	Unadjusted Proportional Distribution PWF x AFD	Mandatory Distribution of Allocation	Adjusted Variance to Attain Threshold of Minimum Allocation	Adjusted Proportional Distribution PWF x AFD (TOTAL ALLOCATION)
	FEMA Individual Assistance Claims			FEMA Individual Housing Damage Amounts			Low to Moderate Income Persons											
	SUM of Factors:	821		SUM of Factors:	\$ 7,388,900.00		SUM of Factors:	9,150		SUM of Factors:								
	Factor Weight:	20%		Factor Weight:	40%		Factor Weight:	40%		Factor Weight: 0%								
Factor Measure (FM)	Weight (W)	Proportion of Weight W/(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W/(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W/(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W/(FM/SUM)							
Fayette County	821	20%	0.20	\$ 7,388,900.00	40%	0.40	9,150	40%	0.40	-	0%	0.00	100%	\$ 6,347,500.00	\$ 6,347,500.00	\$ 6,347,500.00	100%	\$ 6,347,500.00
		20%	0.00			0.00						0.00						
		20%	0.00			0.00						0.00						
		20%	0.00			0.00						0.00						
SUM	821			\$ 7,388,900.00			9,150			-								
Proportion Total:													100%	\$ 6,347,500.00	\$ 6,347,500.00	\$ 6,347,500.00	100%	\$ 6,347,500.00

CAPITAL AREA COUNCIL OF GOVERNMENTS  
HURRICANE HARVEY: REGIONAL METHOD OF DISTRIBUTION  
LOCAL ACQUISITION AND BUYOUT PROGRAM -  
SUMMARY OF ALLOCATION FOR CDBG-DR ELIGIBLE ENTITIES (20%)

City, County or Eligible Entity	First Distribution Factor:			Second Distribution Factor:			Third Distribution Factor:			Fourth Distribution Factor: N/A			Proportional Weighted Factor (PWF)	Housing - Allocation for Formulaic Distribution (AFD)	Unadjusted Proportional Distribution PWF x AFD	Minimum Distribution of Allocation	Adjusted Variance to Attain Threshold of Minimum Allocation	Adjusted Proportional Distribution PWF x AFD (TOTAL ALLOCATION)
	FEMA Individual Assistance Claims			FEMA Individual Housing Damage Amounts			Low to Moderate Income Persons			SUM of Factors: -								
	SUM of Factors: 2,049			SUM of Factors: \$ 10,133,600.00			SUM of Factors: 66,470			SUM of Factors: -								
	Factor Weight: 20%			Factor Weight: 40%			Factor Weight: 40%			Factor Weight: 0%								
Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)							
Bastrop County	772	20%	0.08	\$ 1,536,100.00	40%	0.06	33,125	40%	0.20	-	0%	0.00	34%	\$ 6,581,974.00	\$ 2,207,105.76	\$ 1,000,000.00	44%	\$ 2,015,856.38
Gadwell County	243	20%	0.02	\$ 520,400.00	40%	0.02	18,485	40%	0.11	-	0%	0.00	16%	\$ 6,581,974.00	\$ 1,023,487.77	\$ 1,000,000.00	0%	\$ 1,000,000.00
Fayette County	821	20%	0.08	\$ 7,388,900.00	40%	0.29	9,150	40%	0.06	-	0%	0.00	43%	\$ 6,581,974.00	\$ 2,809,571.66	\$ 1,000,000.00	56%	\$ 2,566,117.62
Lee County	213	20%	0.02	\$ 688,200.00	40%	0.03	5,710	40%	0.03	-	0%	0.00	8%	\$ 6,581,974.00	\$ 541,808.82	\$ 1,000,000.00	0%	\$ 1,000,000.00
SUM	2,049			\$ 10,133,600.00			66,470			-								
Proportion Total:												100%		\$ 6,581,974.00		\$ 4,581,974.00	\$ 6,581,974.00	

CAPITAL AREA COUNCIL OF GOVERNMENTS  
HURRICANE HARVEY: REGIONAL METHOD OF DISTRIBUTION  
INFRASTRUCTURE PROGRAM -  
SUMMARY OF ALLOCATION FOR CDBG-DR ELIGIBLE ENTITIES (20%)

City, County or Eligible Entity	First Distribution Factor: FEMA Individual Assistance Claims			Second Distribution Factor: FEMA IHA Damages Reported			Third Distribution Factor: Low to Moderate Income Persons			Fourth Distribution Factor: N/A			Minimum Distribution of Allocation	Proportional Weighted Factor (PWF)	Infrastructure Allocation for Formulaic Distribution (AFD)	Proportional Distribution x AFD (TOTAL ALLOCATION)
	SUM of Factors: 2,049			SUM of Factors: \$ 11,450,127.05			SUM of Factors: 66,470			SUM of Factors: -						
	Factor Weight: 40%			Factor Weight: 40%			Factor Weight: 20%			Factor Weight: 0%						
	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)	Factor Measure (FM)	Weight (W)	Proportion of Weight W(FM/SUM)				
Bastrop County	772	40%	0.15	\$ 3,684,365.93	40%	0.13	33,125	20%	0.10	-	0%	0.00	\$ 100,000.00	38%	\$ 4,305,474.00	\$ 1,632,148.07
Caldwell County	243	40%	0.05	\$ 6,745,464.05	40%	0.24	18,485	20%	0.06	-	0%	0.00	\$ 100,000.00	34%	\$ 4,305,474.00	\$ 1,458,279.69
Fayette County	821	40%	0.16	\$ 800,713.54	40%	0.03	9,150	20%	0.03	-	0%	0.00	\$ 100,000.00	22%	\$ 4,305,474.00	\$ 929,021.13
Lee County	213	40%	0.04	\$ 219,583.53	40%	0.01	5,710	20%	0.02	-	0%	0.00	\$ 100,000.00	7%	\$ 4,305,474.00	\$ 286,025.11
<b>SUM</b>	<b>2,049</b>			<b>\$ 11,450,127.05</b>			<b>66,470</b>			<b>-</b>				<b>100%</b>		<b>\$ 4,305,474.00</b>

## Data Sources

The MOD relies on the following data sources for variables that provide formula inputs. Links to specific data sources are included in the table below, and more information is available on the CAPCOG site at: <http://www.capcog.org/divisions/homeland-security/hurricane-harvey-mod>

Variable	Description	Source Organization	Source Link
IHA Claims	The number of registrants for FEMA's Individual Household Assistance Program following the DR-4332 event.	Federal Emergency Management Agency	<a href="http://www.capcog.org/documents/homelandsecurity/FIDA_21196_DR4332_2018-05-08.xlsx">http://www.capcog.org/documents/homelandsecurity/FIDA_21196_DR4332_2018-05-08.xlsx</a>
IHA Damage Estimate	<p>Each IHA claim is evaluated by FEMA, and FEMA then records a Fully Verified Loss (FVL). FVLs are counted in the following damage brackets:</p> <ul style="list-style-type: none"> <li>• \$200 - \$5,000</li> <li>• \$5,000 - \$24,999</li> <li>• \$25,000 - \$49,999</li> <li>• \$50,000 - \$74,999</li> <li>• \$75,000 - \$99,999</li> <li>• \$100,00 - \$200,000</li> </ul> <p>The IHA Damage estimate counts the number of FVLs in each category and multiplies that count by the midpoint of the category. For example, if a jurisdiction only had 2 FVLs and both were in the \$200 - \$5,000 category, the IHA Damage Estimate would be \$5,200 (2*\$2,600).</p>	Federal Emergency Management Agency	Same as above
Infrastructure Damage	The cost of FEMA's Public Assistance to local jurisdictions as a result of DR-4332. Public Assistance is categorized according to the type of project. In an effort to focus on infrastructure, this accounting of public assistance omits FEMA's Category A (Debris Removal), Category B (Emergency Protective Measures), as well as Direct Administrative Costs.	Federal Emergency Management Agency	<a href="http://www.capcog.org/documents/homelandsecurity/DR4332_TX_Projects_6.8.2018-COGs.xlsx">http://www.capcog.org/documents/homelandsecurity/DR4332_TX_Projects_6.8.2018-COGs.xlsx</a>
LMI Persons	The number of Low- to Moderate-Income persons living in the jurisdiction. Low- to Moderate-Income is defined by the Department of Housing and Urban Development as 50 percent and 80 percent of area median incomes, respectively.	Housing and Urban Development	<a href="https://www.hudexchange.info/onecpd/assets/File/ACS_2006_lowmod_blockgroup_tx.xlsx">https://www.hudexchange.info/onecpd/assets/File/ACS_2006_lowmod_blockgroup_tx.xlsx</a>

## Allocation Formulas

To allocate the funds in both the Housing Acquisition Assistance Program and the Infrastructure Assistance Program, we rely on formulas that multiply relevant variables by a weighting factor. The formulas and weights for each program are outlined below.

### Housing Acquisition Assistance

Through the Housing Acquisition Assistance Program, CAPCOG has \$6,581,974 to allocate to local jurisdictions in the disaster-impacted area. The Housing Acquisition Assistance program has a minimum allocation of \$1,000,000. Using the following formula, both Caldwell and Lee Counties fall short of this threshold. To comply with the threshold, the allocations for Caldwell and Lee Counties were increased to \$1,000,000, and the remaining funds in the program were awarded to Bastrop and Fayette according to their relative shares using the formula below.

### Housing Acquisition Assistance Program Allocation Formula

**Share of Total CAPCOG Region Acquisition Allocation** =  $\$6,581,974 \div ((\text{Share of Regional IHA Claims} * 20) + (\text{Share of Regional IHA Damage} * 40) + (\text{Share of LMI Persons} * 40))$

The table below displays the application of this approach and the data used for each jurisdiction.

Table 1: CAPCOG Region Housing Acquisition Assistance Allocations

Area	FEMA IHA Claims	Share of Regional IHA Claims	IHA Claims Factor Weight	FEMA IHA Damage	Share of Regional IHA Damage	IHA Damage Factor Weight	LMI Persons	Share of Regional LMI Persons	LMI Factor Weight	Raw Allocation Share	Adjusted Shares for Floor	Total Allocation
Bastrop County	772	38%	20	\$1,536,100.00	15%	40	33,125	50%	40	34%	44%	\$ 2,015,856.38
Caldwell County	243	12%	20	\$520,400.00	5%	40	18,485	28%	40	16%	0%	\$ 1,000,000.00
Fayette County	821	40%	20	\$7,388,900.00	73%	40	9,150	14%	40	43%	56%	\$ 2,566,117.62
Lee County	213	10%	20	\$688,200.00	7%	40	5,710	9%	40	8%	0%	\$ 1,000,000.00
<b>Region Total</b>	<b>2,049</b>			<b>\$10,133,600.00</b>			<b>66,470</b>					<b>\$6,581,974.00</b>

### Infrastructure Assistance

Through the Infrastructure Assistance Program, CAPCOG has \$4,305,474 to local jurisdictions in the disaster-impacted area. The Infrastructure Assistance Program has a minimum allocation of \$100,000. Because of this much lower threshold, individual cities are potential direct recipients of this funding. Where a city, through the formula, qualified for an allocation below \$100,000, that city's allocation has been attributed to the corresponding county allocation. That said, while cities are potential direct recipients, it may also be preferable to award the money to counties and allow counties to work with local jurisdictions to allocate the infrastructure assistance funding to specific projects. CAPCOG has provided information on both scenarios in the tables that follow.

### Infrastructure Assistance Program Allocation Formula

**Share of Total CAPCOG Region Infrastructure Allocation** =  $\$4,305,474 * ((\text{Share of Regional IHA Claims} * 40) + (\text{FEMA Infrastructure Damage} * 40) + (\text{Share of LMI Persons} * 20))$

The following table displays the application of this approach and the data used for each jurisdiction. In other words, this table shows Infrastructure Assistance allocations if individual cities receive funding directly.



Table 2: CAPCOG Region Infrastructure Assistance Allocations, Including Cities

Area	FEMA IHA Claims	Share of Regional IHA Claims	IHA Claims Factor Weight	FEMA Infrastructure Damage	Share of Regional Infrastructure Damage	Infrastructure Damage Factor Weight	LMI Persons	Share of Regional LMI Persons	LMI Factor Weight	Total Share	Raw Allocations	Total Allocations (Considering Minimum Threshold)
Bastrop County	177	9%	40	\$3,364,470.95	29%	40	24,570	37%	20	23%	\$973,803.28	\$973,803.28
Bastrop	232	11%	40	\$166,922.77	1%	40	2,585	4%	20	6%	\$253,664.03	\$253,664.03
Elgin	80	4%	40	\$152,972.21	1%	40	3,790	6%	20	3%	\$139,453.85	\$139,453.85
Smithville	283	14%	40	\$0.00	0%	40	2,180	3%	20	6%	\$266,165.06	\$266,165.06
Caldwell County	100	5%	40	\$6,687,546.05	58%	40	7,800	12%	20	28%	\$1,191,177.11	\$1,306,157.90
Lockhart	91	4%	40	\$11,318.00	0%	40	5,590	8%	20	4%	\$150,762.79	\$150,762.79
Luling	41	2%	40	\$46,600.00	0%	40	3,640	5%	20	2%	\$88,727.58	\$0.00
Martindale	6	0%	40	\$0.00	0%	40	675	1%	20	0%	\$13,806.51	\$0.00
Uhland	5	0%	40	\$0.00	0%	40	635	1%	20	0%	\$12,446.69	\$0.00
Fayette County	70	3%	40	\$498,672.44	4%	40	3,735	6%	20	4%	\$182,330.80	\$257,165.63
Fayetteville	19	1%	40	\$0.00	0%	40	145	0%	20	0%	\$17,852.08	\$0.00
Flatonia	37	2%	40	\$21,283.87	0%	40	1,010	2%	20	1%	\$47,412.64	\$0.00
La Grange	578	28%	40	\$280,757.23	2%	40	2,675	4%	20	13%	\$562,767.96	\$562,767.96
Round Top	11	1%	40	\$0.00	0%	40	25	0%	20	0%	\$9,570.10	\$0.00
Schulenburg	106	5%	40	\$0.00	0%	40	1,560	2%	20	3%	\$109,346.68	\$109,346.68
Lee County	63	3%	40	\$219,583.53	2%	40	2,490	4%	20	3%	\$118,306.32	\$141,351.58
Giddings	131	6%	40	\$0.00	0%	40	2,675	4%	20	3%	\$144,835.24	\$144,835.24
Lexington	19	1%	40	\$0.00	0%	40	545	1%	20	1%	\$23,045.26	\$0.00
<b>Region Total</b>	<b>2,049</b>	<b>100%</b>	<b>40</b>	<b>\$11,450,127.05</b>	<b>100%</b>	<b>40</b>	<b>66,325</b>				<b>\$4,305,474.00</b>	<b>\$4,305,474.00</b>

If Infrastructure Assistance allocations are only made to counties, the subsequent funding allocations are shown in the table below.

Table 3: CAPCOG Region Infrastructure Assistance Allocations, Not Including Cities

Area	FEMA IHA Claims	Share of Regional IHA Claims	IHA Claims Factor Weight	FEMA Infrastructure Damage	Share of Regional Infrastructure Damage	Infrastructure Damage Factor Weight	LMI Persons	Share of Regional LMI Persons	LMI Factor Weight	Total Share	Total Allocations (Considering Minimum Threshold)
Bastrop County	772	38%	40	\$3,684,365.93	32%	40	33,125	50%	20	38%	\$1,632,148.07
Caldwell County	243	12%	40	\$6,745,464.05	59%	40	18,485	28%	20	34%	\$1,458,279.69
Fayette County	821	40%	40	\$800,713.54	7%	40	9,150	14%	20	22%	\$929,021.13
Lee County	213	10%	40	\$219,583.53	2%	40	5,710	9%	20	7%	\$286,025.11
<b>Region Total</b>	<b>2,049</b>			<b>\$11,450,127.05</b>			<b>66,470</b>				<b>\$4,305,474.00</b>

# **Citizen Participation Plan**



**Citizen Participation Plan**  
COG Method of Distribution  
Hurricane Harvey CDBG-Disaster Recovery Allocation

**Summary Information**

**Contact Information**

Council of Government (COG): **Capital Area Council of Governments**

Principle Contact Name, Title: **Betty A. Voights, Executive Director**

Principle Contact Telephone: **(512) 916-6000**

Principle Contact Email: **bvoights@capcog.org**

Principle Contact Address: **6800 Burleson Road, Building 310, Suite 155**

City, State, Zip: **Austin, Texas 78744**

**Citizen and Non-Governmental Organization Outreach**

The COG will encourage citizens, with particular emphasis on persons of low-to-moderate income and other vulnerable populations to submit their views regarding community development and housing needs resulting from the disaster(s) in the following ways:

CAPCOG plans to utilize several methods for encouraging citizen participation. CAPCOG will engage in outreach efforts to citizens and non-governmental entities representing the protected classes and low-to-moderate citizens to discuss unmet needs within the four (4) impacted counties related to CDBG-DR funds. Outreach efforts will include newspaper advertisements, email notifications, formal public hearings, conducting surveys, and posting comment responses on the CAPCOG website. CAPCOG will hold two (2) public hearing events. The first public hearing will be a Public Planning Meeting to receive citizen input for projects, which will be held on Wednesday, May 30, 2018 at 9:00 A.M. at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the lower level. The second public hearing will be held on Tuesday, June 19, 2018 at 6:00 P.M. at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Courtroom on the 2<sup>nd</sup> Floor.

The following local organizations that provide services or housing for low-to-moderate income persons, including but not limited to, the local Public Housing Authorities, the local Health and Human Services offices, the local mental health and MHMR offices, Community Development Corporations and Community Housing Development Organizations, will receive written notification concerning the date, time, location and topics to be covered at the method of distribution public hearings:

CAPCOG will make every effort to include all interested parties within the four (4) impacted counties that provide housing-related services for low-to-moderate income persons, which includes, but is not limited to, the local Public Housing Authorities, the local Health and Human Services offices, the local mental health and MHMR offices, Community Development Corporations and Community Housing Development Organizations representing the protected classes and low-to-moderate citizens to be impacted by the distribution of CDBG-DR funds.

The following organizations interested in fair housing issues and representing protected classes of individuals will be contacted to gain additional perspective on fair housing and civil rights issues in the region, and how the people they represent were affected by the disaster(s). Approaches beyond simple written notification of public hearings are required and detailed below:

CAPCOG will make every effort to include and promote the participation of all fair housing and civil rights local organizations within the four (4) impacted counties that provide housing-related services for low-to-moderate income persons, which includes, but is not limited to, the local Public Housing Authorities, the local Health and Human Services offices, the local mental health and MHMR offices, Community Development Corporations and Community Housing Development Organizations representing the protected classes and low-to-moderate citizens to be impacted by the distribution of CDBG-DR funds.

The COG acknowledges that language differences may play a role in effectively reaching non-English speaking residents. The COG will address these potential barriers by providing notification efforts as follows:

CAPCOG will publish public notice advertisements in English and Spanish in the Austin American-Statesman. CAPCOG will also publish duplicate notifications to the local weekly newspapers in the four (4) impacted counties. English and Spanish meeting announcements will also be forwarded to the four (4) impacted counties for bulletin board posting, publication on their web sites. Language Line services will also be accessible and made available to reach the limited-English population within the four (4) impacted counties.

## Public Hearing Content

The public hearings will include a discussion of the following topics:

- The development of housing and community development needs resulting from the disaster(s);
- The amount of funding available;
- All eligible activities under the Community Development Block Grant-Disaster Recovery program, including linking activities to the disaster(s) through direct damage or failure to function;
- Proposed objective factors;
- The COG's draft Method of Distribution.

## Required Meeting and Public Hearing Information

To the extent possible, the COG will adhere to the following schedule of hearings and notifications:

### Posting of Draft Method of Distribution for Public Review

Date/Time: Wednesday, June 13, 2018 at 8:00 A.M. Website Address: [www.capcog.org](http://www.capcog.org) and [www.glo.texas.gov](http://www.glo.texas.gov)

### Public Hearings Scheduling Information

#### Public Planning Meeting – 1<sup>st</sup> Public Hearing

Date/Time: Wednesday, May 30, 2018 at 9:00 A.M. Location: Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the Lower Level

#### 2<sup>nd</sup> Public Hearing During Comment Period

Date/Time: Tuesday, June 19, 2018 at 6:00 P.M. Location: Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Courtroom on the 2<sup>nd</sup> Floor

Notification consistent with GLO requirements will be provided on or before the following dates:

Dates Personal Notice of Hearings will be sent to entities: Saturday, May 26, 2018 and Saturday, June 9, 2018

Dates Notice of Hearings will be published on the COG's Website: Saturday, May 26, 2018 and Saturday, June 9, 2018

Dates Notice of Hearings will be published in regional newspaper(s): Saturday, May 26, 2018 and Saturday, June 9, 2018

The COG understands public hearings shall be held at a time and location compliant with the Americans with Disabilities Act, and convenient to potential or actual beneficiaries. The hearing must include accommodations for persons with disabilities.. The COG will accommodate these needs in the following ways:

CAPCOG will provide reasonable accommodations for persons with disabilities attending CAPCOG-sponsored functions, including handicap-accessible parking and meeting venues. CAPCOG will have handouts and online copies of the presentations available for review following the public meetings. Representatives will be available to assist citizens to complete survey forms after the meetings, if needed. Public meeting locations will be accessible to the public and will be compliant with the Americans with Disabilities Act.

The COG understands its responsibility to provide interpretive services when a significant number of non-English speaking residents can be reasonably expected to participate in the public hearing. If these services are determined to be necessary, the COG will address this need as follows:

CAPCOG will publish public notice advertisements in English and Spanish in the Austin American-Statesman. CAPCOG will also publish duplicate notifications to the local weekly newspapers in the four (4) impacted counties. English and Spanish meeting announcements will also be forwarded to the four (4) impacted counties for bulletin board posting and publication on their web sites. Language Line services will also be accessible and made available to reach the limited-English population within the four (4) impacted counties.

## **Efforts Exceeding Minimum Participation Requirements**

The GLO has encouraged the COG to seek public participation when developing the method of distribution. In pursuit of this goal, the COG held additional meetings and took other additional actions as follows:

CAPCOG will hold a Public Planning Meeting on Wednesday May 30, 2018 at Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the Lower Level for all interested parties within the four (4) impacted counties that have an interest in providing input for the Method of Distribution process. A second public hearing will be held on Tuesday, June 19, 2018 at Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Courtroom on the 2<sup>nd</sup> Floor to allow for additional participation and comments. Additional efforts will be made to encourage participation by issuing an email notification of the scheduled public hearings to the respective local organizations that provide services or housing for all interested parties within the four (4) impacted counties. CAPCOG will conduct surveys to assess the project needs within the four (4) impacted counties. Comments derived from these efforts will be shared with the public by publication and viewing on the CAPCOG website. Also, presentation of the final Method of Distribution will be presented to the CAPCOG Executive Committee on Wednesday, July 11, 2018.



## **Meeting #1 Materials**





## **Citizen Participation Public Meeting #1 | Summary Minutes**

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9 a.m-11 a.m. Wednesday, May 30, 2018  
Bastrop County Courthouse Annex  
804 Pecan Street  
Bastrop, TX 78602

**1. Welcome, Introductory Remarks– Angela Hahn/Kristie Hadnot**

Both Ms. Hahn and Ms. Hadnot welcomed the people in attendance and introduced themselves and Brandon Kaiser, with the General Land Office.

**2. Explanation of Hurricane Harvey CDBG-DR Funding**

Ms. Hadnot gave an brief overview of the program, explaining the total allocation for Round 1; the HUD designated most impacted and distressed areas; and the timeline for the action plan.

**3. Comments**

Comments received from this meeting centered around the need to address the cause of the flooding and improving infrastructure.

DRAFT

**Public Hearing #1 – Bastrop County Courthouse, May 30, 2018 – 9 a.m. – 11 a.m.**

Mike and Debra Phillips, Lee County:

- We were flooded out for the last 3 years in a row. We lost everything. Please fix the problem.

Mario Zuniga, Lee County:

- I've lived in my home for the last 9 years and experienced flooding on my property for the last 3 years. During the 1<sup>st</sup> flood, the water came up to my porch. During the 2<sup>nd</sup> flood, we had to evacuate from our property because the water kept rising on our property. We lost everything during this flood. We had nothing but the clothes on our back. My family could not return back to our home due to extensive flood damage. The 3<sup>rd</sup> flood further damaged our home. We had already moved out, but the home sustained additional damage from flooding. We would like to move back to our home, but we need the problem fixed.

Warner A Mize, Lee County:

- Cummins Creek dam & drainage control – road closers
- I have owned property adjacent to Cummins Creek Dam # 1 since 1978 and until 4 years ago there was no prolonged flooding. Since the most recent flooding caused by Hurricane Harvey, the creek is still overflowing causing loss of grazing and expensive repairs of fencing both of perimeter and interior fences. I lost two crossovers from one side of my pasture to the other. Loss of these crossover structures are very costly. These crossovers had from 2 -3 culverts. I have also lost approximately 150 mature oak trees due to the standing water. Removal of these trees is imperative due to the fact that decaying branches will cause clogging of existing drainage.

Rafael Salazar, Lee County:

- Fix the dam – 3 years in a row flooded. Need better spillway to avoid months for water to drain. Clean up debris from spillway. Fix streets damaged by flood. Buyout program if problems not fixed.

Angel F. Rodriguez and family, Lee County:

- We have over 20 families in Giddings with reoccurring flood problems. We think we can benefit if the dam that is in Cummins Creek is fixed. We want to get your attention because we've been talking to the commissioners for three years already but they always said they can't do anything about it. For me and my family the last option is to move out. My kids get scared every time it rains in Giddings. We really appreciate if you will investigate what's going on and help all those families in Lee County.

Vance Rogers, City Manager, City of Lockhart:

- Where do I obtain applications to apply for the grant funds to be allocated for the Hurricane Harvey CDBG-DR Programs (Local Buyout & Acquisition Program and Infrastructure Program)?

CAPCOG response: Formal applications to apply for Hurricane Harvey CDBG-DR Program funds will need to be obtained directly from the Texas General Land Office. According to the Texas General Land Office, these applications are not expected to be available for review and publication to the public until Fall 2018. Please continue to check for program status and updates through the Texas General Land Office at website: [www.glo.texas.gov](http://www.glo.texas.gov).



PUBLIC HEARING NOTICE  
CAPCOG METHOD OF DISTRIBUTION FOR

2017 HURRICANE HARVEY – ROUND 1: CDBG-DISASTER RECOVERY

The Capital Area Council of Governments (CAPCOG) is conducting public hearings on the Method of Distribution of 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) Allocation for the Local Infrastructure Program and the Local Buyout and Acquisition Program. **The first hearing will be at 9 a.m. Wednesday, May 30, 2018 at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the lower level.**

The purpose of the hearings is to gather public comments and input from those residing in the CAPCOG counties affected by Hurricane Harvey, 2017 FEMA Disaster 4332: Bastrop, Caldwell, Lee, and Fayette counties. CAPCOG anticipates the region receiving \$4,305,474 of infrastructure program and \$12,929,474 of acquisition program funds from the U.S. Department of Housing and Urban Development (HUD). These program funds are direct allocations to be issued under the CDBG-DR Program to eligible cities and counties designated in HUD's impacted areas during Hurricane Harvey.

On June 13, 2018, a draft of CAPCOG's Method of Distribution will be viewable at CAPCOG's office, 6800 Burleson Road, Building 310, Suite 165 in Austin, and on [www.capcog.org](http://www.capcog.org) and [www.glo.texas.gov](http://www.glo.texas.gov). A second public hearing will be held to review the proposed Method of Distribution at 6 p.m. Tuesday, June 19, 2018, at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Courtroom on the 2nd floor.

For more about the hearings or to request disability or non-English speaking accommodations, contact Kristie Hadnot at 512-916-6066 or [khadnot@capcog.org](mailto:khadnot@capcog.org). Written comments also may be submitted to [khadnot@capcog.org](mailto:khadnot@capcog.org) or Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Written comments must be received by 5 p.m. Wednesday, June 27, 2018.

The public hearings' meeting space is in compliance with the American Disabilities Act.

AVISO DE AUDIENCIA PÚBLICA

MÉTODO DE DISTRIBUCIÓN DE CAPCOG PARA

HURACAN HARVEY 2017 – RONDA 1: CDBG-RECUPERACIÓN DE DESASTRE

El Consejo de Gobiernos de la Área de la Capital [Capital Area Council of Governments (CAPCOG)] está llevando a cabo audiencias públicas sobre el Método de Distribución para la Asignación de las Subvenciones en Bloque de Desarrollo Comunitario de Recuperación de Desastre [Community Development Block Grant Disaster Recovery (CDBG-DR)] del Huracán Harvey 2017 para el Programa de Infraestructura Local y el Programa de Compra y Adquisición Local. **La primera audiencia será a las 9 a.m. el miércoles 30 de mayo de 2018, en el Anexo del Condado de Bastrop, 804 Pecan Street en la ciudad de Bastrop, en la Sala de Conferencias de Comisionados del Condado en el nivel inferior.**

El objetivo de las audiencias es recopilar comentarios y aportes públicos de aquellos que residen en los condados de CAPCOG afectados por el Huracán Harvey 2017, Desastre de FEMA 4332: Condados de Bastrop, Caldwell, Lee y Fayette. CAPCOG anticipa que la región recibirá \$4,305,474 para el Programa de Infraestructura y \$12,929,474 para el Programa de Adquisición del Departamento de Vivienda y Desarrollo Urbano de EE. UU. (HUD). Estos fondos del programa son asignaciones directas que se emitirán bajo el Programa CDBG-DR a ciudades elegibles y condados en las áreas impactadas durante el Huracán Harvey designados por HUD.

En el 13 de junio de 2018, estará disponible un borrador del Método de Distribución de CAPCOG en la oficina de CAPCOG, 6800 Burleson Road, Edificio 310, Oficina 165 en Austin, y en [www.capcog.org](http://www.capcog.org) y [www.glo.texas.gov](http://www.glo.texas.gov). Se realizará una segunda audiencia pública para revisar el Método de Distribución propuesto a las 6 p.m. el martes 19 de junio de 2018, en el Anexo del Condado de Bastrop, 804 Pecan Street en la ciudad de Bastrop, en la Sala de Justicia de los Comisionados del Condado en el segundo piso.

Para más información sobre las audiencias o para solicitar acomodaciones para personas discapacitadas o que no hablan inglés, contacte a Kristie Hadnot, 512-916-6066 o [khadnot@capcog.org](mailto:khadnot@capcog.org). Los comentarios escritos también se pueden enviar a [khadnot@capcog.org](mailto:khadnot@capcog.org) o Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Los comentarios escritos se deben recibir antes de las 5 p.m. el miércoles 27 de junio de 2018.

La sala de reuniones para las audiencias públicas está en conformidad con la Ley de Discapacidades de los Estados Unidos.



## Hadnot, Kristie

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**From:** Barrett, Kate  
**Sent:** Tuesday, May 22, 2018 2:08 PM  
**To:** Pape, Paul; Hamner, Mel; Beckett, Clara; mark.meuth@co.bastrop.tx.us; bubba.snowden@co.bastrop.tx.us; Ellis, Bradley; cschroeder@cityofbastrop.org; bpeterson@cityofbastrop.org; gschiff@cityofbastrop.org; Nelson, Lyle; bennis@cityofbastrop.org; djones@cityofbastrop.org; lhumble@cityofbastrop.org; shawn@bastropedc.org; Cannon, Chris; jgonzalez@ci.elgin.tx.us; jbega@ci.elgin.tx.us; mpenson@ci.elgin.tx.us; sarreaga@ci.elgin.tx.us; pthomas@ci.elgin.tx.us; dlopez@ci.elgin.tx.us; sbrashar@ci.elgin.tx.us; nbeyer@ci.elgin.tx.us; tmattis@ci.elgin.tx.us; Rock, Owen; SSaunders@ci.smithville.tx.us; JMorgan@ci.smithville.tx.us; BRooks@ci.smithville.tx.us; TStreuer@ci.smithville.tx.us; RJanak@ci.smithville.tx.us; Gordon, William; CityManager@ci.smithville.tx.us; Schawe, Ken; Wright, Terry; Moses, Eddie; ed.theriot@co.caldwell.tx.us; Roland, Joe Ivan; Ritchey, Martin; White, Lew; asanchez@lockhart-tx.org; jmendoza@lockhart-tx.org; Castillo, John; kmcgregor@lockhart-tx.org; jmichelson@lockhart-tx.org; bwestmoreland@lockhart-tx.org; vrodgers@lockhart-tx.org; Tobias, Rob; Hendricks, Mike; cmwellsw2@yahoo.com; jidc@sbcglobal.net; jnickells@yahoo.com; ttresner@austin.rr.com; citymanager@cityofluling.net; ledc@austin.rr.com; ksmith@martindale.texas.gov; sgvillalobos@martindale.texas.gov; lcooke@martindale.texas.gov; lsa@martindale.texas.gov; rdeviney@martindale.texas.gov; mapaul@martindale.texas.gov; sgomez@martindale.texas.gov; Janecka, Ed; jason.mcbroom@co.fayette.tx.us; Weishuhn, Gary; harvey.berckenhoff@co.fayette.tx.us; Muras, Tom; Carrigan, Janet; carmine@industryinet.com; fayettevilletx@cvctx.com; jstroup@cvctx.com; mbrunner@ci.flatonia.tx.us; manager@ci.flatonia.tx.us; Moerbe, Janet; citysecretary@cityoflg.com; patjanca@verizon.net; weishuhn@verizon.net; citymanager@cityoflg.com; sbyler@cityoflg.com; Anderson, William; info@townofroundtoptexas.org; contact@schulenburgtx.org; Fischer, Paul; Pitts, Maurice; Murray, Charles; Commissionerpct3@co.lee.tx.us; Commissionerpct4@co.lee.tx.us; Peschke, DeLynn; Dowell, John; fjones@giddings.net; acasey@giddings.net; lpruitt@giddings.net; jlopez@giddings.net; fcastro@giddings.net; citymanager@giddings.net; edcdirector@giddings.net; cityoflex@gmail.com; cityoflex@gmail.com; cityoflex@gmail.com; bobby.wesner@yahoo.com; cityoflex@gmail.com; cwarnell78@gmail.com; mustangridge@gmail.com; bryan.geiger@uhlandtx.us; vicki.hunter@uhlandtx.us; russell.schultz@uhlandtx.us; city@uhlandtx.us; cityofniederwald@yahoo.com; Carter, Eric; Hahn, Angela; Hadnot, Kristie  
**Subject:** CDBG - 2017 Hurricane Harvey Disaster Recovery Public Hearing  
**Attachments:** HS Harvey HUD PH Notice-Final.5-17-18.pdf; HS Harvey HUD PH Notice\_Spanish.5-17-18.pdf

Good afternoon:

The Capital Area Council of Governments (CAPCOG) is conducting public hearings on the Method of Distribution of 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) Allocation for the Local Infrastructure Program and the Local Buyout and Acquisition Program. **The first hearing will be at 9 a.m. Wednesday, May 30, 2018 at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the lower level.** There will be a second public hearing held on June 19, 2018, again at the Bastrop County Courthouse.

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The purpose of the hearings is to gather public comments and input from those residing in the CAPCOG counties affected by Hurricane Harvey, 2017 FEMA Disaster 4332: Bastrop, Caldwell, Lee, and Fayette counties. CAPCOG anticipates the region receiving \$4,305,474 of infrastructure program and \$12,929,474 of acquisition program funds from the U.S. Department of Housing and Urban Development (HUD). These program funds are direct allocations to be issued under the CDBG-DR Program to eligible cities and counties designated in HUD's impacted areas during Hurricane Harvey.

Please find attached notices about the hearings in English and Spanish. We respectfully request to all parties to post both notices on the bulletin boards of their courthouse or city hall for greater public outreach by no later than this Thursday, May 24th.

Regards,

**Kate Barrett**

Homeland Security Administrative Assistant

Capital Area Council of Governments

Ph: 512-916-6035 ~ Fax: 512-916-6001

[kbarrett@capcog.org](mailto:kbarrett@capcog.org) ~ [www.capcog.org](http://www.capcog.org)

CAPCOG is a regional planning commission serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson Counties.

*No electronic communication by a CAPCOG employee  
may legally obligate the agency.*

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## Hadnot, Kristie

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**From:** Hadnot, Kristie  
**Sent:** Thursday, May 31, 2018 9:55 AM  
**To:** 'Alexandra Gamble'  
**Cc:** Shawn Strange  
**Subject:** RE: CAPCOG - Citizen Participation Plan and Public Notices

Hi Alex,

We had our first public planning meeting yesterday in Bastrop County. That meeting was previously posted on our CAPCOG website and probably fell off today. However, we have another meeting scheduled on June 19<sup>th</sup>. Here's the link from our site advertising the meeting - <http://www.capcog.org/upcoming-events/>

Please let me know if you need anything further on my end.

Thanks,

**Kristie Hadnot**  
Capital Area Council of Governments  
P: (512) 916-6066

*\*No electronic communication by a CAPCOG employee may legally obligate the agency.*

**From:** Alexandra Gamble <Alexandra.Gamble@GLO.TEXAS.GOV>  
**Sent:** Thursday, May 31, 2018 9:00 AM  
**To:** Hadnot, Kristie <khadnot@capcog.org>  
**Cc:** Shawn Strange <Shawn.Strange@GLO.TEXAS.GOV>  
**Subject:** RE: CAPCOG - Citizen Participation Plan and Public Notices

Hi Kristie,

We could not locate the meeting postings on CAPCOGs website. We are trying to post links for all the COG meeting off our website.

Can you direct me to the link?

Thanks,  
Alex



**Alexandra Gamble**  
**Manager | Policy Development**  
**Community Development & Revitalization**  
**Texas General Land Office**  
**GEORGE P. BUSH, Commissioner**

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**Hadnot, Kristie**

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**From:** Alexandra Gamble <Alexandra.Gamble@GLO.TEXAS.GOV>  
**Sent:** Wednesday, May 30, 2018 10:23 AM  
**To:** Hadnot, Kristie  
**Cc:** Shawn Strange  
**Subject:** RE: CAPCOG - Citizen Participation Plan and Public Notices

Hi Kristie,

Thank you for the plan. Please let us know if you have any questions.

Thanks,

Alex

**From:** Hadnot, Kristie [mailto:khadnot@capcog.org]  
**Sent:** Saturday, May 26, 2018 8:25 PM  
**To:** CDR <CDR@GLO.TEXAS.GOV>  
**Cc:** Shawn Strange <Shawn.Strange@GLO.TEXAS.GOV>; Alexandra Gamble <Alexandra.Gamble@GLO.TEXAS.GOV>  
**Subject:** CAPCOG - Citizen Participation Plan and Public Notices

Good Afternoon,

Attached please find a copy of CAPCOG's Citizen Participation Plan to be incorporated into the pending regional Method of Distribution.

Also, please find a copy of the Public Notice (English & Spanish) which was published in the local and weekly newspapers circulating in HUD's most impacted areas identified in the region. Please feel free to publish the notice on the GLO website for greater outreach.

Should you have any questions or need anything further, please don't hesitate to contact me.

Thank you,

*Kristie R. Hadnot*  
Disaster Recovery Coordinator  
Capital Area Council of Governments  
6800 Burleson Rd., Bldg. 310, Ste. 165  
Austin, Texas 78744  
Ph: 512-916-6066 / Fax: 512-916-6001  
Email: [khadnot@capcog.org](mailto:khadnot@capcog.org)  
Website: [www.capcog.org](http://www.capcog.org)

***Serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson Counties***  
*No electronic communication by a CAPCOG employee may legally obligate the agency.*

**From:** Hadnot, Kristie [<mailto:khadnot@capcog.org>]

**Sent:** Saturday, May 26, 2018 8:25 PM

**To:** CDR <[CDR@GLO.TEXAS.GOV](mailto:CDR@GLO.TEXAS.GOV)>

**Cc:** Shawn Strange <[Shawn.Strange@GLO.TEXAS.GOV](mailto:Shawn.Strange@GLO.TEXAS.GOV)>; Alexandra Gamble <[Alexandra.Gamble@GLO.TEXAS.GOV](mailto:Alexandra.Gamble@GLO.TEXAS.GOV)>

**Subject:** CAPCOG - Citizen Participation Plan and Public Notices

Good Afternoon,

Attached please find a copy of CAPCOG's Citizen Participation Plan to be incorporated into the pending regional Method of Distribution.

Also, please find a copy of the Public Notice (English & Spanish) which was published in the local and weekly newspapers circulating in HUD's most impacted areas identified in the region. Please feel free to publish the notice on the GLO website for greater outreach.

Should you have any questions or need anything further, please don't hesitate to contact me.

Thank you,

*Kristie R. Hadnot*

Disaster Recovery Coordinator

Capital Area Council of Governments

6800 Burleson Rd., Bldg. 310, Ste. 165

Austin, Texas 78744

Ph: 512-916-6066 / Fax: 512-916-6001

Email: [khadnot@capcog.org](mailto:khadnot@capcog.org)

Website: [www.capcog.org](http://www.capcog.org)

***Serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson Counties***

*No electronic communication by a CAPCOG employee may legally obligate the agency.*

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22713	Public Hearing: 2017 Hurricane Harvey CDBG-DR MOD	---	(0) View	Mason Canales	5/30/18 4 17 PM	Upcoming Events	Open	<input type="checkbox"/>
22633	Public Hearing: 2017 Hurricane Harvey CDBG-DR MOD	---	(0) View	Mason Canales	5/21/18 3 52 PM	Upcoming Events	Open	<input type="checkbox"/>
7791	Twelve-Module Training Series: Green Boots 2014	---	(0) View	Mason Canales	1/15/14 2 12 PM	Upcoming Events	Open	<input type="checkbox"/>

*2nd Notice*  
*1st Notice*

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Capital Area Council Of Govts  
 6800 Burleson Rd  
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ADVERTISING INVOICE

BILLED ACCOUNT NUMBER	BILLING DATE	TOTAL AMOUNT DUE	STATEMENT #
30065	05/25/2018	\$967.64	
BILLING PERIOD	TERMS OF PAYMENT	PAGE #	
5/24/2018	Upon Receipt	1 of 1	
ADVERTISER CLIENT #	ADVERTISER/CLIENT NAME		
30065	Capital Area Council Of Govts		

For questions concerning this bill call 855-333-2676  
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Start/Stop	Newspaper Reference	Product	Description - Other Comments/Charges	Ad Size Billed Units	Times Run	Gross Amount	Net Amount
05/24/2018 08/22/2018	100363481-05242018	Bastrop Advertiser	PUBLIC HEARING NOTICE CAPCOG METHOD OF DISTRIBUTION FOR 2017 HURRICANE HARVEY - ROUND 1: CDBG-DISASTER RECOVERY The Capital Area Council of Governments (CAPC Legals Page A 7	1 x 68 L 68	1	\$146.88	\$146.88
05/24/2018	100363481-05242018	Smithville Times	PUBLIC HEARING NOTICE CAPCOG METHOD OF DISTRIBUTION FOR 2017 HURRICANE HARVEY - ROUND 1: CDBG-DISASTER RECOVERY The Capital Area Council of Governments (CAPC Legals Page A 7	1 x 68 L 68	1	\$146.88	\$146.88
05/24/2018	100363481-05242018	Austin American-Statesman	PUBLIC HEARING NOTICE CAPCOG METHOD OF DISTRIBUTION FOR 2017 HURRICANE HARVEY - ROUND 1: CDBG-DISASTER RECOVERY The Capital Area Council of Governments (CAPC Legals Page C 7	1 x 68 L 68	1	\$673.88	\$673.88
5/25/2018		Total Amount Due					\$967.64

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30065  
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 Bldg 310 Ste 165  
 AUSTIN, TX 78744

TOTAL AMOUNT	AMOUNT ENCLOSED
\$967.64	

007000003006500000300650000000000000000967647



**PROOF OF PUBLICATION STATE OF TEXAS**

**PUBLIC NOTICE**

Before me, the undersigned authority, a Notary Public in and for the County of Bastrop, State of Texas, on this day personally appeared Alejandro Cado, Advertising Agent of the Bastrop Advertiser, which is a newspaper of general circulation published in the county of Bastrop in the state of Texas, who being duly sworn by me, states that the attached advertisement was published at the lowest published rate for Classified advertising in said newspaper on the following date(s), to wit, and that the attached is a true copy of said advertisement: the following date(s), PUBLIC HEARING NOTICE CAPCOG METHOD OF DISTRIBUTION FOR 2017 HURRICANE HARVEY - ROUND 1: CDBG-DISASTER RECOVERY The Capital Area Council of Governments (CAPC, first date of Publication 05/24/2018, last date of Publication 05/24/2018, web and print times Published 1.

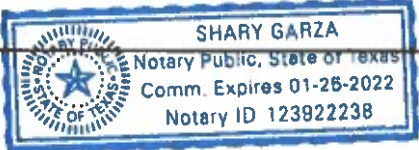
CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000363481  
Ad Cost: \$967.64  
Paid: \$0.00  
Balance Due: \$967.64

Signed \_\_\_\_\_  
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 29th day of May, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed \_\_\_\_\_  
(Notary)



Please see Ad on following page(s).



CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000363481  
Ad Cost: \$967.64  
Paid: \$0.00  
Balance Due: \$967.64

**PUBLIC HEARING NOTICE  
CAPCOG METHOD OF  
DISTRIBUTION FOR  
2017 HURRICANE HARVEY - ROUND 1:  
CDBG-DISASTER RECOVERY**

The Capital Area Council of Governments (CAPCOG) is conducting public hearings on the Method of Distribution of 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) Allocation for the Local Infrastructure Program and the Local Buyout and Acquisition Program. The first hearing will be at 9 a.m. Wednesday, May 30, 2018 at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the lower level.

The purpose of the hearings is to gather public comments and input from those residing in the CAPCOG counties affected by Hurricane Harvey, 2017 FEMA Disaster 4332: Bastrop, Caldwell, Lee, and Fayette counties. CAPCOG anticipates the region receiving \$4,305,474 of infrastructure program and \$12,929,474 of acquisition program funds from the U.S. Department of Housing and Urban Development (HUD). These program funds are direct allocations to be issued under the CDBG-DR Program to eligible cities and counties designated in HUD's impacted areas during Hurricane Harvey.

On June 13, 2018, a draft of CAPCOG's Method of Distribution will be viewable at CAPCOG's office, 6800 Burleson Road, Building 310, Suite 165 in Austin, and on [www.capcog.org](http://www.capcog.org) and [www.gis.texas.gov](http://www.gis.texas.gov). A second public hearing will be held to review the proposed Method of Distribution at 6 p.m. Tuesday, June 19, 2018, at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Courtroom on the 2nd floor.

For more about the hearings or to request disability or non-English speaking accommodations, contact Kristie Hadnot at 512-916-6066 or [khadnot@capcog.org](mailto:khadnot@capcog.org). Written comments also may be submitted to [khadnot@capcog.org](mailto:khadnot@capcog.org) or Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Written comments must be received by 5 p.m. Wednesday, June 27, 2018.

The public hearings' meeting space is in compliance with the American Disabilities Act.  
5-24/2018

0000363481-01

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000363490  
Ad Cost: \$1,138.40  
Paid: \$0.00  
Balance Due: \$1,138.40

**AVISO DE AUDIENCIA PÚBLICA  
MÉTODO DE DISTRIBUCIÓN DE  
CAPCOG PARA  
HURACAN HARVEY 2017 - RONDA 1:  
CDBG-RECUPERACIÓN DE DESASTRE**

El Consejo de Gobiernos de la Área de la Capital (Capital Area Council of Governments (CAPCOG)) está llevando a cabo audiencias públicas sobre el Método de Distribución para la Asignación de las Subvenciones en Bloque de Desarrollo Comunitario de Recuperación de Desastre (Community Development Block Grant Disaster Recovery (CDBG-DR)) del Huracán Harvey 2017 para el Programa de Infraestructura Local y el Programa de Compra y Adquisición Local. La primera audiencia será a las 9 a.m. el miércoles 30 de mayo de 2018, en el Anexo del Condado de Bastrop, 804 Pecan Street en la ciudad de Bastrop, en la Sala de Conferencias de Comisionados del Condado en el nivel inferior.

El objetivo de las audiencias es recopilar comentarios y aportes públicos de aquellos que residen en los condados de CAPCOG afectados por el Huracán Harvey 2017, Desastre de FEMA 4332: Condados de Bastrop, Caldwell, Lee y Fayette. CAPCOG anticipa que la región recibirá \$4,305,474 para el Programa de Infraestructura y \$12,929,474 para el Programa de Adquisición del Departamento de Vivienda y Desarrollo Urbano de EE. UU. (HUD). Estos fondos del programa son asignaciones directas que se emitirán bajo el Programa CDBG-DR a ciudades elegibles y condados en las áreas impactadas durante el Huracán Harvey designados por HUD.

En el 13 de junio de 2018, estará disponible un borrador del Método de Distribución de CAPCOG en la oficina de CAPCOG, 6800 Burleson Road, Edificio 310, Oficina 165 en Austin, y en [www.capcog.org](http://www.capcog.org) y [www.glo.texas.gov](http://www.glo.texas.gov). Se realizará una segunda audiencia pública para revisar el Método de Distribución propuesto a las 6 p.m. el martes 19 de junio de 2018, en el Anexo del Condado de Bastrop, 804 Pecan Street en la ciudad de Bastrop, en la Sala de Justicia de los Comisionados del Condado en el segundo piso.

Para más información sobre las audiencias o para solicitar acomodaciones para personas discapacitadas o que no hablan inglés, contacte a Kristie Hadnot, 512-916-6066 o [khadnot@capcog.org](mailto:khadnot@capcog.org). Los comentarios escritos también se pueden enviar a [khadnot@capcog.org](mailto:khadnot@capcog.org) o Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Los comentarios escritos se deben recibir antes de las 5 p.m. el miércoles 27 de junio de 2018.

La sala de reuniones para las audiencias públicas está en conformidad con la Ley de Discapacidades de los Estados Unidos.

5-24/2018

0000363490-01



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# PROOF OF PUBLICATION STATE OF TEXAS

## PUBLIC NOTICE

Before the undersigned authority personally appeared Alejandro Cado, who on oath says that he/she is a Legal Advertising Agent of the Austin American-Statesman, a daily published newspaper that is generally circulated in Bastrop, Bell, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington and Williamson Counties, and State of Texas, and that the attached advertisement was published in said newspaper, to wit: Capital Area Council Of Govts, first date of publication 05/24/2018, last date of publication 05/24/2018, published 1 time(s), and that the attached is a true copy of said advertisement.

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

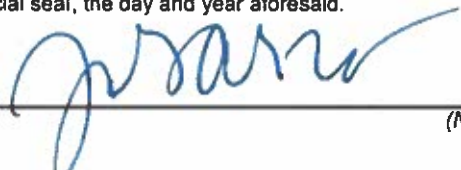
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Ad Cost:	\$967.64
Paid:	\$0.00
Balance Due:	\$967.64

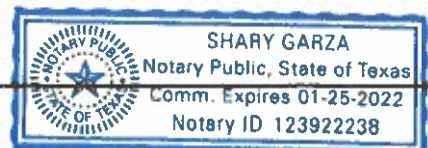
Signed \_\_\_\_\_

  
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 29th day of May, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed \_\_\_\_\_

  
(Notary)



Please see Ad on following page(s).

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000363481  
Ad Cost: \$987.64  
Paid: \$0.00  
Balance Due: \$987.64

**PUBLIC HEARING NOTICE  
CAPCOG METHOD OF  
DISTRIBUTION FOR  
2017 HURRICANE HARVEY - ROUND 1:  
CDBG-DISASTER RECOVERY**

The Capital Area Council of Governments (CAPCOG) is conducting public hearings on the Method of Distribution of 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) Allocation for the Local Infrastructure Program and the Local Buyout and Acquisition Program. The first hearing will be at 9 a.m. Wednesday, May 30, 2018 at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Conference Room on the lower level.

The purpose of the hearings is to gather public comments and input from those residing in the CAPCOG counties affected by Hurricane Harvey, 2017 FEMA Disaster 4332: Bastrop, Caldwell, Lee, and Fayette counties. CAPCOG anticipates the region receiving \$4,305,474 of infrastructure program and \$12,929,474 of acquisition program funds from the U.S. Department of Housing and Urban Development (HUD). These program funds are direct allocations to be issued under the CDBG-DR Program to eligible cities and counties designated in HUD's impacted areas during Hurricane Harvey.

On June 13, 2018, a draft of CAPCOG's Method of Distribution will be viewable at CAPCOG's office, 6800 Burleson Road, Building 310, Suite 165 in Austin, and on [www.capcog.org](http://www.capcog.org) and [www.glo.texas.gov](http://www.glo.texas.gov). A second public hearing will be held to review the proposed Method of Distribution at 6 p.m. Tuesday, June 19, 2018, at the Bastrop County Annex, 804 Pecan Street in Bastrop, in the County Commissioners' Courtroom on the 2nd floor.

For more about the hearings or to request disability or non-English speaking accommodations, contact Kristie Hadnot at 512-916-6056 or [khadnot@capcog.org](mailto:khadnot@capcog.org). Written comments also may be submitted to [khadnot@capcog.org](mailto:khadnot@capcog.org) or Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Written comments must be received by 5 p.m. Wednesday, June 27, 2018.

The public hearings' meeting space is in compliance with the American Disabilities Act.  
5-24/2018

0000363481-01



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# PROOF OF PUBLICATION STATE OF TEXAS

## PUBLIC NOTICE

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CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number:	0000363490
Ad Cost:	\$1,138.40
Paid:	\$0.00
Balance Due:	\$1,138.40

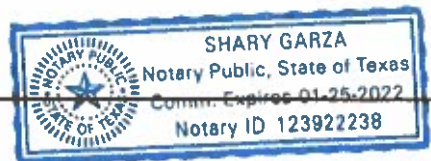
Signed \_\_\_\_\_

(Legal Advertising Agent)

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Signed \_\_\_\_\_

(Notary)



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BLDG 310 STE 165  
AUSTIN, TX 78744

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**AVISO DE AUDIENCIA PÚBLICA  
MÉTODO DE DISTRIBUCIÓN DE  
CAPCOG PARA  
HURACAN HARVEY 2017 - RONDA 1:  
CDBG-RECUPERACIÓN DE DESASTRE**

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En el 13 de junio de 2018, estará disponible un borrador del Método de Distribución de CAPCOG en la oficina de CAPCOG, 6800 Burleson Road, Edificio 310, Oficina 165 en Austin, y en [www.capcog.org](http://www.capcog.org) y [www.glo.texas.gov](http://www.glo.texas.gov). Se realizará una segunda audiencia pública para revisar el Método de Distribución propuesto a las 6 p.m. el martes 19 de junio de 2018, en el Anexo del Condado de Bastrop, 804 Pecan Street en la ciudad de Bastrop, en la Sala de Justicia de los Comisionados del Condado en el segundo piso.

Para más información sobre las audiencias o para solicitar acomodaciones para personas discapacitadas o que no hablan inglés, contacte a Kristie Hadnot, 512-916-6066 o [khadnot@capcog.org](mailto:khadnot@capcog.org). Los comentarios escritos también se pueden enviar a [khadnot@capcog.org](mailto:khadnot@capcog.org) o Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Los comentarios escritos se deben recibir antes de las 5 p.m. el miércoles 27 de junio de 2018.

La sala de reuniones para las audiencias públicas está en conformidad con la Ley de Discapacidades de los Estados Unidos.  
5-24/2018

0000363490-01



**PROOF OF PUBLICATION STATE OF TEXAS**

**PUBLIC NOTICE**

Before me, the undersigned authority, a Notary Public in and for the County of Bastrop, State of Texas, on this day personally appeared Alejandro Cado, Advertising Agent of the Smithville Times, which is a newspaper of general circulation published in the county of Bastrop in the state of Texas, who being duly sworn by me, states that the attached advertisement was published at the lowest published rate for Classified advertising in said newspaper on the following date(s), to wit, and that the attached is a true copy of said advertisement: the following date(s), PUBLIC HEARING NOTICE CAPCOG METHOD OF DISTRIBUTION FOR 2017 HURRICANE HARVEY - ROUND 1: CDBG-DISASTER RECOVERY The Capital Area Council of Governments (CAPCO, first date of Publication 06/14/2018, last date of Publication 06/14/2018, web and print times Published 1.

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000372166  
Ad Cost: \$782.65  
Paid: \$0.00  
Balance Due: \$782.65

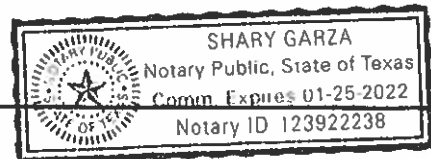
Signed

(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 14th day of June, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

(Notary)



Please see Ad on following page(s).

Invoice/Order Number: 0000372166  
Ad Cost: \$782.65  
Paid: \$0.00  
Balance Due: \$782.65

**PUBLIC HEARING NOTICE  
CAPCOG METHOD OF DISTRIBUTION  
FOR  
2017 HURRICANE HARVEY - ROUND 1:  
CDBG-DISASTER RECOVERY**

The Capital Area Council of Governments (CAPCOG) is conducting a public hearing for its proposed Method of Distribution for 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) Allocation for the Local Infrastructure Program and the Local Buyout and Acquisition Program. The hearing will be held at 6 p.m. Tuesday, June 19, 2018 at the Bastrop County Annex Building, 804 Bezan Street in Bastrop, in the County Commissioners Court Room on the second floor.

The purpose of the hearing is to gather public comment on the proposed Method of Distribution from those residing in the CAPCOG counties affected by Hurricane Harvey, 2017 FEMA Disaster 4332: Bastrop, Caldwell, Lee, and Fayette counties. CAPCOG anticipates the region receiving \$4,305,474 of infrastructure and \$12,929,474 of acquisition program funds from the U.S. Department of Housing and Urban Development (HUD). These program funds are direct allocations to be issued under the CDBG-DR Program to HUD eligible cities and counties designated in Hurricane Harvey impact areas.

On June 13, 2018, a proposed Method of Distribution will be viewable online at [www.capcog.org](http://www.capcog.org) and [www.glo.texas.gov](http://www.glo.texas.gov). For more about the hearings or to request disability or non-English speaking accommodations, contact Kristie Hadnot at 512-916-6066 or [khadnot@capcog.org](mailto:khadnot@capcog.org). Written comments also may be submitted to [khadnot@capcog.org](mailto:khadnot@capcog.org) or Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Written comments must be received by 5 p.m. Wednesday, June 27, 2018. The room reserved for the hearing is in compliance with the American Disabilities Act.

6/14/18

0000372166-01





**PROOF OF  
PUBLICATION  
STATE OF TEXAS**

**PUBLIC NOTICE**

Before me, the undersigned authority, a Notary Public in and for the County of Bastrop, State of Texas, on this day personally appeared Alejandro Cado, Advertising Agent of the Smithville Times, which is a newspaper of general circulation published in the county of Bastrop in the state of Texas, who being duly sworn by me, states that the attached advertisement was published at the lowest published rate for Classified advertising in said newspaper on the following date(s), to wit, and that the attached is a true copy of said advertisement: the following date(s), AVISO DE AUDIENCIA PÚBLICA MÉTODO DE DISTRIBUCIÓN DE CAPCOG PARA HURACAN HARVEY 2017 - RONDA 1: CDBG-RECUPERACIÓN DE DESASTRE El Consejo de Gobiernos de la Ar, first date of Publication 06/14/2018, last date of Publication 06/14/2018, web and print times Published 1.

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000372171  
Ad Cost: \$910.72  
Paid: \$0.00  
Balance Due: \$910.72

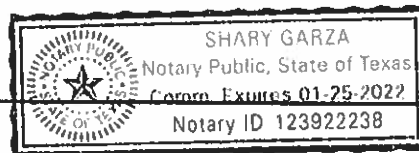
Signed

(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 14th day of June, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

(Notary)



Please see Ad on following page(s).

Invoice/Order Number: 0000372171  
Ad Cost: \$910.72  
Paid: \$0.00  
Balance Due: \$910.72

**AVISO DE AUDIENCIA PÚBLICA  
MÉTODO DE DISTRIBUCIÓN DE  
CAPCOG PARA  
HURACAN HARVEY 2017 - RONDA 1:  
CDBG-RECUPERACIÓN DE DESASTRE**

El Consejo de Gobiernos de la Área de la Capital (Capital Area Council of Governments (CAPCOG)) está llevando a cabo audiencias públicas sobre el Método de Distribución para la Asignación de las Subvenciones en Bloque de Desarrollo Comunitario de Recuperación de Desastre (Community Development Block Grant Disaster Recovery (CDBG-DR)) del Huracán Harvey 2017 para el Programa de Infraestructura Local y el Programa de Compra y Adquisición Local. La audiencia será el martes 19 de junio de 2018 a las 6 p.m., en el Anexo del Condado de Bastrop, 604 Pecan Street en la ciudad de Bastrop, en la Sala de Justicia de los Comisionados del Condado en el segundo piso. El objetivo de la audiencia es recopilar comentarios públicos de aquellos que residen en los condados de CAPCOG afectados por el Huracán Harvey 2017, Desastre de FEMA 4332: Condados de Bastrop, Caldwell, Lee y Fayette. CAPCOG anticipa que la región recibirá \$4,305,474 para el Programa de Infraestructura y \$12,929,474 para el Programa de Adquisición del Departamento de Vivienda y Desarrollo Urbano de EE. UU. (HUD). Estos fondos del programa son asignaciones directas que se emitirán bajo el Programa CDBG-DR a ciudades y condados elegibles en las áreas impactadas durante el Huracán Harvey designados por HUD. En el 13 de junio de 2018, estará disponible el Método de Distribución propuesto en [www.capcog.org](http://www.capcog.org) y [www.glo.texas.gov](http://www.glo.texas.gov). Para más información sobre las audiencias o para solicitar acomodaciones para personas discapacitadas o que no hablan inglés, contacte a Kristie Hadnot, 512-916-6066 o [khadnot@capcog.org](mailto:khadnot@capcog.org). Los comentarios escritos también se pueden enviar a [khadnot@capcog.org](mailto:khadnot@capcog.org) o Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Los comentarios escritos se deben recibir antes de las 5 p.m. el miércoles 27 de junio de 2018. La sala de reuniones para la audiencia pública está en conformidad con la Ley de Discapacidades de los Estados Unidos.  
6/14/18

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## **Meeting #2 Materials**

**2018 COMMUNITY DEVELOPMENT AND REVITALIZATION PROGRAM  
HURRICANE HARVEY, FEMA-DR-4332**

**CAPITAL AREA COUNCIL OF GOVERNMENTS - METHOD OF DISTRIBUTION  
PUBLIC HEARING - TUESDAY, JUNE 19, 2018 at 6:00 P.M.  
SIGN IN SHEET**

NAME	PHONE CONTACT(S)	EMAIL ADDRESS
Janet Carrigan	(979) 249-6215	janet.carrigan@co.fayette.tx.us
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## **Citizen Participation Public Meeting #2 | Summary Minutes**

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6-8 p.m., Tuesday, June 19, 2018  
Bastrop County Courthouse Annex  
804 Pecan Street  
Bastrop, TX 78602

### **1. Welcome, Introductory Remarks– Angela Hahn/Kristie Hadnot**

Both Ms. Hahn and Ms. Hadnot welcomed the people in attendance and introduced themselves and Brandon Kaiser, with the General Land Office.

### **2. Explanation of Hurricane Harvey CDBG-DR Funding**

Ms. Hadnot gave an brief overview of the program, explaining the total allocation for Round 1; the HUD designated most impacted and distressed areas; and the timeline for the action plan. She also provided information on the Method of Distribution, including the formulas used for weighing the criteria and who would receive/allocate funds.

### **3. Comments**

A number of the comments received centered around the need to solve the problem of the flooding, which is outside the parameters of the grant. Citizens also expressed displeasure with local county officials in meeting the needs of the residents, particularly the low-to-moderate, minority residents.

DRAFT

**Public Hearing #2 – Bastrop County Courthouse, June 19, 2018 – 6-8 p.m.**

Kate Moore, Lee County:

- I have some concerns that the people living along Cummins Creek in Giddings, TX have not been represented properly by our elected officials. There are some concerns that the federal funding previously received from FEMA was misappropriated and the public was not properly informed on what the funds were spent on. I feel that our local officials lack the knowledge needed to apply and administer the needed grant programs that could help our community. We can no longer live in our homes because we have a genuine fear of future flooding. We also have ineffective local support in conducting the needed evacuations in our area, and we receive ridicule from more affluent portions of the community when we need help. We feel that we are not being heard or receiving the help that we need to recovery from Harvey. My property is not livable right now and we were displaced for 6 months with no housing assistance. My family had to purchase another home and assume a new mortgage. My family is interested in having options to do a buyout of my property. We don't really want to sell to another family that will have the same issue, but we are not interested in keeping a residence that we can't live in and have to continue paying taxes on. If the dam gets fixed, there will always be a possibility of continued flooding in the area.

Kate Moore, Lee County:

- \$1,000,000 for buyouts in Lee County is not enough. That is what we need since our homes and land will always be affected by floods.

CAPCOG Response: Thank you for your attendance and feedback on the discussions held at the hearing last night.

Amelia Adams, Community Planner, Texas Housers:

- Could you provide a list of the data sources used for determining allocations of Harvey funds in the MOD? Specifically, where does the following items come from – Regional share of LMI persons (is this from census data or from the FEMA data on registrants?); and Regional share of housing damage (which number is this based on? Number of units or total damage cost estimate / FVL?)

CAPCOG response: The data utilized by CAPCOG to determine Harvey allocation funding in the MOD came from the following sources:

-- LMISD Block Groups: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-block-groups-places/>

-- LMISD Local Governments: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-local-government/>

- Regional share of housing damage: <https://www.fema.gov/openfema-dataset-individual-assistance-housing-registrants-large-disasters-v1>

Yvette Estrada, Lee County:

- Do the Hurricane Harvey funds only apply to infrastructure improvements or does it include the purchase of land?

CAPCOG response: The CDBG-DR funds to be regionally allocated are for the Infrastructure Program and for the Local Acquisition and Buyout Program. According to GLO's State Action Plan Total Allocation Budget, the CAPCOG region will receive a total regional allocation of \$12,929,474 for the Local Buyout and Acquisition Program and a total regional allocation of \$4,305,474 for the Infrastructure Program. Within the respective programs, infrastructure improvements and land purchase for buyout and/or acquisition are eligible activities for which funds can be used for.

Yvette Estrada, Lee County:

- Can you provide additional details on what activities are covered under the Local Acquisition and Buyout Program?

CAPCOG response: The following activities are eligible under the Local Acquisition and Buyout Program:

1. Buyouts
2. Acquisition
3. Relocation Assistance with buyout or acquisition activities
4. Down Payment Assistance with buyout or acquisition activities
5. Demolition only
6. Activities designated to relocate families outside of floodplains
7. Public service within the 15% cap (e.g. – housing counseling, legal counseling, job training, mental health, and general health services)
8. FEMA Hazard Mitigation Grant Program (HMGP) cost share.

Yvette Estrada, Lee County:

- If another County did not spend all of their Harvey funds, can the funds be reallocated to another County that is still in need? If so, how long would that take?

CAPCOG response: Yes. The amount and process for the reallocation of funds will be handled directly by the Texas General Land Office. The timeline for when additional funds will be reallocated to qualified areas still in financial need is undetermined at this time. The Texas General Land Office will provide that information when it becomes available.

## In the News

### Public hearings, input to shape Harvey recovery funding

**Monday, June 11, 2018**

CAPCOG is drafting a Method of Distribution (MOD) for the 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) allocations totaling \$17,234,948 for the four disaster identified counties — Bastrop, Caldwell, Lee, and Fayette. It is seeking public input from elected officials and residents to better ensure the MOD reflects the communities' needs and desires for the U.S. Department of Housing and Urban Development's Local Infrastructure and Local Buyout and Acquisition program allocations.

> [Read the draft MOD. \[http://www.capcog.org/divisions/homeland-security/hurricane-harvey-mod\]](http://www.capcog.org/divisions/homeland-security/hurricane-harvey-mod)

The first of two public hearings about the MOD was conducted on May 30 in Bastrop. The second hearing is scheduled for 6 p.m., Tuesday, June 19 and will seek input about a draft version of the MOD. It will take place in the Bastrop County Annex's County Commissioners Courtroom on the 2nd floor, 804 Pecan Street in Bastrop. The draft MOD will be available on capcog.org and at the CAPCOG offices by June 13. CAPCOG will accept written comments about the MOD through 5 p.m. Wednesday, June 27. Comments can be submitted by email to [khadnot@capcog.org](mailto:khadnot@capcog.org) [mailto:khadnot@capcog.org] or through mail addressed as Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744.

> [Submit comment. \[mailto:khadnot@capcog.org\]](mailto:khadnot@capcog.org)

> [Learn about CAPCOG's Homeland Security Division. \[http://www.capcog.org/divisions/homeland-security/\]](http://www.capcog.org/divisions/homeland-security/)

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[November 2017 \[http://www.capcog.org/in-the-news/archives/2017/11\]](http://www.capcog.org/in-the-news/archives/2017/11)



# **Lee County Public Hearing**

## **PUBLIC NOTICE**

**Notice is hereby given of a Town Hall Meeting hosted by the Capital Area Council of Governments (CAPCOG) on Monday, June 25, 2018 at 5:30 p.m. at the 2<sup>nd</sup> Floor Courtroom, Suite 205, Lee County Courthouse, Giddings, Texas. The purpose of the meeting is to gather public comments and input from those residing in the CAPCOG counties affected by the Hurricane Harvey. Please bring the attached 2018 Community Development and Revitalization Program Hurricane Harvey, FEMA-DR-4332 form – method of distribution survey questionnaire.**

**For more information or to request disability or non-English speaking accommodations, contact Kristie Hadnot at 512-916-6066 or [khadnot@capcog.org](mailto:khadnot@capcog.org).**

**AVISO DE AUDIENCIA PUBLICA**

**Se da aviso de una reunión del Ayuntamiento organizada por el Capital Area Council of Governments (CAPCOG) el lunes, 25 de junio, 2018 a las 5:30 p.m. en la sala de audiencias del 2do piso, Suite 205, Tribunal del Condado de Lee, Giddings, Texas. El propósito de la reunión es reunir los comentarios públicos y los aportes de quienes residen en los condados CAPCOG afectados por el huracán Harvey. Por favor traiga el programa de desarrollo y revitalización de la comunidad 2018 adjunto huracán Harvey, FEMA-Dr-4332 formulario – método de cuestionario de la encuesta de distribución.**

**Para mas informacion sobre solicitador acomodaciones para personas discapacitadas o que no hablan ingles, contacte a Kristie Hadnot, 512-916-6066 o [khadnot@capcog.org](mailto:khadnot@capcog.org).**

## SIGN - IN

June 25, 2018

NAME	ADDRESS	CHECK IF RENTER	CHECK IF OWNER	MAILING ADDRESS
Leanna Thomas	in town			
Yopina Moreno				
Alonso C. Wood	1022 PR 7018 LEXINGTON			alonso.wood@ house.texas.gov
Maximina Procio			✓	920 NORTH madison Giddings TX. 78942
Sophie Ekner	4920 N. 1-35 Austin, TX 78751			
Jennifer Richards	4920 N. 1-35 Austin, TX 78751			
Mike & Deborah Phillips	1330 CR 230			P.O. Box 365 C. d. Kings. TX 78942
ROSA NORIA	1209 PR 2332 GIDDINGS TX		✓	Same

## SIGN - IN

June 25, 2018

NAME	ADDRESS	CHECK IF RENTER	CHECK IF OWNER	MAILING ADDRESS
Jose F. Llano	<del>P.O. Box 1142</del> <del>PR 2332</del> <del>Giddings TX 78942</del> 78942		<input checked="" type="checkbox"/>	P.O. Box 1142 Giddings TX 78942
Julian & MARIA Martinez	1344 CR. 230 Giddings		<input checked="" type="checkbox"/>	SAME
Rafael Salazar Terry Ann Trevino	1357 cr 230		<input checked="" type="checkbox"/>	Same
Ilda Hernandez	1036 PR 2332 Giddings TX 78942		<input checked="" type="checkbox"/>	Same
Minerva Orocio	1490 CR 233		<input checked="" type="checkbox"/>	920 W. Madison ST
Aidee Rodriguez	1102 PR 2332 Giddings TX 78942		<input checked="" type="checkbox"/>	Same
Elodia Flores Roxane & Nathan Jr.	1372 CR 230 Giddings TX 78942		<input checked="" type="checkbox"/>	Same
Maribel Perez	1205 PR 2332 Giddings TX 78942		<input checked="" type="checkbox"/>	440 E Galveston St Giddings TX 78942

## SIGN - IN

June 25, 2018

NAME	ADDRESS	CHECK IF RENTER	CHECK IF OWNER	MAILING ADDRESS
Maricela Perez	1064 PR 2332		✓	P.O. Box 1359
<del>Ruth Escall</del>	<del>1064 PR 2332</del>		✓	P.O. Box 1359
Lorenzo chairaz	1237 PR 2332		✓	P.O. Box 1359
Ruth Escall	1143 CR 2332		✓	—
Mario Zuniga	1348 CR 230		✓	383 N. Burleson Giddings Tx. 78942
Mario Corona	1316 CR 230			
WARNER AMIZE + HELEN	1045 CR 232 Gidd			1045 CR 232 Giddings
Julie Torres	1375 PR 2332		✓	same





## Lee County Public Hearing | Summary Minutes

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5:30-7:30 p.m., Monday, June 25, 2018  
Lee County Courthouse  
289 S Main St  
Giddings, TX 78942

### 1. Welcome, Introductory Remarks– Lee County Judge Paul Fischer

Judge Fischer introduced himself and Ms. Hahn and Ms. Hadnot. Ms. Madelyn Jimenez translated for the Spanish members of the audience.

### 2. Explanation of Hurricane Harvey CDBG-DR Funding

Ms. Hadnot explained the allocation and funding process for the Harvey funds. Judge Fischer addressed the concerns of the residents about flooding, the cause of it, and what the county officials were doing to mitigate the problems.

### 3. Comments

Residents expressed concern about the continued flooding and the cause of it. They stated their opinions that \$1 million was not enough for a buyout program. Judge Fischer did his best to address the comments and concerns.

**\*\* Note:** This public hearing was called by Lee County and was not a required meeting for the MOD/Citizen Participation plan. CAPCOG staff attended at the request of Judge Fischer.

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**Lee County Public Hearing – Lee County Courthouse, June 25, 2018 – 5:30-7 p.m.**

Judge Paul Fischer and Lee County Commissioner Steven Knobloch:

- What is the value difference in utilizing a buyout versus an acquisition?

CAPCOG response: According to the GLO Housing Guidelines, Acquisition is the utilization of CDBG-DR Disaster funds to acquire real property. Acquisition only is typically not considered a complete activity in the program and must be combined with another eligible use (i.e. – relocation assistance). The purchase price must be consistent with applicable uniform cost principals, and the pre-disaster Fair Market Value (FMV) may not be used.

A buyout is a type of acquisition with the purchase of an eligible property with the intent to reduce risk from future flooding or to reduce risk from the hazard that led to the property's Disaster Risk Reduction Area. The property acquired will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or floodplain and wetlands management practices. Within a buyout program, the allocated entity has the choice to utilize pre-disaster or post-disaster Fair Market Values.

Under the Housing Assistance Caps, relocation assistance can provide an impacted family up to \$15,000 in assistance for the purchase of a lot or a newly constructed home. Assistance up to \$10,000 can also be provided to an impacted family for an existing home.

Buyout incentives can be offered by an allocated entity up to \$25,000.

Buyout incentives serve to encourage maximum participation by property owners, and remove as many properties as possible from high risk areas. Incentives are only allowable if the post-disaster Fair Market Value is used to purchase the home. A buyout incentive is not available for properties that serve as second homes at the time of the disaster, or following the disaster.

**Comments Received via Email During following the Lee County Public Meeting  
and During the Public Comment Period**

Madison Sloan, Director – Disaster Recovery and Fair Housing Project, Texas Appleseed:

Summary of Recommendations / Concerns:

- **Local Buyout and Acquisition Program:**

Program guidelines for this program must be developed in a transparent process with extensive community input. Local communities must have a citizen participation process for drafting buyout guidelines.

The program must also prioritize LMI households in floodways and floodplains. It is recommended that the program offer relocation and payment assistance. Based upon the Federal Register Notice, “a buyout program that merely pays homeowners to leave their existing homes does not result in a low- and moderate income household occupying a residential structure and, thus, cannot meet the requirements of the LMH national objective.” (83 FR 5863) Local buyout programs should include plans to build housing in safer areas.

Low and moderate income households must be provided with enough funds that the choice to move is a realistic one (or to ensure that they can actually move to a safer area in the case of mandatory buyouts.) The worst case-scenario is that families who accept a buyout are unable to find housing in safer areas and are forced to move back into their original or less safe neighborhoods. We are concerned that CAPCOG’s list of eligible activities does not include the incentives for LMI families recommended by the Federal Register Notice.

Using the pre-storm value of a home to determine disaster recovery program benefit limits often has a discriminatory impact on the basis of race or ethnicity. CAPCOG’s MOD and local program guidelines should ensure that buyout and acquisition programs are consistent regardless of whether the cost is funded by FEMA, local bond funding, or CDBG-DR. CDBG-DR funding could be used to provide additional funds for LMI families in FEMA programs that would not provide them with enough funding to move. CAPCOG should be particularly careful that it is not developing or implementing a program that provides lesser benefits to communities and homeowners of color.

- **Local Infrastructure Program and Economic Revitalization Program:**

We are concerned that the most impacted zip code identified by HUD is not receiving an allocation of infrastructure funding.

Infrastructure programs must prioritize the needs of low and middle income household and communities, in particular, communities with substandard infrastructure as a result of discrimination and disinvestment. A key issue for many of these communities is environmental justice, as they were impacted not only by flooding but also by hazards related to chemicals, oils, sewage, waste, or air pollution during the event. Neighborhoods that were doubly impacted by floodwaters polluted with chemicals, oils, waste, or sewage should be prioritized for mitigation.

The key to economic recovery and future resilience is ensuring that the jobs generated by recovery projects and programs are filled by local workers and those who lost jobs because of Harvey to create real jobs and job training for community residents, and create additional opportunities for community businesses. Section 3 of the Housing and Urban Development Act of 1968 requires recipients of certain HUD financial assistance, including CDBG-DR, provide job training, employment, and contracting opportunities for low or very low income residents in connections with projects or activities in their neighborhoods to the greatest extent possible. Historically, Section 3 has not been vigorously enforced, and jurisdictions have completely failed to comply with its provisions. We urge CAPCOG to fully implement and enforce Section 3, including monitoring (including of whether contractors are genuinely Section 3 eligible, helping to set up a training and jobs pipeline, measuring success in terms of the number of hours worked by Section 3 eligible workers, clearly defining the geographic area from which resident should get preference as locally as possible, and imposing monetary penalties on contractors who do not meet their Section 3 goals. In addition to Section 3, jurisdictions routinely impose requirements like local hiring and job production in exchange for government financial assistance or other benefits and we encourage CAPCOG to do so.

Other options for increasing the number of jobs going to affected individuals and communities are ensuring that contractor qualifications include a commitment to local hiring and best value bidding processes that give more points to bidders who can comply with job quality and targeted hiring standards. CDBG-DR presents an opportunity leverage housing and infrastructure funds into economic development funds.

- Needs Assessment and Funding Allocation

We appreciate that CAPCOG has used a weighting factor of “Regional Share of Low to Moderate Income Persons” to make a preliminary allocation of program funds. However, the methodology provided by HUD and GLO for determining unmet housing needs underestimates the amount of loss to low-income populations. Using this methodology will not include the severity of damage suffered by low-income homeowners and distort the geographic allocation of money based on that standard.

The primary purpose of the CDBG program is to benefit LMI populations, yet the HUD methodology the State and CAPCOG are using has the clear, disproportionate effect on LMI populations of excluding them from the unmet needs assessment conclusions. This disproportionate effect is not only on low and moderate income Texans, but on Black and Latinx populations as well.

CAPCOG’s use of FEMA Verified Loss (FVL) damage categories to weight the geographic distribution of CDBG-DR funds will end up allocating resources away from areas that need them the most, affecting not only those families, but those communities as whole.

CAPCOG’s allocation method is not entirely clear. If the allocation was not determined using these numbers, or deviates from the HUD methodology to produce a more accurate picture of unmet need, CAPCOG needs to provide more detail about its formula and which data it used.

Texas Appleseed supports the use of a data-based formula to allocate federal disaster recovery funds. But that formula must be adjusted to account for deficiencies in FEMA and other data and ensure that the needs of all Texans affected by Hurricane Harvey are taken into account. We strongly recommend that CAPCOG use the methodology proposed by the Texas Low Income Housing Information Service

(Texas Housers) in its comments on the draft Action Plan – or a similar methodology – which relates a household’s FVL to their income, thereby considering the level of impact on a household, acknowledging the loss valuation variations produced by the FEMA/HUD methodology, and more accurately counts households with unmet housing needs that are the least able to recover and most vulnerable to housing insecurity. This method also ensures that the geographic allocation of funding addresses the actual levels of unmet housing needs in each locality.

CAPCOG response: Thank you for your input

Jennifer Richards, Staff Attorney, Texas RioGrande Legal Aid:

Summary of Recommendations / Concerns:

- CAPCOG should conduct a regional needs assessment to better understand the extent of damage in the CAPCOG eligible counties and meet its goal of equitable regional recovery.

In its allocation methodology, CAPCOG utilizes a figure it labels “damages assessed”. The quantity of “damages assessed” is determined by the FEMA Verified Loss (FVL) figures for those individuals who filed FEMA claims following Hurricane Harvey. These figures likely underrepresent the extent of damage experience by low-income property owners even though the harm they suffered may be severe and detrimental to those owners. By relying on “damages assessed”, CAPCOG is allowing the impact on low-income homeowners to be underrepresented in its allocation, and thus is building a bias against low-income.

Data obtained by Texas Housers, an organization dedicated to supporting Texans in the pursuit of affordable and accessible housing throughout the State, indicates that the average value of FVL increases as the income of a household increases. For homeowners who earn 30% or less of area median income, the state-wide average for FVL was \$7,028; this is just less than half the average FVL for non-LMI households. We cannot attempt to explain the discrepancy in these figures, as very little is publicly available as to what goes into an FVL determination.

Although FVL data makes the damage appear greater in higher income areas, in fact Low-to-Moderate Income (LMI) households are just as, if not more, likely to experience devastation as a result of flooding than their wealthier counterparts. This is true for the low-income households of Texas following Hurricane Harvey. In the coastal counties impacted by the storm, households of color and low-income households were more likely to be impacted by property damage or loss. Currently, nearly half the weighted figure of CAPCOG’s allocation calculations for the buyout and acquisition program is a county’s percentage of “damages assessed” or FVL. This means that any county with wealthier households impacted by the storm is likely favored in the outcome of CAPCOG’s calculations.

An equitable recovery plan requires an allocation methodology that recognizes the flaws in existing data sets. It should seek to correct any unintentional biases that may be present in the available figures. Instead of relying heavily on FVL figures to allocate funds, CAPCOG should conduct a regional needs assessment to better evaluate which properties were rendered inhabitable as a result of the storm. The GLO’s draft Housing Guidelines permit COGs to use qualified data sources approved by GLO in advance in their needs assessments. These include SBA or insurance awards, as well as other forms of data.

CAPCOG should make an effort to quantify damage beyond flawed FVL figures. In doing so, it will design a methodology that captures the full extent of damage inflicted because of Harvey.

- The MOD should establish criteria for areas to qualify for buyout programs.

The MOD draft does not articulate criteria to determine which areas qualify for buyouts. In its State Action Plan, the General Land Office tasked the regional Councils of Government (COGs) with “establish[ing] objective criteria for allocation of funds to eligible entities and activities”. Although the current MOD draft uses data to prioritize funding for the four counties in its area (the eligible entities), it establishes no criteria to allocate funds to buyout activities.

CAPCOG’s current method of allocation considers the total harm that each county experienced. Although this method attempts to equitably distribute funds by prioritizing those counties which experienced a greater amount of harm, the method does not give CAPCOG the flexibility to determine the actual needs of the populations of each of these counties and whether buyout/acquisition programs will meet those needs. CAPCOG’s allocation method would be more sensible and equitable if it were tasked with allocating funds for all housing programs. However, CAPCOG needs to allocate those funds intended for only the buyout and acquisition portions of the state housing programs. The allocation methodology should therefore be structured to identify which counties are most in need of buyout and acquisition funds.

Establishing program criteria for buyouts would enable CAPCOG to identify areas in the counties that qualify for the buyout program based on need, prioritize those in its buyout fund allocation, and estimate the cost of a buyout program. CAPCOG can then use its limited funds to target the areas that stand to benefit the most from acquisition.

Buyout program eligibility criteria should focus on achieving two goals: meeting the GLO’s stated objectives of the buyout program, and meeting the national objective to support lower-income households. First, according to the GLO, buyouts serve to (1) provide resiliency over rebuilding in a floodplain; (2) prevent repetitive loss; and (3) end extreme risk to health and human safety. CAPCOG should establish criteria for buyouts that target these three objectives. For example, it could require that areas targeted for buyouts (1) be in a floodplain; (2) demonstrate housing damage due to Hurricane Harvey, as well as from prior recent floods; and (3) the flooding from Hurricane Harvey caused an extreme risk to health and human safety in that area from flood waters reaching several feet.

Second, buyout programs should be designed to meet the national objective that 70% of all CDBG-DR funds benefit LMI households. To do this, CAPCOG could set criteria that areas are only eligible for or receive priority for buyouts if at least 70% of the households targeted for a buyout are LMI. Such criteria would help CAPCOG identify those counties or cities in need of buyouts, as opposed to those in need of the individual homeownership programs available through the state.

- Aggregation of data at the county level overlooks the LMI populations impacted by Hurricane Harvey.

To determine which counties should receive the most funding, the MOD considers a county’s “regional share of low-to-moderate income persons.” When counties have vast disparities in wealth, a county-wide aggregation of wealth obscures the number low-income people impacted by Hurricane Harvey and the severity of the damage they suffered. For example, the median wealth in Lee County is higher than all

other CAPCOG CDBG-DR eligible counties except Bastrop, as illustrated by Table 1. But the people living in Cummins Creek, one of the only areas in Lee that was affected by Hurricane Harvey, have much lower incomes than the rest of the county. Census tract 0004, which encompasses the town of Giddings and its surrounding areas, has a median income of only \$44,412.<sup>11</sup> The remainder of the census tracts in the county have higher median incomes by \$10,000 to \$15,000.<sup>12</sup> In utilizing County wide estimates of wealth and poverty, the CAPCOG methodology dilutes the concentration of low-income households that were impacted by the storm.

**Table 1: Median Income of CAPCOG CDBG-DR Eligible Counties**

<b>County</b>	<b>Median Income</b>
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The aggregation of county-wide wealth and poverty could also result in the over compensation of counties whose higher-income households were the predominate victims of flood waters. For example, the two census tracts outside of La Grange which encompass much of the Fayette County floodplains have the two highest median incomes in the county. Census Tract 9702 lies to North and East of La Grange and has a median income of \$70,694; Census Tract 9704, which lies to the South and West of La Grange, has a median income of \$57,054. Fayette County also has two census tracts that have smaller floodplains where the median income is less than \$45,000. Looking at county-wide data shows a range of income levels and a substantial LMI population in Fayette County. However, it is likely that the majority of flooding occurred in the floodplains around La Grange, which experienced some of the heaviest flooding in the region. Therefore it is likely the impacted populations are not the same as the LMI residents in the County.

In order to fund those most harmed by flooding, and ensure it is doing so in compliance with the federal mandate that 70% of all funds be used to benefit LMI households, CAPCOG should narrow its considered population for the allocation calculation to only those who suffered harm because of Hurricane Harvey. Of that pool, CAPCOG should then compare the county distributions of LMI households. It could then use the regional share of LMI households out of the total number of impacted by Hurricane Harvey in a weighted allocation. This enables CAPCOG to consider the needs and resources of population that was actually impacted, rather than of the county as a whole.

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One way to ensure that poor and vulnerable residents are not left without sufficient resources to survive the next disaster is to include data in allocation methodologies that accounts for the hardships these populations face. This is particularly important in buyout program allocations, as low-income residents are unable to afford to relocate after a disaster.

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Judge Paul Fischer and Lee County Commissioner Steven Knobloch:

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CAPCOG response: Thank you for your input



**CAPITAL AREA COUNCIL OF GOVERNMENTS**  
**Citizen Participation Summary of Questions and Comments Received**

Mike and Debra Phillips, Lee County:

- We were flooded out for the last 3 years in a row. We lost everything. Please fix the problem.

Mario Zuniga, Lee County:

- I've lived in my home for the last 9 years and experienced flooding on my property for the last 3 years. During the 1<sup>st</sup> flood, the water came up to my porch. During the 2<sup>nd</sup> flood, we had to evacuate from our property because the water kept rising on our property. We lost everything during this flood. We had nothing but the clothes on our back. My family could not return back to our home due to extensive flood damage. The 3<sup>rd</sup> flood further damaged our home. We had already moved out, but the home sustained additional damage from flooding. We would like to move back to our home, but we need the problem fixed.

Kate Moore, Lee County:

- I have some concerns that the people living along Cummins Creek in Giddings, TX have not been represented properly by our elected officials. There are some concerns that the federal funding previously received from FEMA was misappropriated and the public was not properly informed on what the funds were spent on. I feel that our local officials lack the knowledge needed to apply and administer the needed grant programs that could help our community. We can no longer live in our homes because we have a genuine fear of future flooding. We also have ineffective local support in conducting the needed evacuations in our area, and we receive ridicule from more affluent portions of the community when we need help. We feel that we are not being heard or receiving the help that we need to recovery from Harvey. My property is not livable right now and we were displaced for 6 months with no housing assistance. My family had to purchase another home and assume a new mortgage. My family is interested in having options to do a buyout of my property. We don't really want to sell to another family that will have the same issue, but we are not interested in keeping a residence that we can't live in and have to continue paying taxes on. If the dam gets fixed, there will always be a possibility of continued flooding in the area.

Kate Moore, Lee County:

- \$1,000,000 for buyouts in Lee County is not enough. That is what we need since our homes and land will always be affected by floods.

Vance Rogers, City Manager, City of Lockhart:

- Where do I obtain applications to apply for the grant funds to be allocated for the Hurricane Harvey CDBG-DR Programs (Local Buyout & Acquisition Program and Infrastructure Program)?

Formal applications to apply for Hurricane Harvey CDBG-DR Program funds will need to be obtained directly from the Texas General Land Office. According to the Texas General Land Office, these applications are not expected to be available for review and publication to the public until Fall 2018. Please continue to check for program status and updates through the Texas General Land Office at website: [www.glo.texas.gov](http://www.glo.texas.gov).

Amelia Adams, Community Planner, Texas Housers:

- Could you provide a list of the data sources used for determining allocations of Harvey funds in the MOD? Specifically, where does the following items come from – Regional share of LMI persons (is this from census data or from the FEMA data on registrants?); and Regional share of housing damage (which number is this based on? Number of units or total damage cost estimate / FVL?)

The data utilized by CAPCOG to determine Harvey allocation funding in the MOD came from the following sources:

-- LMISD Block Groups: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-block-groups-places/>

-- LMISD Local Governments: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-local-government/>

- Regional share of housing damage: <https://www.fema.gov/openfema-dataset-individual-assistance-housing-registrants-large-disasters-v1>

Yvette Estrada, Lee County:

- Does the Hurricane Harvey funds only apply to infrastructure improvements or does it include the purchase of land?

The CDBG-DR funds to be regionally allocated are for the Infrastructure Program and for the Local Acquisition and Buyout Program. According to GLO's State Action Plan Total Allocation Budget, the CAPCOG region will receive a total regional allocation of \$12,929,474 for the Local Buyout and Acquisition Program and a total regional allocation of \$4,305,474 for the Infrastructure Program. Within the respective programs, infrastructure improvements and land purchase for buyout and/or acquisition are eligible activities for which funds can be used for.

Yvette Estrada, Lee County:

- Can you provide additional details on what activities are covered under the Local Acquisition and Buyout Program?

The following activities are eligible under the Local Acquisition and Buyout Program:

1. Buyouts
2. Acquisition
3. Relocation Assistance with buyout or acquisition activities
4. Down Payment Assistance with buyout or acquisition activities
5. Demolition only
6. Activities designated to relocate families outside of floodplains
7. Public service within the 15% cap (e.g. – housing counseling, legal counseling, job training, mental health, and general health services)
8. FEMA Hazard Mitigation Grant Program (HMGP) cost share.

Yvette Estrada, Lee County:

- If another County did not spend all of their Harvey funds, can the funds be reallocated to another County that is still in need? If so, how long would that take?

Yes. The amount and process for the reallocation of funds will be handled directly by the Texas General Land Office. The timeline for when additional funds will be reallocated to qualified areas still in financial need is undetermined at this time. The Texas General Land Office will provide that information when it becomes available.

Madison Sloan, Director – Disaster Recovery and Fair Housing Project, Texas Appleseed:

Summary of Recommendations / Concerns:

- Local Buyout and Acquisition Program:

Program guidelines for this program must be developed in a transparent process with extensive community input. Local communities must have a citizen participation process for drafting buyout guidelines.

The program must also prioritize LMI households in floodways and floodplains. It is recommended that the program offer relocation and payment assistance. Based upon the Federal Register Notice, “a buyout program that merely pays homeowners to leave their existing homes does not result in a low- and moderate income household occupying a residential structure and, thus, cannot meet the requirements of the LMH national objective.” (83 FR 5863) Local buyout programs should include plans to build housing in safer areas.

Low and moderate income households must be provided with enough funds that the choice to move is a realistic one (or to ensure that they can actually move to a safer area in the case of mandatory buyouts.) The worst case-scenario is that families who accept a buyout are unable to find housing in safer areas

and are forced to move back into their original or less safe neighborhoods. We are concerned that CAPCOG's list of eligible activities does not include the incentives for LMI families recommended by the Federal Register Notice.

Using the pre-storm value of a home to determine disaster recovery program benefit limits often has a discriminatory impact on the basis of race or ethnicity. CAPCOG's MOD and local program guidelines should ensure that buyout and acquisition programs are consistent regardless of whether the cost is funded by FEMA, local bond funding, or CDBG-DR. CDBG-DR funding could be used to provide additional funds for LMI families in FEMA programs that would not provide them with enough funding to move. CAPCOG should be particularly careful that it is not developing or implementing a program that provides lesser benefits to communities and homeowners of color.

- **Local Infrastructure Program and Economic Revitalization Program:**

We are concerned that the most impacted zip code identified by HUD is not receiving an allocation of infrastructure funding.

Infrastructure programs must prioritize the needs of low and middle income household and communities, in particular, communities with substandard infrastructure as a result of discrimination and disinvestment. A key issue for many of these communities is environmental justice, as they were impacted not only by flooding but also by hazards related to chemicals, oils, sewage, waste, or air pollution during the event. Neighborhoods that were doubly impacted by floodwaters polluted with chemicals, oils, waste, or sewage should be prioritized for mitigation.

The key to economic recovery and future resilience is ensuring that the jobs generated by recovery projects and programs are filled by local workers and those who lost jobs because of Harvey to create real jobs and job training for community residents, and create additional opportunities for community businesses. Section 3 of the Housing and Urban Development Act of 1968 requires recipients of certain HUD financial assistance, including CDBG-DR, provide job training, employment, and contracting opportunities for low or very low income residents in connections with projects or activities in their neighborhoods to the greatest extent possible. Historically, Section 3 has not been vigorously enforced, and jurisdictions have completely failed to comply with its provisions. We urge CAPCOG to fully implement and enforce Section 3, including monitoring (including of whether contractors are genuinely Section 3 eligible, helping to set up a training and jobs pipeline, measuring success in terms of the number of hours worked by Section 3 eligible workers, clearly defining the geographic area from which resident should get preference as locally as possible, and imposing monetary penalties on contractors who do not meet their Section 3 goals. In addition to Section 3, jurisdictions routinely impose requirements like local hiring and job production in exchange for government financial assistance or other benefits and we encourage CAPCOG to do so.

Other options for increasing the number of jobs going to affected individuals and communities are ensuring that contractor qualifications include a commitment to local hiring and best value bidding processes that give more points to bidders who can comply with job quality and targeted hiring standards. CDBG-DR presents an opportunity leverage housing and infrastructure funds into economic development funds.

- Needs Assessment and Funding Allocation

We appreciate that CAPCOG has used a weighting factor of “Regional Share of Low to Moderate Income Persons” to make a preliminary allocation of program funds. However, the methodology provided by HUD and GLO for determining unmet housing needs underestimates the amount of loss to low-income populations. Using this methodology will not include the severity of damage suffered by low-income homeowners and distort the geographic allocation of money based on that standard.

The primary purpose of the CDBG program is to benefit LMI populations, yet the HUD methodology the State and CAPCOG are using has the clear, disproportionate effect on LMI populations of excluding them from the unmet needs assessment conclusions. This disproportionate effect is not only on low and moderate income Texans, but on Black and Latinx populations as well.

CAPCOG’s use of FEMA Verified Loss (FVL) damage categories to weight the geographic distribution of CDBG-DR funds will end up allocating resources away from areas that need them the most, affecting not only those families, but those communities as whole.

CAPCOG’s allocation method is not entirely clear. If the allocation was not determined using these numbers, or deviates from the HUD methodology to produce a more accurate picture of unmet need, CAPCOG needs to provide more detail about its formula and which data it used.

Texas Appleseed supports the use of a data-based formula to allocate federal disaster recovery funds. But that formula must be adjusted to account for deficiencies in FEMA and other data and ensure that the needs of all Texans affected by Hurricane Harvey are taken into account. We strongly recommend that CAPCOG use the methodology proposed by the Texas Low Income Housing Information Service (Texas Housers) in its comments on the draft Action Plan – or a similar methodology – which relates a household’s FVL to their income, thereby considering the level of impact on a household, acknowledging the loss valuation variations produced by the FEMA/HUD methodology, and more accurately counts households with unmet housing needs that are the least able to recover and most vulnerable to housing insecurity. This method also ensures that the geographic allocation of funding addresses the actual levels of unmet housing needs in each locality.

Jennifer Richards, Staff Attorney, Texas RioGrande Legal Aid:

Summary of Recommendations / Concerns:

- CAPCOG should conduct a regional needs assessment to better understand the extent of damage in the CAPCOG eligible counties and meet its goal of equitable regional recovery.

In its allocation methodology, CAPCOG utilizes a figure it labels “damages assessed”. The quantity of “damages assessed” is determined by the FEMA Verified Loss (FVL) figures for those individuals who filed FEMA claims following Hurricane Harvey. These figures likely underrepresent the extent of damage experience by low-income property owners even though the harm they suffered may be severe and detrimental to those owners. By relying on “damages assessed”, CAPCOG is allowing the impact on low-income homeowners to be underrepresented in its allocation, and thus is building a bias against low-income.

Data obtained by Texas Housers, an organization dedicated to supporting Texans in the pursuit of affordable and accessible housing throughout the State, indicates that the average value of FVL increases as the income of a household increases. For homeowners who earn 30% or less of area median income, the state-wide average for FVL was \$7,028; this is just less than half the average FVL for non-LMI households. We cannot attempt to explain the discrepancy in these figures, as very little is publicly available as to what goes into an FVL determination.

Although FVL data makes the damage appear greater in higher income areas, in fact Low-to-Moderate Income (LMI) households are just as, if not more, likely to experience devastation as a result of flooding than their wealthier counterparts. This is true for the low-income households of Texas following Hurricane Harvey. In the coastal counties impacted by the storm, households of color and low-income households were more likely to be impacted by property damage or loss. Currently, nearly half the weighted figure of CAPCOG's allocation calculations for the buyout and acquisition program is a county's percentage of "damages assessed" or FVL. This means that any county with wealthier households impacted by the storm is likely favored in the outcome of CAPCOG's calculations.

An equitable recovery plan requires an allocation methodology that recognizes the flaws in existing data sets. It should seek to correct any unintentional biases that may be present in the available figures. Instead of relying heavily on FVL figures to allocate funds, CAPCOG should conduct a regional needs assessment to better evaluate which properties were rendered inhabitable as a result of the storm. The GLO's draft Housing Guidelines permit COGs to use qualified data sources approved by GLO in advance in their needs assessments. These include SBA or insurance awards, as well as other forms of data. CAPCOG should make an effort to quantify damage beyond flawed FVL figures. In doing so, it will design a methodology that captures the full extent of damage inflicted because of Harvey.

- The MOD should establish criteria for areas to qualify for buyout programs.

The MOD draft does not articulate criteria to determine which areas qualify for buyouts. In its State Action Plan, the General Land Office tasked the regional Councils of Government (COGs) with "establish[ing] objective criteria for allocation of funds to eligible entities and activities". Although the current MOD draft uses data to prioritize funding for the four counties in its area (the eligible entities), it establishes no criteria to allocate funds to buyout activities.

CAPCOG's current method of allocation considers the total harm that each county experienced. Although this method attempts to equitably distribute funds by prioritizing those counties which experienced a greater amount of harm, the method does not give CAPCOG the flexibility to determine the actual needs of the populations of each of these counties and whether buyout/acquisition programs will meet those needs. CAPCOG's allocation method would be more sensible and equitable if it were tasked with allocating funds for all housing programs. However, CAPCOG needs to allocate those funds intended for only the buyout and acquisition portions of the state housing programs. The allocation methodology should therefore be structured to identify which counties are most in need of buyout and acquisition funds.

Establishing program criteria for buyouts would enable CAPCOG to identify areas in the counties that qualify for the buyout program based on need, prioritize those in its buyout fund allocation, and estimate the cost of a buyout program. CAPCOG can then use its limited funds to target the areas that stand to benefit the most from acquisition.

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## Hahn, Angela

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**From:** emc@co.lee.tx.us  
**Sent:** Tuesday, August 7, 2018 10:15 AM  
**To:** Hadnot, Kristie; Hahn, Angela  
**Subject:** FW: Lee County Posting for Town Hall Meeting

Good Morning,

The Town Hall Meeting on June 25<sup>th</sup> did not require posting as there was no quorum of elected officials. Thus nothing could be decided, it was for informational purposes only.

We mailed out and letters to residents in lee county that we were able to identify as having property that was damaged during Hurricane Harvey. Due to the fact that 99% of the damaged property from the last three disasters is in one central location we also hand delivered the same letters to this area to ensure that they received notification of the meeting. As a lot of the residents speak Spanish only in this area the letters were in both English and Spanish.

Due to the fact that we had to reach our Spanish population we decided that this was the best method. There are no local Spanish newspapers or radio stations.

Delynn

**From:** Jessica Graefe <jessica.graefe@co.lee.tx.us>  
**Sent:** Tuesday, August 7, 2018 8:44 AM  
**To:** emc@co.lee.tx.us  
**Subject:** FW: Lee County Posting for Town Hall Meeting

### Jessica Graefe

Administrative Assistant  
Office of Lee County Judge  
Lee County Courthouse  
200 S. Main – Room 107 / Giddings, TX 78942  
Office: 979-542-3178  
Fax: 979-542-2988  
[Jessica.Graefe@co.lee.tx.us](mailto:Jessica.Graefe@co.lee.tx.us) / <http://www.co.lee.tx.us>

**From:** Hadnot, Kristie [<mailto:khadnot@capcog.org>]  
**Sent:** Friday, August 03, 2018 3:57 PM  
**To:** Jessica Graefe <[jessica.graefe@co.lee.tx.us](mailto:jessica.graefe@co.lee.tx.us)>  
**Cc:** Hahn, Angela <[ahahn@capcog.org](mailto:ahahn@capcog.org)>  
**Subject:** RE: Lee County Posting for Town Hall Meeting

Good Afternoon Jessica,

We received an inquiry from GLO this morning asking about the Town Hall Meeting that was held in Lee County on June 25<sup>th</sup>. Since we attended this meeting at the request of the County to address MOD issues, GLO is asking for an explanation on why there was a hand delivery notification made to various residents of the County about the

meeting? Also, we know that the meeting notice was posted at the Courthouse for public notification, but were there any other methods of notification used to make residents aware of the meeting? If not, they want to know why?

Any information that you can provide on this inquiry will be greatly appreciated.

Thanks,

**Kristie Hadnot**

Capital Area Council of Governments

P: (512) 916-6066

*\*No electronic communication by a CAPCOG employee may legally obligate the agency.*

**From:** Jessica Graefe <[jessica.graefe@co.lee.tx.us](mailto:jessica.graefe@co.lee.tx.us)>

**Sent:** Tuesday, July 3, 2018 4:11 PM

**To:** Hadnot, Kristie <[khadnot@capcog.org](mailto:khadnot@capcog.org)>

**Subject:** RE: Lee County Posting for Town Hall Meeting

Attached is the English and Spanish notice. It was mailed, hand delivered to the attached residents, and posted on the board outside.

**Jessica Graefe**

Administrative Assistant

Office of Lee County Judge

Lee County Courthouse

200 S. Main – Room 107 / Giddings, TX 78942

Office: 979-542-3178

Fax: 979-542-2988

[Jessica.Graefe@co.lee.tx.us](mailto:Jessica.Graefe@co.lee.tx.us) / <http://www.co.lee.tx.us>

**From:** Hadnot, Kristie [<mailto:khadnot@capcog.org>]

**Sent:** Tuesday, July 03, 2018 4:05 PM

**To:** [jessica.graefe@co.lee.tx.us](mailto:jessica.graefe@co.lee.tx.us)

**Cc:** Hahn, Angela <[ahahn@capcog.org](mailto:ahahn@capcog.org)>; Barrett, Kate <[kbarrett@capcog.org](mailto:kbarrett@capcog.org)>

**Subject:** Lee County Posting for Town Hall Meeting

Hi Jessica,

At your earliest convenience, can you send me a copy of the posting that the County put out regarding the town hall meeting held on June 25, 2018 at the Courthouse? I just need to add it to our collection.

Thanks,

**Kristie Hadnot**

Capital Area Council of Governments

P: (512) 916-6066

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Prop. ID	Property Owner	Acres	Improvements	Land Value	Market Value	Comments
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13512	Lawrence Gaylynn & Chase 903 Lawndale Brenham, TX 77833	11.70	\$ 2,140	\$ 59,480	\$ 61,620	New Owners
13770	Torres, Rojelio Sainz & Julie L. 1105 Farm St. Bastrop, Tx 78602	12.10	\$ 28,580	\$ 60,870	\$ 89,450	
15044	Salazar, Rafael 1357 CR 230 Giddings, TX 78942	1.50	\$ 26,040	\$ 20,100	\$ 46,140	
18760	Bennett, Marshall PO Box 413 Giddings, TX 78942	9.99	\$ 208,970	\$ 166,630	\$ 375,600	
22321	Parker, Kenneth B. 1080 RVT RD 1411 Giddings, TX 78942	1.00	\$ 19,870	\$ 14,090	\$ 33,960	New Address
22860	Mangrum, Richard L. & Linda S. 2285 CR 209 Giddings, TX 78942	2.00		\$ 27,010	\$ 27,010	
24223	Hohle, Marvin L. & Rosalie Estate 183 N. Old Potato Rd. Paige, TX 78659	6.38	\$ 64,750	\$ 72,850	\$ 137,600	New Address
24343	Mescall, Ruth 1143 PR 2332 Giddings, TX 78942	5.00	\$ 90,790	\$ 35,050	\$ 125,840	
27328	Parker, Kenneth B. 1080 RVT RD 1411 Giddings, TX 78942	1.00	\$ 1,000	\$ 14,090	\$ 15,090	New Address
28743	Duarte, Ruben & Monica 1456 CR 233 Giddings, TX 78942	3.00	\$ 7,500	\$ 38,740	\$ 46,240	
28744	Orocio, Jose & Maximina 920 N. Madison St. Giddings, TX 78942	5.00	\$ 58,440	\$ 57,540	\$ 115,980	
31038	Flores, Elodia 1372 CR 230 Giddings, TX 78942	2.00	\$ 24,020	\$ 27,010	\$ 51,030	
33452	Llamas, Jose F. & Maria V. PO Box 1142 Giddings, TX 78942	1.00	\$ 17,130	\$ 14,090	\$ 31,220	
33478	Corona, Mario 1316 CR 230 Giddings, TX 78942	1.50	\$ 34,540	\$ 20,100	\$ 54,640	
33496	Segundo, Aaron Rodolfo Muniz 1342 CR 230 Giddings, TX 78942	1.00	\$ 11,850	\$ 14,090	\$ 25,940	
33729	Mutscher, Jeffrey 1496 CR 226 Giddings, TX 78942	3.85	\$ 274,670	\$ 48,310	\$ 322,980	
67681	Phillips, Mike & Debra PO Box 365 Giddings, TX 78942	1.00		\$ 14,090	\$ 14,090	
67742	Chairez, Hector 672 S. Madison St. Giddings, TX 78942	1.00	\$ 7,500	\$ 6,500	\$ 14,000	
67743	Perez, Jose & Maribel Chairez 440 E. Galveston ST. Giddings, TX 78942	1.00	\$ 1,900	\$ 6,500	\$ 8,400	
69908	Alvarez, Jose Rosario 974 S. Ellis St. Giddings, TX 78942	2.00		\$ 26,230	\$ 26,230	
98327	Rodriguez, Angel L. & Aidee 1195 E. Austin ST. Giddings, TX 78942	10.00	\$ 275,580	\$ 97,470	\$ 373,050	

Prop ID	Property Owner	Acres	Improvements	Land Value	Market Value	Column1
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/ 180510	Zuniga, Mario Alberto 383 N Burleson ST Giddings, TX 78942	2.00	\$ 17,160	\$ 2,700	\$ 44,160	New Address
/ 180511	Martinez, Julian JR. 1344 CR 230 Giddings, TX 78942	1.22	\$ 12,410	\$ 17,020	\$ 29,430	
/ 184645	Perez, Maricela & Roberto Sanchez 1064 PR 2332 Giddings, TX 78942	2.00	\$ 34,860	\$ 27,020	\$ 61,880	
					<b>\$ 2,260,590</b>	

## Hadnot, Kristie

---

**From:** Alexandra Gamble <Alexandra.Gamble@GLO.TEXAS.GOV>  
**Sent:** Wednesday, May 30, 2018 10:23 AM  
**To:** Hadnot, Kristie  
**Cc:** Shawn Strange  
**Subject:** RE: CAPCOG - Citizen Participation Plan and Public Notices

Hi Kristie,

Thank you for the plan. Please let us know if you have any questions.

Thanks,

Alex

**From:** Hadnot, Kristie [mailto:khadnot@capcog.org]  
**Sent:** Saturday, May 26, 2018 8:25 PM  
**To:** CDR <CDR@GLO.TEXAS.GOV>  
**Cc:** Shawn Strange <Shawn.Strange@GLO.TEXAS.GOV>; Alexandra Gamble <Alexandra.Gamble@GLO.TEXAS.GOV>  
**Subject:** CAPCOG - Citizen Participation Plan and Public Notices

Good Afternoon,

Attached please find a copy of CAPCOG's Citizen Participation Plan to be incorporated into the pending regional Method of Distribution.

Also, please find a copy of the Public Notice (English & Spanish) which was published in the local and weekly newspapers circulating in HUD's most impacted areas identified in the region. Please feel free to publish the notice on the GLO website for greater outreach.

Should you have any questions or need anything further, please don't hesitate to contact me.

Thank you,

*Kristie R. Hadnot*  
Disaster Recovery Coordinator  
Capital Area Council of Governments  
6800 Burleson Rd., Bldg. 310, Ste. 165  
Austin, Texas 78744  
Ph: 512-916-6066 / Fax: 512-916-6001  
Email: [khadnot@capcog.org](mailto:khadnot@capcog.org)  
Website: [www.capcog.org](http://www.capcog.org)

***Serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson Counties***  
*No electronic communication by a CAPCOG employee may legally obligate the agency.*





**PROOF OF  
PUBLICATION  
STATE OF TEXAS**

**PUBLIC NOTICE**

Before me, the undersigned authority, a Notary Public in and for the County of Bastrop, State of Texas, on this day personally appeared Alejandro Cado, Advertising Agent of the Bastrop Advertiser, which is a newspaper of general circulation published in the county of Bastrop in the state of Texas, who being duly sworn by me, states that the attached advertisement was published at the lowest published rate for Classified advertising in said newspaper on the following date(s), to wit, and that the attached is a true copy of said advertisement: the following date(s), PUBLIC HEARING NOTICE CAPCOG METHOD OF DISTRIBUTION FOR 2017 HURRICANE HARVEY - ROUND 1: CDBG-DISASTER RECOVERY The Capital Area Council of Governments (CAPCO, first date of Publication 06/14/2018, last date of Publication 06/14/2018, web and print times Published 1.

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000372166  
Ad Cost: \$782.65  
Paid: \$0.00  
Balance Due: \$782.65

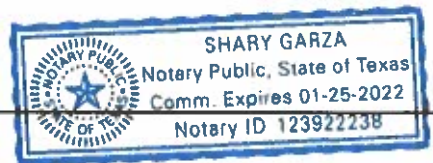
Signed

  
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 14th day of June, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

  
(Notary)



Please see Ad on following page(s).



CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 185  
AUSTIN, TX 78744

Invoice/Order Number:	0000372166
Ad Cost:	\$782.65
Paid:	\$0.00
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**PUBLIC HEARING NOTICE  
CAPCOG METHOD OF DISTRIBUTION  
FOR  
2017 HURRICANE HARVEY - ROUND 1:  
CDBG-DISASTER RECOVERY**

The Capital Area Council of Governments (CAPCOG) is conducting a public hearing for its proposed Method of Distribution for 2017 Hurricane Harvey Community Development Block Grant Disaster Recovery (CDBG-DR) Allocation for the Local Infrastructure Program and the Local Buyout and Acquisition Program. The hearing will be held at 6 p.m. Tuesday, June 19, 2018 at the Bastrop County Annex Building, 804 Pecan Street in Bastrop, in the County Commissioners Court Room on the second floor.

The purpose of the hearing is to gather public comment on the proposed Method of Distribution from those residing in the CAPCOG counties affected by Hurricane Harvey, 2017 FEMA Disaster 4332: Bastrop, Caldwell, Lee, and Fayette counties. CAPCOG anticipates the region receiving \$4,305,474 of infrastructure and \$12,929,474 of acquisition program funds from the U.S. Department of Housing and Urban Development (HUD). These program funds are direct allocations to be issued under the CDBG-DR Program to HUD eligible cities and counties designated in Hurricane Harvey impact areas.

On June 13, 2018, a proposed Method of Distribution will be viewable online at [www.capcog.org](http://www.capcog.org) and [www.glo.texas.gov](http://www.glo.texas.gov). For more about the hearings or to request disability or non-English speaking accommodations, contact Kristie Hadnot at 512-916-6066 or [khadnot@capcog.org](mailto:khadnot@capcog.org). Written comments also may be submitted to [khadnot@capcog.org](mailto:khadnot@capcog.org) or Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burleson Road, Building 310 Suite 165, Austin, Texas 78744. Written comments must be received by 5 p.m. Wednesday, June 27, 2018.

The room reserved for the hearing is in compliance with the American Disabilities Act.  
6/14/18

0000372166-01



Austin American-Statesman austin360 | ahora sí

# PROOF OF PUBLICATION STATE OF TEXAS

## PUBLIC NOTICE

Before the undersigned authority personally appeared Alejandro Cado, who on oath says that he/she is a Legal Advertising Agent of the Austin American-Statesman, a daily published newspaper that is generally circulated in Bastrop, Bell, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington and Williamson Counties, and State of Texas, and that the attached advertisement was published in said newspaper, to wit: Capital Area Council Of Govts, first date of publication 06/14/2018, last date of publication 06/14/2018, published 1 time(s), and that the attached is a true copy of said advertisement.

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

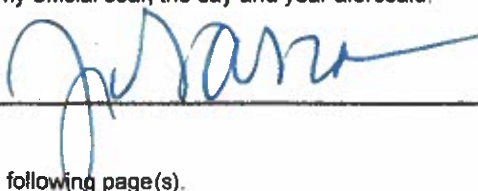
Invoice/Order Number:	0000372166
Ad Cost:	\$782.65
Paid:	\$0.00
Balance Due:	\$782.65

Signed \_\_\_\_\_

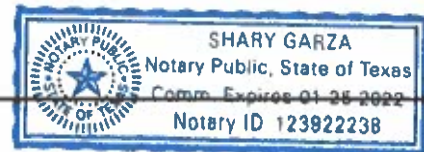
  
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Signed \_\_\_\_\_



(Notary)



Please see Ad on following page(s).

CAPITAL AREA COUNCIL OF GOVTS  
6800 BURLESON RD  
BLDG 310 STE 165  
AUSTIN, TX 78744

Invoice/Order Number: 0000372186  
Ad Cost: \$782.65  
Paid: \$0.00  
Balance Due: \$782.65

**PUBLIC HEARING NOTICE  
CAPCOG METHOD OF DISTRIBUTION  
FOR  
2017 HURRICANE HARVEY - ROUND 1:  
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6/14/18

0000372186-01

## Hadnot, Kristie

---

**From:** Jessica Graefe <jessica.graefe@co.lee.tx.us>  
**Sent:** Tuesday, July 3, 2018 4:11 PM  
**To:** Hadnot, Kristie  
**Subject:** RE: Lee County Posting for Town Hall Meeting  
**Attachments:** Scan\_2018-07-03-160305028.pdf

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### Jessica Graefe

Administrative Assistant  
Office of Lee County Judge  
Lee County Courthouse  
200 S. Main – Room 107 / Giddings, TX 78942  
Office: 979-542-3178  
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**Subject:** Lee County Posting for Town Hall Meeting

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Capital Area Council of Governments  
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					<b>\$ 2,260,590</b>	

**Email to Contacts**  
**Distribution List**

## Hahn, Angela

---

**From:** Barrett, Kate  
**Sent:** Wednesday, August 22, 2018 12:08 PM  
**To:** Zachary.Stern.GLO@recovery.TEXAS.GOV; alexandra.gamble@glo.texas.gov; shawn.strange@glo.texas.gov; christopher.smith@glo.texas.gov  
**Cc:** Hahn, Angela; Hadnot, Kristie  
**Subject:** FW: Method of Distribution for 2017 Hurricane Harvey CDBG-Disaster Recovery Allocation  
**Attachments:** HS.CAPCOG MOD.8.14.18.Revised MOD. KH).pdf

Good afternoon,

Please see below for the email we sent out yesterday regarding the MOD.

Regards,

*Kate Barrett*  
*CAPCOG*  
*Homeland Security Administrative Assistant*

*No electronic communication by a CAPCOG employee  
may legally obligate the agency.*

**From:** Barrett, Kate  
**Sent:** Tuesday, August 21, 2018 7:58 AM  
**To:** Spencer, Brandy <Bastropa@austin.rr.com>; 'b\_spencer@austin.rr.com' <b\_spencer@austin.rr.com>; 'elginha@att.net' <elginha@att.net>; 'house@smithvillehousing.org' <house@smithvillehousing.org>; 'lha@austin.rr.com' <lha@austin.rr.com>; 'jamie\_lulinghousing@yahoo.com' <jamie\_lulinghousing@yahoo.com>; 'flatoniahousing@yahoo.com' <flatoniahousing@yahoo.com>; 'lgha2@verizon.net' <lgha2@verizon.net>; Veselka, Linda <shaphall@verizon.net>; 'info@tdhca.state.tx.us' <info@tdhca.state.tx.us>; 'jlong@casamarianella.org' <jlong@casamarianella.org>; 'info@foundationhomeless.org' <info@foundationhomeless.org>; 'walter.moreau@foundcom.org' <walter.moreau@foundcom.org>; 'lward@saintlouisehouse.org' <lward@saintlouisehouse.org>; 'info@greendoors.org' <info@greendoors.org>; 'annhoward@austinecho.org' <annhoward@austinecho.org>; 'joanna@cutrightallen.com' <joanna@cutrightallen.com>; 'Paul Pape' <paul.pape@co.bastrop.tx.us>; 'Hamner, Mel' <mel.hamner@co.bastrop.tx.us>; Beckett, Clara <clara.beckett@co.bastrop.tx.us>; 'mark.meuth@co.bastrop.tx.us' <mark.meuth@co.bastrop.tx.us>; 'bubba.snowden@co.bastrop.tx.us' <bubba.snowden@co.bastrop.tx.us>; Ellis, Bradley <brad.ellis@co.bastrop.tx.us>; 'cschroeder@cityofbastrop.org' <cschroeder@cityofbastrop.org>; 'bpeterson@cityofbastrop.org' <bpeterson@cityofbastrop.org>; 'gschiff@cityofbastrop.org' <gschiff@cityofbastrop.org>; Nelson, Lyle <lnelson@cityofbastrop.org>; 'bennis@cityofbastrop.org' <bennis@cityofbastrop.org>; 'djones@cityofbastrop.org' <djones@cityofbastrop.org>; 'lhumble@cityofbastrop.org' <lhumble@cityofbastrop.org>; 'shawn@bastropedc.org' <shawn@bastropedc.org>; Cannon, Chris <mayor@ci.elgin.tx.us>; 'jgonzalez@ci.elgin.tx.us' <jgonzalez@ci.elgin.tx.us>; 'jbega@ci.elgin.tx.us' <jbega@ci.elgin.tx.us>; 'mpenson@ci.elgin.tx.us' <mpenson@ci.elgin.tx.us>; 'sarreaga@ci.elgin.tx.us' <sarreaga@ci.elgin.tx.us>; 'pthomas@ci.elgin.tx.us' <pthomas@ci.elgin.tx.us>; 'dlopez@ci.elgin.tx.us' <dlopez@ci.elgin.tx.us>; 'sbrashar@ci.elgin.tx.us' <sbrashar@ci.elgin.tx.us>; 'nbeyer@ci.elgin.tx.us' <nbeyer@ci.elgin.tx.us>; 'tmattis@ci.elgin.tx.us' <tmattis@ci.elgin.tx.us>; Rock, Owen <orock@ci.elgin.tx.us>; 'SSaunders@ci.smithville.tx.us' <SSaunders@ci.smithville.tx.us>; 'JMorgan@ci.smithville.tx.us' <JMorgan@ci.smithville.tx.us>; 'BRooks@ci.smithville.tx.us' <BRooks@ci.smithville.tx.us>; 'TStreuer@ci.smithville.tx.us' <TStreuer@ci.smithville.tx.us>; 'RJanak@ci.smithville.tx.us' <RJanak@ci.smithville.tx.us>; Gordon, William



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**Cc:** Ritchey, Martin <mritchey@capcog.org>; Hahn, Angela <ahahn@capcog.org>; Hadnot, Kristie <khadnot@capcog.org>

**Subject:** Method of Distribution for 2017 Hurricane Harvey CDBG-Disaster Recovery Allocation

On April 19, 2018, Texas General Land Office (GLO) released guidance for regional method of distribution (MOD) for federal disaster recovery funds as a result of Hurricane Harvey, DR-4332. This document describes how Capital Area Council of Governments (CAPCOG) proposes to distribute funds to foster long-term recovery, emphasize a focus on the permanent restoration in infrastructure, and to utilize a local buyout and acquisition of land and property to remove Hurricane Harvey survivors out of harm's way. The regional Method of Distribution will be available for viewing and comment from August 20, 2018 through September 3, 2018. Citizens are welcome to contribute any input or comments. Written comments may be submitted to Kristie Hadnot at [khadnot@capcog.org](mailto:khadnot@capcog.org) or Attn: CAPCOG Hurricane Harvey CDBG-DR Comments, CAPCOG, 6800 Burluson Road, Building 310 Suite 165 Austin, Texas 78744. All written comments must be received by 5 p.m. on Tuesday, September 4, 2018.

Please click on the link below for more information.

<http://www.capcog.org/divisions/homeland-security/hurricane-harvey-mod>

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Capital Area Council of Governments

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CAPCOG is a regional planning commission serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson Counties.

*No electronic communication by a CAPCOG employee  
may legally obligate the agency.*

Organization	Contact	Address	City	County	State	Zip	Phone	Email
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Elgin Housing Authority	Doris Broadstreet	515 Old McDade Rd., #11	Elgin	Bastrop	TX		78621 512-281-2772	elginha@att.net
Smithville Housing Authority	Rhonda Baxter	100 Ken Blaschke	Smithville	Bastrop	TX		78957 512-360-3286	house@smithvillehousing.org
Lockhart Housing Authority	Beverly Haug	PO Box 446	Lockhart	Caldwell	TX		78644 512-398-2715	lha@austin.rr.com
Luling Housing Authority	Jamie Alex	800 E Milam	Luling	Caldwell	TX		78648 830-875-5221	<a href="mailto:jamie_lulinghousing@yahoo.com">jamie_lulinghousing@yahoo.com</a>
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LaGrange Housing Authority	Gene Jaster	250 Northwest Circle	LaGrange	Fayette	TX		78945 979-968-3147	lgha2@verizon.net
Schulenburg Housing Authority	Linda Veseika	PO Box 207	Schulenburg	Fayette	TX		78956 979-743-3776	<a href="mailto:shaphall@verizon.net">shaphall@verizon.net</a>
Texas Department of Housing & Community Affairs		PO Box 13941	Austin	Travis	TX		78711 512-475-3800	<a href="mailto:info@tdhca.state.tx.us">info@tdhca.state.tx.us</a>
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Foundation Communities	Walter Moreau	3036 S 1st St	Austin	Travis	TX		78704 512-447-2026	<a href="mailto:walter.moreau@foundcom.org">walter.moreau@foundcom.org</a>
Saint Louise House	Laura Ward	PO Box 150637	Austin	Travis	TX		78715 512-326-2774	lward@saintlouisehouse.org
Green Doors		PO Box 685065	Austin	Travis	TX		78741 512-469-9130	info@greendoors.org
Caritas of Austin	Amy Jackson	PO Box 1947	Austin	Travis	TX		78767 512-479-4610	ajackson@caritasofaustin.org
ECHO	Ann Howard	300 E Highland Mall Blvd	Austin	Travis	TX		78752	<a href="mailto:annhoward@austinecho.org">annhoward@austinecho.org</a>
Habitat for Humanity			LaGrange	Fayette	TX		979-639-1599	joanna@cutrightallen.com
Texas Legal Services Center								*could not find an email address

\*serves Lee County

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## Luling

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Council Member	Brion	Williams	
Council Member	Madonna	Morris	
Council Member	Susan	Bathe	

all use the same email

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Council Member	Virginia	Psencik
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Council Member	Bradley	Girndt	
Council Member	Amy	Nini	
Council Member	Greg	Gillespie	
City Manager	Billy	Wasut	

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Council Member	Mark	Eversole	
Council Member	Ed	Hulsey	
Council Member	Jenny	Sears	
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emails go to his assista

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Council Member	John	Eilert	
Council Member	Deborah	Bradley	
Council Member	Kathy	Weishuhn	<a href="mailto:weishuhn@verizon.net">weishuhn@verizon.net</a>
Council Member	Ken	Taylor	

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Alderman	Frank	Hillbot	
Alderman	Jerry	Hinkel	
Alderman	Steven	Ditsler	

#### Schulenburg

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Mayor Pro Tem	Harvey	Hercik	
Alderman	Wendy	Fietsam	
Alderman	Arnold	Stoever	
Alderman	Larry	Veselka	
City Administrator	Tami	Blaschke-Walker	

#### Lee County

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Commissioner	Charles	Murray	<a href="mailto:commissionerpct2@co.lee.tx.us">commissionerpct2@co.lee.tx.us</a>
Commissioner	Alan	Turner	<a href="mailto:Commissionerpct3@co.lee.tx.us">Commissionerpct3@co.lee.tx.us</a>
Commissioner	Steven	Knobloch	<a href="mailto:Commissionerpct4@co.lee.tx.us">Commissionerpct4@co.lee.tx.us</a>
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#### Giddings

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Council Member	Linda	Pruitt	lpruitt@giddings.net
Council Member	Joel	Lopez	jlopez@giddings.net
Council Member	Frank	Castro	<u>fcastro@giddings.net</u>
City Manager	Ricky	Jorgenson	citymanager@giddings.net
EDC Director	Tonya	Britton	<u>edcdirector@giddings.net</u>

### Lexington

Mayor	Alan	Milligan	cityoflex@gmail.com
Council Member	Melinda	Muhl	cityoflex@gmail.com
Council Member	Bob	Hasselbush	cityoflex@gmail.com
Council Member	Bobby	Wesner	bobby.wesner@yahoo.com
Council Member	Garland	Moffett	cityoflex@gmail.com
Council Member	Chris	Wornell	cwornell78@gmail.com

## **Citizen Comments and Responses**

**\*Please note: There were no  
comments received for the  
second posting**

**CAPITAL AREA COUNCIL OF GOVERNMENTS**  
**Citizen Participation Summary of Questions and Comments Received**

Three public hearings were held to receive input on CAPCOG's Citizens Participation Plan. Two were held by CAPCOG, one was held by Lee County officials. CAPCOG staff attended the third public meeting at the request of Lee County Judge Paul Fischer. During the second meeting held by CAPCOG, and the meeting held by Lee County, a Spanish translator was available to assist those with limited English proficiency.

Several of the Lee County residents who attended all three meetings are represented by a staff attorney for the Texas RioGrande Legal Aid. Comments received from them indicated a lack of trust toward County officials.

Comments from the first two meetings sponsored by CAPCOG centered around concerns that the amount of money allocated to the different eligible counties wasn't enough to conduct a buyout/acquisition program. Questions were also asked about what type of activities were eligible and what would happen if a county chose not to accept the allocated funds.

During the meeting hosted by Lee County, the majority of the comments were directed to the county officials present. Inquiries into how the money would be spent, what type of program would the county stand up and how would they ensure the monies were spent in the appropriate places.

One of the major reoccurring themes present in all three meetings was the cause of the flooding and the need to address it. As this was outside of the parameters of the program, CAPCOG staff didn't directly respond. Lee County officials were able to address those concerns during the third meeting held.

CAPCOG staff responded to direct questions posed during the public comment period through email and at the hearings. Comments made through email that were not asking questions were responded to with a generic "thank you for your input. CAPCOG also distributed post cards for citizens to write their comments/questions. CAPCOG staff was only able to respond to those citizens who had included their contact information.

**Public Hearing #1 – Bastrop County Courthouse, May 30, 2018 – 9 a.m. – 11 a.m.**

Mike and Debra Phillips, Lee County:

- We were flooded out for the last 3 years in a row. We lost everything. Please fix the problem.

Mario Zuniga, Lee County:

- I've lived in my home for the last 9 years and experienced flooding on my property for the last 3 years. During the 1<sup>st</sup> flood, the water came up to my porch. During the 2<sup>nd</sup> flood, we had to evacuate from our property because the water kept rising on our property. We lost everything during this flood. We had nothing but the clothes on our back. My family could not return back to our home due to extensive flood damage. The 3<sup>rd</sup> flood further damaged our home. We had already moved out, but the home sustained additional damage from flooding. We would like to move back to our home, but we need the problem fixed.

Warner A Mize, Lee County:

- Cummins Creek dam & drainage control – road closers
- I have owned property adjacent to Cummins Creek Dam # 1 since 1978 and until 4 years ago there was no prolonged flooding. Since the most recent flooding caused by Hurricane Harvey, the creek is still overflowing causing loss of grazing and expensive repairs of fencing both of perimeter and interior fences. I lost two crossovers from one side of my pasture to the other. Loss of these crossover structures are very costly. These crossovers had from 2 -3 culverts. I have also lost approximately 150 mature oak trees due to the standing water. Removal of these trees is imperative due to the fact that decaying branches will cause clogging of existing drainage.

Rafael Salazar, Lee County:

- Fix the dam – 3 years in a row flooded. Need better spillway to avoid months for water to drain. Clean up debris from spillway. Fix streets damaged by flood. Buyout program if problems not fixed.

Angel F. Rodriguez and family, Lee County:

- We have over 20 families in Giddings with reoccurring flood problems. We think we can benefit if the dam that is in Cummins Creek is fixed. We want to get your attention because we've been talking to the commissioners for three years already but they always said they can't do anything about it. For me and my family the last option is to move out. My kids get scared every time it rains in Giddings. We really appreciate if you will investigate what's going on and help all those families in Lee County.

Vance Rogers, City Manager, City of Lockhart:

- Where do I obtain applications to apply for the grant funds to be allocated for the Hurricane Harvey CDBG-DR Programs (Local Buyout & Acquisition Program and Infrastructure Program)?

CAPCOG response: Formal applications to apply for Hurricane Harvey CDBG-DR Program funds will need to be obtained directly from the Texas General Land Office. According to the Texas General Land Office, these applications are not expected to be available for review and publication to the public until Fall 2018. Please continue to check for program status and updates through the Texas General Land Office at website: [www.glo.texas.gov](http://www.glo.texas.gov).

**Public Hearing #2 – Bastrop County Courthouse, June 19, 2018 – 6-8 p.m.**

Kate Moore, Lee County:

- I have some concerns that the people living along Cummins Creek in Giddings, TX have not been represented properly by our elected officials. There are some concerns that the federal funding previously received from FEMA was misappropriated and the public was not properly informed on what the funds were spent on. I feel that our local officials lack the knowledge needed to apply and administer the needed grant programs that could help our community. We can no longer live in our homes because we have a genuine fear of future flooding. We also have ineffective local support in conducting the needed evacuations in our area, and we receive ridicule from more affluent portions of the community when we need help. We feel that we are not being heard or receiving the help that we need to recovery from Harvey. My property is not livable right now and we were displaced for 6 months with no housing assistance. My family had to purchase another home and assume a new mortgage. My family is interested in having options to do a buyout of my property. We don't really want to sell to another family that will have the same issue, but we are not interested in keeping a residence that we can't live in and have to continue paying taxes on. If the dam gets fixed, there will always be a possibility of continued flooding in the area.

Kate Moore, Lee County:

- \$1,000,000 for buyouts in Lee County is not enough. That is what we need since our homes and land will always be affected by floods.

CAPCOG Response: Thank you for your attendance and feedback on the discussions held at the hearing last night.

Amelia Adams, Community Planner, Texas Housers:

- Could you provide a list of the data sources used for determining allocations of Harvey funds in the MOD? Specifically, where does the following items come from – Regional share of LMI persons (is this from census data or from the FEMA data on registrants?); and Regional share of housing damage (which number is this based on? Number of units or total damage cost estimate / FVL?)

CAPCOG response: The data utilized by CAPCOG to determine Harvey allocation funding in the MOD came from the following sources:

-- LMISD Block Groups: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-block-groups-places/>

-- LMISD Local Governments: <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-local-government/>

- Regional share of housing damage: <https://www.fema.gov/openfema-dataset-individual-assistance-housing-registrants-large-disasters-v1>

Yvette Estrada, Lee County:

- Do the Hurricane Harvey funds only apply to infrastructure improvements or does it include the purchase of land?

CAPCOG response: The CDBG-DR funds to be regionally allocated are for the Infrastructure Program and for the Local Acquisition and Buyout Program. According to GLO's State Action Plan Total Allocation Budget, the CAPCOG region will receive a total regional allocation of \$12,929,474 for the Local Buyout and Acquisition Program and a total regional allocation of \$4,305,474 for the Infrastructure Program. Within the respective programs, infrastructure improvements and land purchase for buyout and/or acquisition are eligible activities for which funds can be used for.

Yvette Estrada, Lee County:

- Can you provide additional details on what activities are covered under the Local Acquisition and Buyout Program?

CAPCOG response: The following activities are eligible under the Local Acquisition and Buyout Program:

1. Buyouts
2. Acquisition
3. Relocation Assistance with buyout or acquisition activities
4. Down Payment Assistance with buyout or acquisition activities
5. Demolition only
6. Activities designated to relocate families outside of floodplains
7. Public service within the 15% cap (e.g. – housing counseling, legal counseling, job training, mental health, and general health services)
8. FEMA Hazard Mitigation Grant Program (HMGP) cost share.

Yvette Estrada, Lee County:

- If another County did not spend all of their Harvey funds, can the funds be reallocated to another County that is still in need? If so, how long would that take?

CAPCOG response: Yes. The amount and process for the reallocation of funds will be handled directly by the Texas General Land Office. The timeline for when additional funds will be reallocated to qualified areas still in financial need is undetermined at this time. The Texas General Land Office will provide that information when it becomes available.

**Lee County Public Hearing – Lee County Courthouse, June 25, 2018 – 5:30-7 p.m.**

Judge Paul Fischer and Lee County Commissioner Steven Knobloch:

- What is the value difference in utilizing a buyout versus an acquisition?

CAPCOG response: According to the GLO Housing Guidelines, Acquisition is the utilization of CDBG-DR Disaster funds to acquire real property. Acquisition only is typically not considered a complete activity in the program and must be combined with another eligible use (i.e. – relocation assistance). The purchase price must be consistent with applicable uniform cost principals, and the pre-disaster Fair Market Value (FMV) may not be used.

A buyout is a type of acquisition with the purchase of an eligible property with the intent to reduce risk from future flooding or to reduce risk from the hazard that led to the property's Disaster Risk Reduction Area. The property acquired will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or floodplain and wetlands management practices. Within a buyout program, the allocated entity has the choice to utilize pre-disaster or post-disaster Fair Market Values.

Under the Housing Assistance Caps, relocation assistance can provide an impacted family up to \$15,000 in assistance for the purchase of a lot or a newly constructed home. Assistance up to \$10,000 can also be provided to an impacted family for an existing home.

Buyout incentives can be offered by an allocated entity up to \$25,000.

Buyout incentives serve to encourage maximum participation by property owners, and remove as many properties as possible from high risk areas. Incentives are only allowable if the post-disaster Fair Market Value is used to purchase the home. A buyout incentive is not available for properties that serve as second homes at the time of the disaster, or following the disaster.



**Comments Received via Email During following the Lee County Public Meeting  
and During the Public Comment Period**

Madison Sloan, Director – Disaster Recovery and Fair Housing Project, Texas Appleseed:

Summary of Recommendations / Concerns:

- Local Buyout and Acquisition Program:

Program guidelines for this program must be developed in a transparent process with extensive community input. Local communities must have a citizen participation process for drafting buyout guidelines.

The program must also prioritize LMI households in floodways and floodplains. It is recommended that the program offer relocation and payment assistance. Based upon the Federal Register Notice, “a buyout program that merely pays homeowners to leave their existing homes does not result in a low- and moderate income household occupying a residential structure and, thus, cannot meet the requirements of the LMH national objective.” (83 FR 5863) Local buyout programs should include plans to build housing in safer areas.

Low and moderate income households must be provided with enough funds that the choice to move is a realistic one (or to ensure that they can actually move to a safer area in the case of mandatory buyouts.) The worst case-scenario is that families who accept a buyout are unable to find housing in safer areas and are forced to move back into their original or less safe neighborhoods. We are concerned that CAPCOG’s list of eligible activities does not include the incentives for LMI families recommended by the Federal Register Notice.

Using the pre-storm value of a home to determine disaster recovery program benefit limits often has a discriminatory impact on the basis of race or ethnicity. CAPCOG’s MOD and local program guidelines should ensure that buyout and acquisition programs are consistent regardless of whether the cost is funded by FEMA, local bond funding, or CDBG-DR. CDBG-DR funding could be used to provide additional funds for LMI families in FEMA programs that would not provide them with enough funding to move. CAPCOG should be particularly careful that it is not developing or implementing a program that provides lesser benefits to communities and homeowners of color.

- Local Infrastructure Program and Economic Revitalization Program:

We are concerned that the most impacted zip code identified by HUD is not receiving an allocation of infrastructure funding.

Infrastructure programs must prioritize the needs of low and middle income household and communities, in particular, communities with substandard infrastructure as a result of discrimination and disinvestment. A key issue for many of these communities is environmental justice, as they were impacted not only by flooding but also by hazards related to chemicals, oils, sewage, waste, or air pollution during the event. Neighborhoods that were doubly impacted by floodwaters polluted with chemicals, oils, waste, or sewage should be prioritized for mitigation.

The key to economic recovery and future resilience is ensuring that the jobs generated by recovery projects and programs are filled by local workers and those who lost jobs because of Harvey to create real jobs and job training for community residents, and create additional opportunities for community businesses. Section 3 of the Housing and Urban Development Act of 1968 requires recipients of certain HUD financial assistance, including CDBG-DR, provide job training, employment, and contracting opportunities for low or very low income residents in connections with projects or activities in their neighborhoods to the greatest extent possible. Historically, Section 3 has not been vigorously enforced, and jurisdictions have completely failed to comply with its provisions. We urge CAPCOG to fully implement and enforce Section 3, including monitoring (including of whether contractors are genuinely Section 3 eligible, helping to set up a training and jobs pipeline, measuring success in terms of the number of hours worked by Section 3 eligible workers, clearly defining the geographic area from which resident should get preference as locally as possible, and imposing monetary penalties on contractors who do not meet their Section 3 goals. In addition to Section 3, jurisdictions routinely impose requirements like local hiring and job production in exchange for government financial assistance or other benefits and we encourage CAPCOG to do so.

Other options for increasing the number of jobs going to affected individuals and communities are ensuring that contractor qualifications include a commitment to local hiring and best value bidding processes that give more points to bidders who can comply with job quality and targeted hiring standards. CDBG-DR presents an opportunity leverage housing and infrastructure funds into economic development funds.

- Needs Assessment and Funding Allocation

We appreciate that CAPCOG has used a weighting factor of “Regional Share of Low to Moderate Income Persons” to make a preliminary allocation of program funds. However, the methodology provided by HUD and GLO for determining unmet housing needs underestimates the amount of loss to low-income populations. Using this methodology will not include the severity of damage suffered by low-income homeowners and distort the geographic allocation of money based on that standard.

The primary purpose of the CDBG program is to benefit LMI populations, yet the HUD methodology the State and CAPCOG are using has the clear, disproportionate effect on LMI populations of excluding them from the unmet needs assessment conclusions. This disproportionate effect is not only on low and moderate income Texans, but on Black and Latinx populations as well.

CAPCOG’s use of FEMA Verified Loss (FVL) damage categories to weight the geographic distribution of CDBG-DR funds will end up allocating resources away from areas that need them the most, affecting not only those families, but those communities as whole.

CAPCOG’s allocation method is not entirely clear. If the allocation was not determined using these numbers, or deviates from the HUD methodology to produce a more accurate picture of unmet need, CAPCOG needs to provide more detail about its formula and which data it used.

Texas Appleseed supports the use of a data-based formula to allocate federal disaster recovery funds. But that formula must be adjusted to account for deficiencies in FEMA and other data and ensure that the needs of all Texans affected by Hurricane Harvey are taken into account. We strongly recommend that CAPCOG use the methodology proposed by the Texas Low Income Housing Information Service

(Texas Housers) in its comments on the draft Action Plan – or a similar methodology – which relates a household’s FVL to their income, thereby considering the level of impact on a household, acknowledging the loss valuation variations produced by the FEMA/HUD methodology, and more accurately counts households with unmet housing needs that are the least able to recover and most vulnerable to housing insecurity. This method also ensures that the geographic allocation of funding addresses the actual levels of unmet housing needs in each locality.

CAPCOG response: Thank you for your input

Jennifer Richards, Staff Attorney, Texas RioGrande Legal Aid:

Summary of Recommendations / Concerns:

- CAPCOG should conduct a regional needs assessment to better understand the extent of damage in the CAPCOG eligible counties and meet its goal of equitable regional recovery.

In its allocation methodology, CAPCOG utilizes a figure it labels “damages assessed”. The quantity of “damages assessed” is determined by the FEMA Verified Loss (FVL) figures for those individuals who filed FEMA claims following Hurricane Harvey. These figures likely underrepresent the extent of damage experience by low-income property owners even though the harm they suffered may be severe and detrimental to those owners. By relying on “damages assessed”, CAPCOG is allowing the impact on low-income homeowners to be underrepresented in its allocation, and thus is building a bias against low-income.

Data obtained by Texas Housers, an organization dedicated to supporting Texans in the pursuit of affordable and accessible housing throughout the State, indicates that the average value of FVL increases as the income of a household increases. For homeowners who earn 30% or less of area median income, the state-wide average for FVL was \$7,028; this is just less than half the average FVL for non-LMI households. We cannot attempt to explain the discrepancy in these figures, as very little is publicly available as to what goes into an FVL determination.

Although FVL data makes the damage appear greater in higher income areas, in fact Low-to-Moderate Income (LMI) households are just as, if not more, likely to experience devastation as a result of flooding than their wealthier counterparts. This is true for the low-income households of Texas following Hurricane Harvey. In the coastal counties impacted by the storm, households of color and low-income households were more likely to be impacted by property damage or loss. Currently, nearly half the weighted figure of CAPCOG’s allocation calculations for the buyout and acquisition program is a county’s percentage of “damages assessed” or FVL. This means that any county with wealthier households impacted by the storm is likely favored in the outcome of CAPCOG’s calculations.

An equitable recovery plan requires an allocation methodology that recognizes the flaws in existing data sets. It should seek to correct any unintentional biases that may be present in the available figures. Instead of relying heavily on FVL figures to allocate funds, CAPCOG should conduct a regional needs assessment to better evaluate which properties were rendered inhabitable as a result of the storm. The GLO’s draft Housing Guidelines permit COGs to use qualified data sources approved by GLO in advance in their needs assessments. These include SBA or insurance awards, as well as other forms of data.

CAPCOG should make an effort to quantify damage beyond flawed FVL figures. In doing so, it will design a methodology that captures the full extent of damage inflicted because of Harvey.

- The MOD should establish criteria for areas to qualify for buyout programs.

The MOD draft does not articulate criteria to determine which areas qualify for buyouts. In its State Action Plan, the General Land Office tasked the regional Councils of Government (COGs) with “establish[ing] objective criteria for allocation of funds to eligible entities and activities”. Although the current MOD draft uses data to prioritize funding for the four counties in its area (the eligible entities), it establishes no criteria to allocate funds to buyout activities.

CAPCOG’s current method of allocation considers the total harm that each county experienced. Although this method attempts to equitably distribute funds by prioritizing those counties which experienced a greater amount of harm, the method does not give CAPCOG the flexibility to determine the actual needs of the populations of each of these counties and whether buyout/acquisition programs will meet those needs. CAPCOG’s allocation method would be more sensible and equitable if it were tasked with allocating funds for all housing programs. However, CAPCOG needs to allocate those funds intended for only the buyout and acquisition portions of the state housing programs. The allocation methodology should therefore be structured to identify which counties are most in need of buyout and acquisition funds.

Establishing program criteria for buyouts would enable CAPCOG to identify areas in the counties that qualify for the buyout program based on need, prioritize those in its buyout fund allocation, and estimate the cost of a buyout program. CAPCOG can then use its limited funds to target the areas that stand to benefit the most from acquisition.

Buyout program eligibility criteria should focus on achieving two goals: meeting the GLO’s stated objectives of the buyout program, and meeting the national objective to support lower-income households. First, according to the GLO, buyouts serve to (1) provide resiliency over rebuilding in a floodplain; (2) prevent repetitive loss; and (3) end extreme risk to health and human safety. CAPCOG should establish criteria for buyouts that target these three objectives. For example, it could require that areas targeted for buyouts (1) be in a floodplain; (2) demonstrate housing damage due to Hurricane Harvey, as well as from prior recent floods; and (3) the flooding from Hurricane Harvey caused an extreme risk to health and human safety in that area from flood waters reaching several feet.

Second, buyout programs should be designed to meet the national objective that 70% of all CDBG-DR funds benefit LMI households. To do this, CAPCOG could set criteria that areas are only eligible for or receive priority for buyouts if at least 70% of the households targeted for a buyout are LMI. Such criteria would help CAPCOG identify those counties or cities in need of buyouts, as opposed to those in need of the individual homeownership programs available through the state.

- Aggregation of data at the county level overlooks the LMI populations impacted by Hurricane Harvey.

To determine which counties should receive the most funding, the MOD considers a county’s “regional share of low-to-moderate income persons.” When counties have vast disparities in wealth, a county-wide aggregation of wealth obscures the number low-income people impacted by Hurricane Harvey and the severity of the damage they suffered. For example, the median wealth in Lee County is higher than all

other CAPCOG CDBG-DR eligible counties except Bastrop, as illustrated by Table 1. But the people living in Cummins Creek, one of the only areas in Lee that was affected by Hurricane Harvey, have much lower incomes than the rest of the county. Census tract 0004, which encompasses the town of Giddings and its surrounding areas, has a median income of only \$44,412.<sup>11</sup> The remainder of the census tracts in the county have higher median incomes by \$10,000 to \$15,000.<sup>12</sup> In utilizing County wide estimates of wealth and poverty, the CAPCOG methodology dilutes the concentration of low-income households that were impacted by the storm.

**Table 1: Median Income of CAPCOG CDBG-DR Eligible Counties**

<u>County</u>	<u>Median Income</u>
Bastrop	\$55,808
Lee	\$ 54,346
Fayette	\$ 51,290
Caldwell	\$ 49,533

The aggregation of county-wide wealth and poverty could also result in the over compensation of counties whose higher-income households were the predominate victims of flood waters. For example, the two census tracts outside of La Grange which encompass much of the Fayette County floodplains have the two highest median incomes in the county. Census Tract 9702 lies to North and East of La Grange and has a median income of \$70,694; Census Tract 9704, which lies to the South and West of La Grange, has a median income of \$57,054. Fayette County also has two census tracts that have smaller floodplains where the median income is less than \$45,000. Looking at county-wide data shows a range of income levels and a substantial LMI population in Fayette County. However, it is likely that the majority of flooding occurred in the floodplains around La Grange, which experienced some of the heaviest flooding in the region. Therefore it is likely the impacted populations are not the same as the LMI residents in the County.

In order to fund those most harmed by flooding, and ensure it is doing so in compliance with the federal mandate that 70% of all funds be used to benefit LMI households, CAPCOG should narrow its considered population for the allocation calculation to only those who suffered harm because of Hurricane Harvey. Of that pool, CAPCOG should then compare the county distributions of LMI households. It could then use the regional share of LMI households out of the total number of impacted by Hurricane Harvey in a weighted allocation. This enables CAPCOG to consider the needs and resources of population that was actually impacted, rather than of the county as a whole.

- The MOD should standardize the benefits provided in buyout programs.

According to the State Action Plan, subrecipients are required to develop guidelines, regulations, maximum assistance levels, target areas, and additional eligibility requirements for programs. The current MOD sets no standards for the benefits required in a buyout program. In its MOD, CAPCOG should establish those program requirements that ensure individual households are provided with the assistance necessary to relocate to a comparable home, such as relocation assistance, down payment assistance, and relocation consultation services. These benefits should be available to all qualified persons, but can be denied to individuals who have already received similar assistance in order to avoid duplication of benefits.

Through standardization of benefits and services, CAPCOG guarantees that residents in each county are treated in the same manner and avoids potential unintentional discriminatory impacts to residents depending on their county or city.

- The MOD should use a Social Vulnerability Standard in its program design.

If CAPCOG chooses not to utilize alternative data sources to account for the disparate representation LMI household need in allocation methodologies it should, at the very least, include social vulnerability in its allocation equation.

Social Vulnerability indices identify communities that have an especially limited capability to recover from disasters. They utilize factors that correlate with less political power, historical discrimination in investment, and higher risk to injury or harm during a natural disaster to identify areas that need focused attention in preparing for and recovering from disasters. Low-income populations and populations of color have a more difficult time recovering from natural disasters than their wealthier, whiter counterparts. This includes the ability to relocate after they've suffered the property damage of flooding. A study published by the National Bureau of Economic Research indicated that after serious natural disasters, and particularly after hurricanes, there is an out-migration from the impacted area.<sup>18</sup> That same study showed that after the natural disaster, poverty levels in the impacted area increased.<sup>19</sup> This indicates that either the wealthy are leaving, the poor are moving in, or some combination of the two.<sup>20</sup> It shows that the process of disaster recovery results in concentrations of the poor and vulnerable in areas that have already been impacted by natural disasters and will likely be impacted again in the future. Moreover, the deepening concentrations of poverty following a natural disaster will likely increase the vulnerability these populations experience.

One way to ensure that poor and vulnerable residents are not left without sufficient resources to survive the next disaster is to include data in allocation methodologies that accounts for the hardships these populations face. This is particularly important in buyout program allocations, as low-income residents are unable to afford to relocate after a disaster.

CAPCOG has the opportunity to be on the forefront of disaster recovery planning. It has the opportunity to realize that there are communities within its region that have been ignored time and again after a storm and to see that there is no political will to mitigate the impacts of disasters. It has the opportunity to hear the voices of those most impacted. CAPCOG should attempt to capture the needs of those populations in its calculations and utilize a social vulnerability index to allocate CDBG-DR funds. This will mean that populations ignored in past recoveries may at last be included in this recovery process.

Judge Paul Fischer and Lee County Commissioner Steven Knobloch:

- What is the value difference in utilizing a buyout versus an acquisition?

According to the GLO Housing Guidelines, Acquisition is the utilization of CDBG-DR Disaster funds to acquire real property. Acquisition only is typically not considered a complete activity in the program and must be combined with another eligible use (i.e. – relocation assistance). The purchase price must be consistent with applicable uniform cost principals, and the pre-disaster Fair Market Value (FMV) may not be used.

A buyout is a type of acquisition with the purchase of an eligible property with the intent to reduce risk from future flooding or to reduce risk from the hazard that led to the property's Disaster Risk Reduction Area. The property acquired will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or floodplain and wetlands management practices. Within a buyout program, the allocated entity has the choice to utilize pre-disaster or post-disaster Fair Market Values.

Under the Housing Assistance Caps, relocation assistance can provide an impacted family up to \$15,000 in assistance for the purchase of a lot or a newly constructed home. Assistance up to \$10,000 can also be provided to an impacted family for an existing home.

Buyout incentives can be offered by an allocated entity up to \$25,000.

Buyout incentives serve to encourage maximum participation by property owners, and removes as many properties as possible from high risk areas. Incentives are only allowable if the post-disaster Fair Market Value is used to purchase the home. A buyout incentive is not available for properties that serve as second homes at the time of the disaster, or following the disaster.

CAPCOG response: Thank you for your input