



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

July 27, 2023

Betty Voights, Executive Director
Capital Area Council of Governments
6800 Burluson Road, Building 310, Suite 165
Austin, TX 78744

Re: Capital Area Council of Governments (CAPCOG) CDBG-MIT Regional Mitigation Program Method of Distribution (MOD) Approval

Ms. Voights:

The Texas General Land Office (GLO) Community Development and Revitalization Division is approving the CAPCOG Mitigation Method of Distribution (MOD). The MOD delivered to the GLO was initially submitted June 9, 2023, underwent review by GLO staff, and was submitted a final time with corrections made on July 17, 2023.

With this approval, entities receiving funding from the MOD will receive information regarding the application process from the GLO. If you have any questions or require additional information, please contact Alex Swift at alex.swift.glo@recovery.texas.gov.

Sincerely,

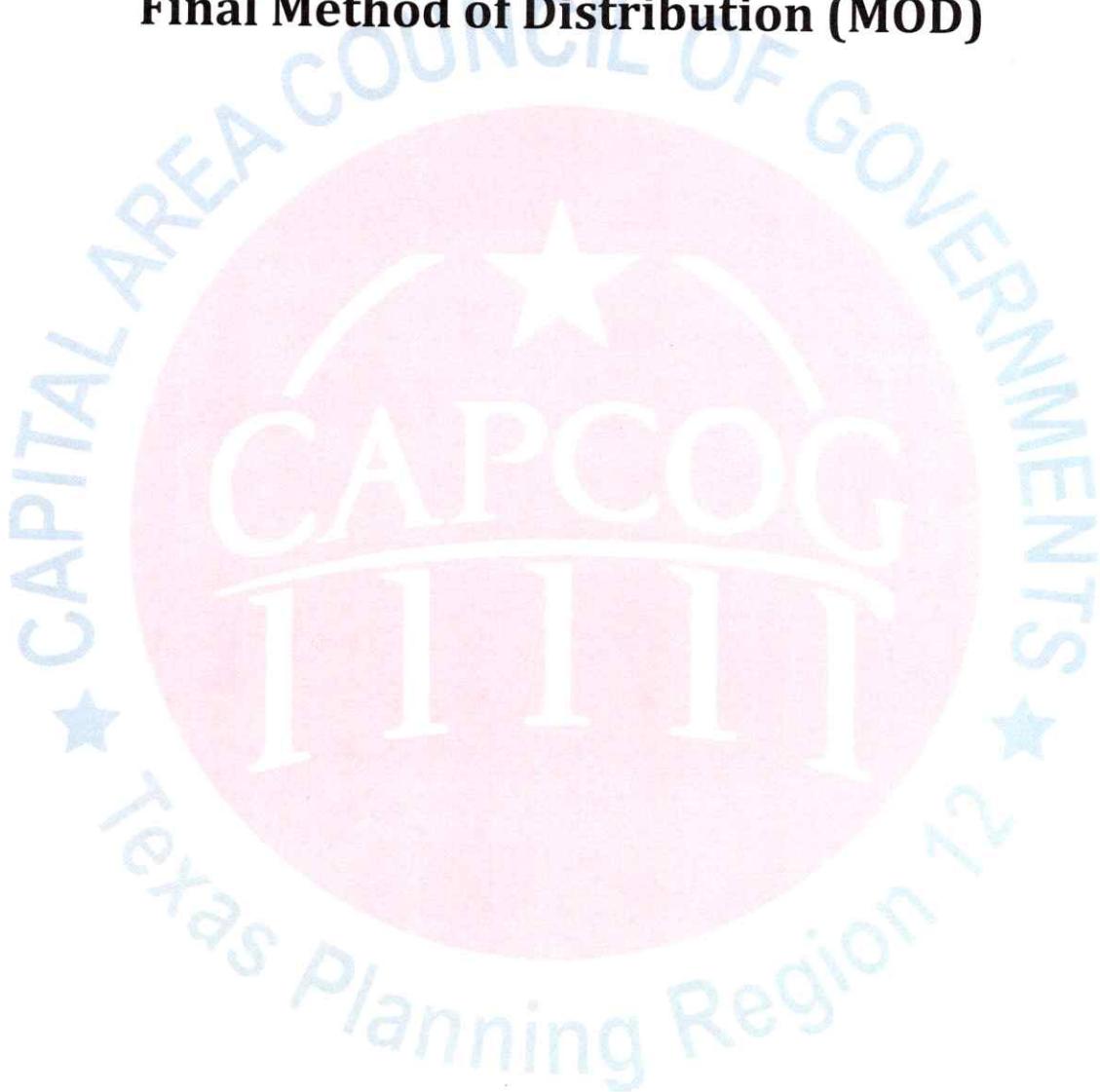
Shawn Strange

Shawn Strange, Policy Development Manager
Community Development and Revitalization

Cc: Heather Lagrone, Community Development and Revitalization Senior Deputy Director
Alexandra Gamble, Community Development and Revitalization Policy Development Director

Capital Area Council of Governments

Final Method of Distribution (MOD)



Texas General Land Office

CDBG-Mitigation Regional Mitigation Program

MIT COG MOD



Council of Governments: Capital Area Council of Governments

Allocation Calculation Sheet Packet Page Number: _____

HUD MID and State MID Allocations

HUD MID Total	\$25,125,000
State MID Total	\$27,128,000
Grand Total COG Allocation	\$52,253,000

Table 1

Funding Limits

Minimum Amount Waiver Requested	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Minimum Amount	\$1,000,000	
Maximum Amount	N/A	

Table 2

Regional Risk Mitigation

Explain how the method of distribution reduces regional risks, how it will foster long-term community resilience that is forward-looking and encourages the prioritization of regional investments with regional impacts in risk reduction for hurricanes, tropical storms and depressions, and flooding in the HUD-identified and State-identified most impacted and distressed areas.

Central Texas is transected by several major river basins and miles of rivers subject to seasonal riverine and flash flooding. In addition to seasonal and other storm-related flooding, the 10-county Capital Area region is highly vulnerable to flooding and flash flooding due to tropical depressions, storms, and/or hurricanes moving inland from the Texas coast. Parts of the region are known as “flash flood alley”, due to geographic and topographic features of the region and proximity to the Texas coast. In particular, four counties were the most severely impacted by Hurricane Harvey: Bastrop, Caldwell, Fayette, and Lee. The Capital Area Council of Governments (CAPCOG) has developed a consistent, understandable Method of Distribution (MOD) that reflects mitigation needs of the region and its communities. CAPCOG staff researched potential objective factors and explored various scenarios involving different formulas and funding options with the CAPCOG Homeland Security Task Force. Public comments and input from the Public Planning Meetings held on May 9, 2022, and May 13, 2022, were considered in the development of the MOD.

After considering the various factors, the following factors were selected:

1. Households Impacted by historic disasters (2002 – 2019)
2. FEMA Individual Assistance (IA) registration data (2002 -2019)
3. Identified Low- to Moderate-Income (LMI) Population
4. Social Vulnerability Indices (SoVI) Rankings

The above listed factors were drawn from publicly available datasets. Together, they provide an indicator of local mitigation needs in the four identified counties. Using the Social Vulnerability Index (SoVI) rankings, identified LMI populations, and the FEMA Individual Assistance (IA) Non-Personally Identifiable Information (PII) registration and damage data 2002 – 2019.).

Each of the factors were given equal weight (25%) in the allocation formula. The formula was used to allocate funding to cities in the four identified CAPCOG counties. Any allocation for a city that would receive less than the \$1,000,000 threshold were rolled back up into the county totals. Any city with a center or seat of government; to wit: the City Hall, is not physically located within the four identified CAPCOG counties were not selected.

The total allocation of \$52,253,000 was approved by the CAPCOG Executive Committee, with \$25,125,000 of the HUD MID allocated solely to Fayette County. The remaining \$27,128,000 will be divided between Bastrop, Caldwell, and Lee Counties based on the allocation factors listed above. Project selection for these allocations will ensure that the overall allocation totals for HUD MID and State MID are met. Sub-grantees will be responsible as project sponsors for developing their individual project proposals, adhering to all applicable requirements, managing all other aspects of implementing the projects, and providing information for required reports.

The CAPCOG MOD will provide funding for mitigation projects to reduce regional riverine, flash flooding, and seasonal flooding risks and damage to infrastructure and communities due tropical depressions, storms, and/or hurricanes moving inland from the Texas coast.

Table 3

Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Households impacted by historic disasters (2002 – 2019)	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual number of FEMA declared disasters during a specified time period. It further supports the number of damaged structures within an impacted area during the specified time period.
Federal Emergency Management Agency (FEMA) Individual Assistance (IA) registration data	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual count of FEMA applicant registrations for Hurricane Harvey (DR-4332-TX) per geographic area. It further supports the number impacted households within an impacted area.
Low-to Moderate Income percentage	25%	US Housing and Urban Development (HUD)	Selected factor is quantifiable and reports the SU Census Identified count of Low- to Moderate Income persons in a geographic area. HUD and GLO require the LMI be a factor in allocations. CBDG funds must be expended to benefit 50% low- and moderate-income (LMI) communities.
Social Vulnerability Indices (SoVI) Rankings	25%	US Census Bureau Texas General Land Office	Selected factor is quantifiable and reports the actual US Census identified variables to determine the overall ranking of a community’s resilience when confronted by external stresses on human health.

Table 4

*Add more rows if needed

Threshold Factors

If any, please describe threshold factors that were used to allocate funds.

Threshold Factor*	Documentation Source	Explanation of Factor Selection
N/A	N/A	N/A
N/A	N/A	N/A

Table 5

*Add more rows if needed

Eligible Activities

Activities must meet the criteria outlined in the Regional Mitigation Program (COG MODs) section of the State of Texas CDBG Mitigation Action Plan.

The COG has addressed prioritization of eligible activities as follows:

<input type="checkbox"/>	The COG has chosen not to limit subrecipients in the region to projects meeting regional priority activities.		
-OR-			
<input checked="" type="checkbox"/>	The COG has limited subrecipients in the region to selecting projects meeting the following regional priority activities:		
<input checked="" type="checkbox"/>	Flood control and drainage improvement, including the construction or rehabilitation of stormwater management systems	<input checked="" type="checkbox"/>	Water and sewer facilities
		<input checked="" type="checkbox"/>	Communications infrastructure
		<input checked="" type="checkbox"/>	Provision of generators
<input checked="" type="checkbox"/>	Natural or green infrastructure	<input type="checkbox"/>	Removal of debris
<input checked="" type="checkbox"/>	Public Facilities (shelter, library, etc.)	<input checked="" type="checkbox"/>	Streets or bridges
<input type="checkbox"/>	Economic development (assistance to businesses for the installation of disaster mitigation improvements and technologies; financing to support the development of technologies, systems, and other measures to mitigate future disaster impacts; “hardening” of commercial areas and facilities; and financing critical infrastructure sectors to allow continued commercial operations during and after disasters)	<input type="checkbox"/>	Other infrastructure improvements
		<input checked="" type="checkbox"/>	Public Services (<i>within the 15% cap</i>)
		<input checked="" type="checkbox"/>	FEMA Hazard Mitigation Grant Program (HMGP) cost share for CDBG-MIT eligible project
		<input type="checkbox"/>	Buyouts or Acquisitions with or without relocation assistance, down payment assistance, housing incentives, or demolition
		<input type="checkbox"/>	Activities designed to relocate families outside of floodplains

Table 6

Ineligible Activities

Ineligible activities are outlined in the Regional Mitigation Program section of the State of Texas CDBG Mitigation Action Plan, as amended, and should be referenced accordingly.

Covered Projects

A Covered Project is defined as an infrastructure project having a total project cost of \$100 million or more, with at least \$50 million of CDBG funds, regardless of source (CDBG-DR, CDBG-MIT, or CDBG). Covered projects included in the Regional Mitigation Program must meet specific criteria set forth by HUD’s CDBG-MIT Notice 84 FR 45838 (August 30, 2019) and the State of Texas Mitigation Action Plan. Inclusion of a Covered Project in the MOD does not guarantee funding until a full eligibility review is completed and the subsequent action plan amendment receives HUD approval.

Will the Method of Distribution include a Covered Project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Table 7

If yes, please provide the following information:

- The eligible entity benefitting from the project;
- A description of the project and how it meets the definition of a mitigation activity; and
- The cost of the Covered Project.

Not Applicable.

Table 8

Low-and Moderate-Income Requirements

Below is the strategic plan of how the method of distribution meets the minimum 50 percent low- and moderate-income (LMI) requirement.

CAPCOG's strategic plan to meet the LMI National Objective incorporates the data selections and weights. The LMI percentage is weighted at 25% and the SoVI is also weighted at 25% in the allocation worksheet. Therefore, 50% of the allocations are focused on serving the economically distressed areas in Bastrop, Caldwell, Fayette, and Lee counties that are 51% or more low-to moderate-income households or that will benefit households with incomes below 80% of the Area Median Income (AMI). Our regional partners and stakeholders have been informed about the intention and purposes of this funding. They will focus their attention on identifying projects that will meet the regional threshold after the funding allocation has occurred.

Table 9

Public Hearing Information

The Action Plan requires at least one Public Planning Meeting prior to submitting the Preliminary MOD to the GLO for review and one Public Hearing before submission of the Preliminary MOD to GLO for final approval. If the COG holds multiple outreach activities, please contact the GLO for additional documentation forms.

Meeting Type	Public Planning Meeting	MOD Public Hearing
Date(s):	5/9/22 & 5/13/22	3/22/23 & 3/23/23
Location(s):	CAPCOG 6800 Burlison Rd, Bldg. 310, Ste 165, Pecan Rm Austin, TX 78744 Fayette County EMS 1721 N Von Minden Rd La Grange, TX 78945	Fayette County EMS 1721 N Von Minden Rd La Grange, TX 78945 CAPCOG 6800 Burlison Rd, Bldg. 310, Ste 165, Pecan Rm Austin, TX 78744
Total Attendance:	17 (13 via MS Teams) & 31 (3 via MS Teams)	23 (2 via MS Teams) & 9 (4 via MS Teams)

Table 10

Direct 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	Public Planning Meeting	MOD Public Hearing
	Date(s) Sent	Date(s) Sent
<input checked="" type="checkbox"/> Email	5/4/22 – 5/9/22	3/8/23
<input type="checkbox"/> Fax	Not Applicable	Not Applicable
<input type="checkbox"/> Hand Delivery	Not Applicable	Not Applicable
<input type="checkbox"/> Certified Mail	Not Applicable	Not Applicable

Table 11

Website Notice. As required, public notice was posted on the COG website at least **five (5)** days in advance:

Website Notice	Public Planning Meeting	MOD Public Hearing
Date(s)	5/3/22	2/28/23

Table 12

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 the public hearings were published in the following regional newspaper(s):

Newspaper Name	Public Planning Meeting	MOD Public Hearing
	Date Published	Date Published
<i>Austin American Statesman</i>	5/4/22	3/10/23
<i>Bastrop Advertiser</i>	5/4/22	3/10/23 & 3/15/23
<i>Bastrop County Insider/Elgin Courier</i>	5/4/22	3/8/23
<i>Fayette County Record</i>	5/6/22	3/10/23
<i>Flatonina Argus</i>	5/5/22	3/9/23
<i>Giddings Times and News</i>	5/5/22	3/9/23
<i>Lexington Leader</i>	5/5/22	3/9/23
<i>Lockhart Post-Register</i>	5/6/22	3/9/23
<i>Schulenburg Sticker</i>	5/5/22	3/9/23
<i>Smithville Times</i>	5/4/22	3/15/23

Table 13

Public Comment Period

Provide the dates of the public comment period for the COG MOD.

Start Date:	5/3/23 to 5/13/22	2/28/23 to 3/31/23
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Table 14/

Citizen Participation

Describe how the COG conducted their citizen and non-governmental organization outreach, including any efforts exceeding GLO minimum public participation requirements. These efforts should comply with the Citizen Participation Plan provided to the GLO.

CAPCOG posted program information on its website, published public hearing notices in local newspapers, published and distributed program information through its newsletter, *Connections*. CAPCOG identified other government agencies and organizations that could provide additional input and expertise and expand upon representation of the residents of Bastrop, Caldwell, Fayette, and Lee Counties, that were invited to attend the public hearings either in person or virtually.

Table 15

Accommodations. Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for persons with Limited English Proficiency and for people with hearing impairments or other access and functional needs (ADA compliance).

<p>CAPCOG uses a variety of methods to communicate with non-English speaking residents. CAPCOG and Fayette County have Spanish speaking employees who are available to provide translation services upon request. In addition, CAPCOG subscribes to a telephone service that provides translation services for multiple languages. CAPCOG will provide American Sign Language (ASL) and other language interpretation services, if requested within 48 hours of the public meetings.</p> <p>Notices for public hearings and media releases and advisories will be sent to local print and broadcast media outlets that serve the residents of the four counties that are part of this program. The media distribution will include those who serve non-English speaking and Limited English Proficiency populations and persons with disabilities, including those with visual and/or hearing impairments, behavioral health disorders, and/or IDD.</p> <p>CAPCOG will provide reasonable accommodations for persons attending the public meetings. Requests from persons needing special accommodations will be requested 48 hours prior to the public meetings. The meetings will be conducted in English. Requests for language interpreters or other special communication needs will be accommodated if made at least 48 hours prior to the public meetings.</p>

Table 16

Affirmatively Furthering Fair Housing (AFFH) 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.

COG Principal Contact Information

Contact Name:	Betty Voights
Title:	Executive Director

Table 17

Contact and Signatory Authority

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



Signature



Date

Betty Voights

Printed Name

Executive Director

Title

bvoights@capcog.org

Email Address

512-916-6000

Telephone Number

Allocation Summary Worksheet
CAPCOG

COG: CAPCOG \$ 52,253,000.00
 Total Allocation: \$ 52,253,000.00

HUD MID

Entity	Allocation	Percentage of Total Allocation	LMI Portion	LMI Percentage
Fayette County	\$ 4,810,100	19.14%	\$ 2,405,100	50%
Carmine	\$ 2,548,300	10.14%	\$ 1,274,200	50%
Ellinger	\$ 1,588,300	6.32%	\$ 794,100	50%
Fayetteville	\$ 3,344,800	13.31%	\$ 1,672,400	50%
Flatonia	\$ 3,022,400	12.03%	\$ 1,511,200	50%
La Grange	\$ 4,556,000	18.13%	\$ 2,278,000	50%
Round Top	\$ 1,965,200	7.82%	\$ 982,600	50%
Schulenburg	\$ 3,289,900	13.09%	\$ 1,645,000	50%
Total	\$ 25,125,000	100.00%	\$ 12,562,600	50%

State MID

Entity	Allocation	Percentage of Total Allocation	LMI Portion	LMI Percentage
Bastrop County	\$ 4,362,600	16.08%	\$ 2,181,300	50%
Bastrop	\$ 2,358,000	8.69%	\$ 1,179,000	50%
Elgin	\$ 1,970,700	7.26%	\$ 985,300	50%
Smithville	\$ 2,421,100	8.92%	\$ 1,210,600	50%
Caldwell County	\$ 3,499,500	12.90%	\$ 1,749,700	50%
Lockhart	\$ 1,889,900	6.97%	\$ 945,000	50%
Luling	\$ 1,527,800	5.63%	\$ 763,900	50%
Martindale	\$ 2,375,000	8.75%	\$ 1,187,500	50%
Lee County	\$ 2,548,800	9.40%	\$ 1,274,400	50%
Giddings	\$ 2,207,100	8.14%	\$ 1,103,500	50%
Lexington	\$ 1,967,500	7.25%	\$ 983,700	50%
Total	\$ 27,128,000	100.00%	\$ 13,563,900	50%



March 22, 2023

Public Hearing

Documentation



Capital Area Council of Governments

6800 Burleson Road, Building 310, Suite 165

Austin, Texas 78744-2306

Ph: 512-916-6000 Fax: 512-916-6001

www.capcog.org

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

GLO CBDG-MIT COG MOD **Conditionally-Approved Preliminary Method of Distribution (MOD)** **Public Hearing Agenda**

2 – 4 PM, Wednesday, March 22, 2023

Fayette County EMS, 1721 North Von Minden, La Grange, TX 78945

1. Welcome and Introductions
2. Overview of the Conditionally Approved Preliminary Method of Distribution (MOD) Process -
Martin Ritchey – Director of Homeland Security, CAPCOG
 - A. Funding allocations for the identified jurisdictions in the CAPCOG Region
 - B. Eligible Entities
3. Public Comment on the Conditionally Approved Preliminary Method of Distribution
4. Next Steps/Important Dates
5. Adjourn

NOTE:

CAPCOG will accept written comments until 5:00 PM Central Time on Friday, March 31, 2023

- **US Mail:** 6800 Burleson Rd, Bldg. 310, Suite 165, Austin, TX 78744
ATTN: CAPCOG Hurricane Harvey CDBG-MIT MOD
- **Email:** GLO-MOD@capcog.org

CAPCOG DBDG-MIT MOD Public Hearing
Wednesday, March 22, 2023, 2 - 4 PM
Fayette County EMS, 1721 N. Von Minden Rd, La Grange, TX 78945

NOTE: Edited for clarity and accuracy.

Meeting started at 2:00 PM

Ritchey, Martin:
Natasha, can you hear me?

Valentine, Natasha:
I can Martin. How are you doing?

Ritchey, Martin:
Good, good.

Valentine, Natasha:
The only problem is that there's an echo.

Ritchey, Martin:
I'll see if I can turn down. Alright. Natasha, can you hear me OK, now?

Valentine, Natasha:
Yeah, it's much better. The echo seems to be gone now.

Ritchey, Martin:
OK, good. Uh, there. Anybody else online? Lisa, can you hear me OK?

Chambers, Lisa:
Yes, just fine. Thank you.

Ritchey, Martin:
OK, this is great. Chief?

Ritchey, Martin:
Alright, well, it's now 2:00. O'clock. Thank you all for being here. I'm just going to invite these folks that are walking in to sign in. If you wouldn't mind and grab a copy of the MOD if you like.

Ritchey, Martin:
My name is Martin Ritchie. I'm the Director of Homeland Security with the Capital Area Council of Governments. Thank you for inviting me to be part of your community today to go through the CDBG-MIT MOD. Let me tell you what all those letters mean. CDBG is community development block grant funds that were authorized for response to mitigation, MIT, for our community here in Fayette County as well as three other counties in the CAPCOG region, Fayette being one of the counties that was identified as most impacted by HUD Standards, HUD is the Department of Housing and Urban Development, in Washington, DC. Here in the state, the Texas General Land Office, GLO.

Ritchey, Martin:

You'll hear a lot of acronyms. If I do an acronym that you don't know what it was, just raise your hand because I used the short-hand terminologies quite a bit. I'll try not to do that too much.

Ritchey, Martin:

There's not a lot of money, but these funds were set aside for the State of Texas and then they were put in several tranches and I'm going to go through a little bit of that so that you can see how we arrived at being here today.

Ritchey, Martin:

Before I jump too far into the conversation, I always like to start off with safety. Where the bathrooms are, and we'll start off with the most important thing. Bathrooms are over here to the right, they're on the right-hand side. Both the men and the women's bathroom. For safety, if you see the guy in the uniform with the two-way radio, the Chief there, if he's running out of here, then follow him – there's something going on. Although, he could be going out to his truck to go to a call, so don't follow him there then. The exit doors are on both sides of the room here.

Ritchey, Martin:

Please if you can, let's hold off on any questions. We're not going to take the public comments until the end of the presentation. If I can have your indulgence, but if you don't understand something I'm saying, interrupt me and I'll stop and go back over it.

Ritchey, Martin:

First off, CAPCOG, there was one of the first acronyms that I mentioned, that I'm from CAPCOG. What the heck is a CAPCOG? CAPCOG is the Capital Area Council of Governments and that's the 10 counties that you see here. The elected officials from these 10 counties and the political subdivisions in in them appoint persons to serve on our General Assembly which, then appoints an Executive Board that manages this organization that was created by Texas Statute as a governmental institution and our purpose is sort of to be that go between of sharing resources across the region so that not everybody has to do duplicate a resource. That's why when we work on Homeland Security-related issues for our regional 911 system or our regional work with the agency, you know these are all things that all the counties get to benefit from.

Ritchey, Martin:

OK, now the four counties that are involved in the Community development Block Grant fund are Fayette County, Caldwell, Bastrop, and Lee. These were primarily selected because of the proximity to the Hurricane Harvey situation. Although the General Land Office has dropped Hurricane Harvey as just a marker from their commentaries about this funding. I don't know why they asked us to remove it from our website and the things of that nature. That's the reason why this was put together initially.

Ritchey, Martin:

This public hearing is to give you guys an opportunity to give your input on the Method of Distribution. In that paper over there, that's what we're here to talk about. The Method of Distribution is a process that was created by the State. They put down some very specific rules that we have to follow in order to achieve an equitable separation or breakdown in these funds. Every community has different needs, they have different population bases, and they've all been impacted differently by incidents over the past several years.

Ritchey, Martin:

Following the initial MOD for the State, there was \$22 million set aside for the four CAPCOG counties impacted. That amount was raised later to \$52,253,000. The difference in why that happened, there was

an initial first round of funding for Community Development Block Grant funds, which many of the communities within that county had submitted that was, I believe, about a billion dollars that was competitive across the State of Texas, and none of the projects here in Fayette County were accepted by the General Land Office and funded. You guys ended up being a most impacted, most distressed, but you didn't get any money from those guys, which really was terrible.

Ritchey, Martin:

This other \$22 million you've been eligible for about half of that and that was going to be for these four counties, including Fayette. The second tranche of funds that was cancelled, which was about a billion dollars, and that was ostensibly cancelled because there was controversy between Harris County, the City of Houston, and the General Land Office. They worked it out so that a big portion of those funds were set aside for the City of Houston. Obviously, we watched on TV how bad it was there and the millions of people impacted, so they took off a lot of money and then they decided that what was leftover they were just put into this general pool to go to the COGS for distribution. So, that's where we ended up today.

Ritchey, Martin:

Initial allocations, and now the amended allocation, is \$52 million, that gets us to the point where we had to develop this Method of Distribution for within our COG, looking at those four counties and all of the political subdivisions, the cities, within them. Here in Fayette County, you're kind of unique in terms of our MOD process because you gave birth to a new city. Anybody know the name of that city?

Ritchey, Martin:

Ellinger. Yes. Anybody here from Ellinger?

Mikulenka, Matt:

Hey, I'm here.

Ritchey, Martin:

Oh, alright, that's the Mayor. I'm sorry, Mr. Mayor. When I was talking to you and I didn't even realize that you're the Mayor.

Ritchey, Martin:

After a long process, it's taken nearly a year to go through working with the General Land Office, working with communities. You know, the new newly formed communities to get all the data together, we were able to produce what's found on the last page of the packet that you have, which is the Method of Distribution for the funding. This is what everybody wants to know. Hey, how is this money getting separated out for each of these communities?

Ritchey, Martin:

You can see the counties that are listed at the top and you see Fayette County listed there at the top. You can see there that the allocations are listed in the first of the next column after the name. That's the total allocation for that community. The county is \$4.8 million. That's not for the whole county, that's the county government allocation. Then you have Carmine, et cetera. We don't aggregate the whole town and say, here's your total amount. If you want to do the math, and we did, it's about \$25 million that's coming into Fayette County, which is a great stimulus in terms of helping to build infrastructure.

Ritchey, Martin:

There's a component to the Method of Distribution of that is required by the State MOD, which is that you have to address low-to-moderate income folks. It's addressed here by saying 50% of the funding has to be able to have that delta to low-to-moderate income. We developed the strategy, made it really

simple. You guys are going to choose your projects. You're going to make those identifications, and those justifications will be made directly when the funding comes through, when you submit projects to the General Land Office. CAPCOG is not going to be a participant in your projects. We don't look at your project.

Ritchey, Martin:

We can, of course, as your friends and neighbors, you want to call us and ask us about something you're doing. We've seen a lot of other projects in the past, but you're really going to be doing business directly with the General Land Office and many of you might be dealing with some of the professionals that do this as a contractor.

Ritchey, Martin:

So, this flow chart, you probably can't read very well from this slide, but the last time we met was when we were over here at the public meetings. That was a year ago. We've moved several steps to here, which is the CAPCOG's MOD public hearings. That means we only have a couple of steps left. We're going to have these meetings today and tomorrow. They're online and in-person. We've chosen Fayette County as one of the in-person locations. We're at this stage. That means we are going to take all of your comments on whatever you might have to say. We're going to put them together, put it into a package that goes up to the GLO, and that will be part of the official record. If you don't make a comment today, that's OK. You can write it down and you can e-mail us. I'll put that information on the board at the end. We would love to have your feedback on the MOD in whatever form.

Ritchey, Martin:

Any questions or comments?

Ritchey, Martin:

As you can see, there are only a couple steps left. The last step will be after the GLO approves the final MOD; we will notify you of the final awards. You've all received letters asking, "Hey, you know, there's money out there. Would you like to receive it?" All of the jurisdictions and four counties said yes. I wasn't too surprised by that. But it is possible. Some say no, keep that \$2,000,000.

Ritchey, Martin:

Eligible activities, they're listed on Page 3. These are the eligible activities that are included in the MOD and you can see that we've checked off flood control and drainage improvement including, to include construction or rehabilitation of stormwater management systems; natural or green infrastructure; public facilities - shelters or libraries, things of that nature; water and sewer facilities; communication infrastructure; provision of generators, that seems to be kind of a popular thing these days after we've gone through multiple issues with power failures; streets or bridges; public services within a 15% cap. That typically is where you're getting housing, counseling, counseling, job training, mental health, general health services, but it's only to maximum 15% of the allocation for your community, so keep that in mind if you're going to do that. Finally, if you already have hazard mitigation project that's been funded and you want to use this as a match because you typically as a 75/25 cost share, then you can tag this on to cover your 25% match. However, typically what will happen is then you're also taking on. All the requirements of CDBG funds which include rules such as the Davis Bacon Act, which is basically, some additional paperwork, to make sure vendors and contractors meet certain kinds of requirements, et cetera. Folks that do this all the time probably could give you more information on that.

Ritchey, Martin:

Things that aren't included, it's a pretty good laundry list here. The idea here is they really want infrastructure, so emergency response services are not covered directly. But communications infrastructure could be a radio tower, could be some other items for emergency services. To a large

extent, anytime you deal with dams and levees, it's little more complicated. It can't be used to assist privately-owned utilities for any purpose, and it doesn't mean co-ops. that means the privately-owned utility.

Ritchey, Martin:

Facilities for general conduct government. You know, federal disaster assistance made to flood area made used to repair replacement, restoration of any personal residential commercial property. In other words, this is this is for government property. You can't do anything for an individual with these funds and that's an important separation. If the property was purchased using eminent domain, they're not going to pay for incentives for people to leave.

Speaker Unknown:

Can you give me some just general examples of what a natural or green infrastructure project would be?

Ritchey, Martin:

I can't be absolutely precise, but the natural would be preparing, putting some back, preparing an riparian area along the riverine infrastructure primarily levees, that kind of activity. You might have some scouring along the banks of the river and now it's continuing to waste away because all the natural vegetation has been gone. Maybe there was some human activity there too, but it would be the restoration of something back to its natural setting. I would reach out to the GLO on any project being considered about these.

Ritchey, Martin:

Here's where you can send your comments at glo-mod@capcog.org. We're accepting comments all the way through 5:00 PM Friday, the 31st of this month.

Harrison, Dee:

The address is at the bottom of your agenda, so you don't have to write it down. It's already written down for you.

Ritchey, Martin:

Alright, well, now comes the fun part where I can now listen to what y'all have to say versus me talking up here, Sir?

Speaker Unknown:

What if we have no comment, such as the city buildings and we have no comments. That's not going to lose our city any of the money. Correct?

Ritchey, Martin:

No, but here's the thing, your comment could be, "The City of Giddings likes the MOD." If you want it as is, then you can make that comment, too. I'm not saying what you can say, you can say pro, or con, or nothing at all, but it's completely up to you.

Ritchey, Martin:

Alright, so for those people wishing to comment, thank you for joining us today. There is a pretty ample crowd here and we can take comments for longer than three minutes, as long as it's not more than five minutes. I would try to keep it down if you can. But we want to hear from all of you if you like. You can submit a comment of any length at all, electronically or in writing to us.

Ritchey, Martin:

I will mail out a copy of the PowerPoint to everybody that is signed in. If we have the e-mail addresses on the sign in and I can read it, you will get a copy?

Harrison, Dee:

Yes.

Ritchey, Martin:

OK, if you've got your e-mail address on the sign in sheet and I can read it, you'll get a copy of it.

Ritchey, Martin:

If you're going to talk, what I'd like you to do is to tell us your name of what County or jurisdiction you're representing or what organization you're representing. For Dee here, who is diligently taking notes and me, please spell your first and last names. If you need longer than three minutes or five minutes, we will be happy to expand that, provided it's not a filibuster because everybody needs to have a chance to contribute.

Ritchey, Martin:

Anybody like to go first?

Dennis, John:

All right. My name is John Dennis. I'm from Community Center and we have a situation in our downtown square that's unsafe. Electrical Transformers and poles. Some of the Transformers are actually hanging over parts of the building. Relocating those telephone poles around the back someplace safe with that followed them something.

Ritchey, Martin:

Well, it's something that would be a question for the GLO, but that would be infrastructure. Does the city or who owns it? the city. That's all city lines.

Dennis, John:

It's the city, they are all city lines. Four or five businesses are all connected. We want to run the power pack and re-run the new power up to the transformers in the back. That's it.

Ritchey, Martin:

That's a lot of infrastructure stuff. This is what this is talking about.

Ritchey, Martin:

Anybody else? Everybody came a long way. I would love your comments.

Speaker Unknown:

I guess my comment, is to thank you for all the work that you're doing building, is one of those low-to-moderate income places of our definite problem. Our water treatment project is about \$1.7 million. If our Mayor hadn't taken the initiative to incorporate and helped to build things, which helps give it back and also helps us as the water and the city itself. At the same time, it helps us being an incorporated area and getting those people going otherwise, we're just all out on the farm, you know, they would protect little area. And so I'm just going to say thank you because it gives us an opportunity that we would never have had. That's all I'm going to say.

Ritchey, Martin:

Thank you.

Schneider, Spencer:

I'm Spencer Schneider, the City Manager of City of Giddings. If your community or municipality is already registered or classified as a low-to-moderate income community, it says here that you have to have spend 50%. That shouldn't be a specific issue, correct.?

Ritchey, Martin:

I'm not speaking as an official that's going to be judging it. If you are talking about something that is a benefit to the entire community and the entire community meets that level, then that sounds appropriate. Let's say that you had one section of community that was, you know, higher echelon and you spend all the money there, then it probably wouldn't be looked at favorably. That would be my best guess.

Schneider, Spencer:

I think everybody's happy.

Speaker Unknown:

What is the time on the GLO application process?

Ritchey, Martin:

Honestly, Mr. Mayor, I thought we would have been done last year, probably not much further past the meeting we had before, so I can't give you an accurate appraisal to that. But we're planning on bringing the final documents up to our Executive Board for approval next month, if it doesn't hit next month, it is probably going to know May or June from the GLO would be my best hope.

Speaker Unknown:

Is there an application process?

Ritchey, Martin:

There will be an application process where you would be working directly with the General Land Office. They have people that will be coming out and that are available to talk with you. Kris Robles is the Government Affairs person for the General Land Office and we'll send his contact information to you so that you can talk with him. He doesn't specifically handle this one area, but he does government relations in general and he can probably give you a lot of leads on what's going to be happening next from their side.

Ritchey, Martin:

You've got a question in there, Craig. I can tell.

Moreau, Craig:

I haven't. I have a comment. We do appreciate the inclusion of the Social Vulnerability Index in this MIT-MOD equation. I think it benefited a lot of municipalities here and reflects what this County is a lot of ways besides just income. There are other things that should be accounted for and the inclusion of that was very efficient.

Ritchey, Martin:

We have to thank Angela because she worked for CAPCOG before coming here and Fayette County has stolen her from us, she was really big advocate for pushing for Social Vulnerability Index to be included. That was used in the MOD component, so 25 percent of the methodology in breaking out the money in the MOD was based upon what we refer to as the SoVI, the Social Vulnerability Index, you find on page one. We have a listing of the various factors that we use, the number one factor we use was households

impacted by historic disasters, that would be Individual Assistance from FEMA from the years 2002 to 2019.

Ritchey, Martin:

But hang on a second, no, correction, that's PA, which is Public Assistance and then we did the individual households that were impacted by disasters. So that was 25 percent, 25 percent, 25 percent for LMI, and then 25% for the Social Vulnerability Index. Now, the Social Vulnerability Index and the LMI kind of put together 50%. So that worked with the GLO and, of course, that didn't change the requirement from the GLO that 50% has to be spent in Low-to Moderate Income, but they're allowed a very equitable distribution.

Ritchey, Martin:

Any comments from the grant folks in the back?

Speaker unknown:

Some unintelligible comments. The question you asked is what happens next? As soon as this is actually finalized and the GLO approves it, they'll hold another kind of meeting, somewhere around here, maybe one or two, and then they come in and go over the process for the application.

Ritchey, Martin:

Thank you, I knew you guys were going to be able to pitch something. Like I said, you have been through a million of these. I appreciate it. OK, how about online?

Ritchey, Martin:

Natasha Valentine, my old dear friend from TDEM before? I was thrilled to see you on the call. I think you're working for a grant company now.

Valentine, Natasha:

I am with AECOM. Nice to see you on there. Nice to see Dee on there, too. My old stomping buddies. I, we don't have any questions or comments. We're just sort of listening in and taking it all in, but I appreciate you giving me the opportunity to say something, at least to say hello.

Ritchey, Martin:

Natasha was with TDEM when I was with Caldwell County. We were climbing on along the top of a dam that had been scoured during the 2015 floods that killed all those folks out in Wimberley. I never forget that time up there with a bunch of folks, and they worked really hard, TDEM and the counties, to work together to try to make sure that we take care of folks.

Valentine, Natasha:

I've seen you, Martin, and all your iterations in Emergency Management. You're just an awesome person, too.

Ritchey, Martin:

Lisa, do you have anything or Amy online here?

Amy Miller:

I don't. This is the Amy with the City of Elgin, but I greatly appreciate the virtual option and I look forward to getting a copy of the slides.

Ritchey, Martin:
Excellent.

Ritchey, Martin:
Alright. Well, it's good to have the City of Elgin on. They're kind of check their box. They don't have to be on tomorrow and we did put the virtual option there for folks that couldn't be here in person.

Ritchey, Martin:
We have to stay for two hours, but you guys don't have to stay for two hours. So, if you don't have that comment to make and you feel like you've heard enough of me, you can leave.

Speaker unknown:
That sheet by the chairs over there, that shows that we were here, right?

Ritchey, Martin:
Yes, exactly. I appreciate you coming.

Harrison, Dee:
You can e-mail your comments to us if you're shy about speaking in public.

Ritchey, Martin:
Alright, I thank you very much for coming.

Harrison, Dee:
We have lots of copies of the MOD if you want to change it.

Ritchey, Martin:
I'm going to put the microphone on pause.

Ritchey, Martin:
OK, for those that are not on the Teams here, I'm going to close out this public hearing as it's now 4:00 PM. Thank you for participating. This is Martin Ritchie from CAPCOG out.

The hearing ended at 4:00 PM



March 23, 2023

Public Hearing

Documentation



Capital Area Council of Governments

6800 Burleson Road, Building 310, Suite 165

Austin, Texas 78744-2306

Ph: 512-916-6000 Fax: 512-916-6001

www.capcog.org

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

GLO CBDG-MIT COG MOD Conditionally-Approved Preliminary Method of Distribution (MOD) Public Hearing Agenda

10 AM – Noon, Thursday, March 23, 2023

CAPCOG Pecan Room, 6800 Burleson Road, Bldg. 310, Suite 165, Austin, TX 78744

1. Welcome and Introductions
2. Overview of the Conditionally Approved Preliminary Method of Distribution (MOD) Process -
Martin Ritchey – Director of Homeland Security, CAPCOG
 - A. Funding allocations for the identified jurisdictions in the CAPCOG Region
 - B. Eligible Entities
3. Public Comment on the Conditionally Approved Preliminary Method of Distribution
4. Next Steps/Important Dates
5. Adjourn

NOTE:

CAPCOG will accept written comments until 5:00 PM Central Time on Friday, March 31, 2023

- *US Mail: 6800 Burleson Rd, Bldg. 310, Suite 165, Austin, TX 78744
ATTN: CAPCOG Hurricane Harvey CDBG-MIT MOD*
- *Email: GLO-MOD@capcog.org*

CAPCOG DBDG-MIT MOD Public Hearing
Thursday, March 23, 2023, 10 AM – 12 PM
CAPCOG Pecan Room
6800 Burleson Rd, Bldg. 310, Suite 165, Austin, TX 78744

NOTE: Edited for clarity and accuracy.

Meeting started at 10:00 AM

Ritchey, Martin:

Some people may be a little late because there is a statewide conference call for the weather. TDEM is hosting it at starting at 10:00 AM. So, we might have some people joining us after that concludes this conference will be taking place for two hours. Once I've finished my presentation, I will open up the floor for citizens comments. You can type a comment in the section on your computer which posts it on the chat. You can e-mail us a comment as well, to glo-mod@capcomcapcog.org. Or you could just enunciate what your comments are. But please let's wait until the end of the program when I finish the slides to begin that portion. If there's something I say that you don't understand or I use a term that's foreign to you and you'd like me to explain it, just raise your hand if you're online. If you're in the audience, just yell hello because there are a couple of folks here at CAPCOG at 6800 Burleson Rd.

Ritchey, Martin:

All right. Without further ado, I'm going to go on to some reminders for those that are here in our room. The door that you came in is the best way in and out. If you hear the fire alarm or some other activity, go on. The bathrooms were on either side toward the lobby as you entered into the building. If you see us running this way, just follow us out that other door, because we'll take you out the back way if that's the case because there is an exit that comes through there as well.

Martin Ritchey:

And again, please hold questions and comments to the end, except if there's something that's relevant to the slide we're talking about, then please, you know, do stop me. For those of you that are unfamiliar with COGs, the State of Texas is broken up into 24 COGs. CAPCOG is one of them and we have 10 counties, but we're really focusing on four counties today. Those four counties are highlighted in the slide with a little blue line. You can see on the map here, Lee, Bastrop, Fayette, Caldwell.

Ritchey, Martin:

So, this public hearing is here to get community input on the Method of Distribution. We passed the MOD out at our front door here. It's also available online at CAPCOG.org and you know I'll refer to it at a few different points during my presentation. But I'll go over those points. I'll verbally. So for those of you that don't have one in front of you. CAPCOG has facilitated these public hearings. We're going to take all of your feedback and submit it to the General Land Office along with the MOD. The General Land Office will administer the programs of the action plan, and they'll be the ones responsible for the follow up when the fund money gets distributed through the different projects, you submit to them.

Ritchey, Martin:

So putting on our way back, machine a little bit. You know, several years ago, the HUD, U.S. Housing and Urban Development, allocated funds and they were going to break it out to the four CAPCOG counties impacted ostensibly by Hurricane Harvey at the time. The purpose was for addressing hazard mitigation needs in those communities in Bastrop, Caldwell, Fayette, and Lee. Over time that changed due to the funding changes. We have had multiple tranches of funding that would be used for projects on a statewide competitive basis. That process was changed and the amount that was going to be provided to the COGs was increased. So, our current allocation allotment is \$52,253,000 and we're going through a process of how those funds were broken out for the various counties and cities in the MOD.

Ritchey, Martin:

Here's the listing of the breakout of the funding across the board. Each COG was designated to develop a Method of Distribution to allocate the funds to the cities and counties and Indian tribes, if we had them.

Ritchey, Martin:

We've had previous public meetings to gain input before we created the MOD and now, since we've put the MOD together, we're now looking for additional feedback. This is a great opportunity for those in the region to be able to do very specific infrastructure and other projects that can be funded through this MOD.

Ritchey, Martin:

Going directly to the heart of why we're here and that is the actual funding scheme that we came up with and that is showing here on this, on this page, if you have the handout, it is on the back page. But to go over it, it is Fayette County and the jurisdictions within their county. They're part of the HUD most impacted areas most distressed and so therefore their allotment was separated from the other three counties. The total for those communities was \$25,125,000.

Ritchey, Martin:

The other counties: Bastrop, Caldwell, and Lee, were put into a pool of State most distressed and that pool was \$27,128,000. As we went through the process of taking the data to develop the mod, we considered several factors and the three factors we looked at were households impacted by historic disasters 2002 to 2019, Individual assistance registration data from 2002 to 2019, data from low to moderate income population, and the social vulnerability indices. Those were used to create the formula to break up those allocations individually to each of the communities.

Ritchey, Martin:

Now each one of the communities listed received a letter from our Executive Director as well as an e-mail requesting that they respond back to determine if they wanted to receive the funds and all communities did respond back that they wanted to receive funds, which was very good.

Harrison, Dee:

There is an error on that slide. If you go back up, you have total disasters and Public Assistance. That is not public assistance, it is individual Assistance.

Ritchey, Martin:

OK, so we apologize for that error on the slide. We will correct it before we send it out to the attendees. Yeah, there's just a typo on there. Thank you.

Ritchey, Martin:

Alright, so I'm going back on to the development of the plan. One of the requirements was that the projects would have to meet a 50% LMI to meet the requirements from the GLO and HUD. That's listed on the actual documents within the MOD and in the documents as it related to our communications to the jurisdictions about what the allocations were and how much would have to be focused on LMI.

Ritchey, Martin:

For some time, this wonderful chart has been part of our lives and it was really good. I thank the GLO for putting together this step-by-step box, we've now moved from the last time we held the public meeting, which was the 3rd box all the way down to just a few boxes from the end. We're in the home stretch, so COG is holding MOD public hearings. The next step is where we're going to update and deliver the MOD back to the GLO for review and approval. Once that happens and they approve it, we're going to be communicating back out the final awards.

Ritchey, Martin:

So, under the method of distribution on page three, we have a chart which shows all of the activities that are considered eligible under the MOD. And here's a list of some of them. Again, as I mentioned earlier on: flood control, drainage, construction rehabilitation and storm water management systems infrastructure, such as water and sewer facilities, streets, provisions of generators, removal, debris, bridges, natural green infrastructure, communication infrastructure, public facilities, public service, and that's within a 15% cap for housing counseling, legal counseling, job training, mental health, things of that nature. And then finally, your match for your hazard mitigation grants, which are typically a 75/25. The CDG CDBG MIT is an eligible cost share for that. I would put an asterisk on everything which is and you're going to be going through another step with the GLO they'll have associates who are expert in these areas, so any project related things I would definitely say to have lengthy discussions with them so that you can coordinate that activity as you develop your projects and that way you're aligning with their goals as well as the goals of the mind.

Ritchey, Martin:

Here's a list of the generally ineligible activities. I included this on our earliest calls and discussions. These were the things that were listed in documentation that we received from the GLO, but again, I put a big asterisk here to say that, if you have a project and you're putting together a project, to make sure that you reach out to the GLO grant personnel so that you can find the detail that might be going on at that time.

Ritchey, Martin:

So before I go to the last slide, I just want to recap and say that the purpose of this meeting is really find out what y'all think about the MOD that has been published online for some time now, and if you've had an opportunity to review it. If your community has any feedback that you'd like to give, you can provide

it during these meetings. You also can drop us an e-mail or regular mail to provide those items and all the feedback will be wrapped up and put into our final MOD plan and sent back to the General Land Office. So, if you're sending your public comments, you can send them to CAPCOG CDBG-MIT MOD. You can cross out that Hurricane Harvey thing. 6800 Burleson Rd. Building 310, Suite 165, Austin, TX 78744. Or you can email them to GLO-MOD@CAPCOG.Org. All comments must be received by 5:00 PM Friday, March 31st, 2023.

Ritchey, Martin:

With that said, we're ready to open the floor if there are any questions. I'll start with the room. Are there any questions in the room or not? Questions, but any comments that you'd like to make? OK. The folks in the room are drinking coffee and maybe having a little bit of the wonderful stuff here. Anybody online that would like to make a comment for the record? Please state your name and your organization. So that we can write that down. I see some repeat folks, so they probably have filled in their details at the previous meetings. But if you would like to make a public comment, we're going to be here until noon. Those that don't wish to sit here with us online till noon are welcome to drop off. If there are people in the room the same thing, but we're going to be here till noon waiting for any public comments to come through.

Ritchey, Martin: And we have Miss Alexander with us. She is a new online person, can you hear everything OK, Miss Alexander?

Alexander, Myra:

Yeah, yes, I can. Can you hear me?

Ritchey, Martin:

Yes, yes, ma'am. Where are you? I hear crickets. Nothing. Let me check here.

Alexander, Myra:

What happened? Come on. Ah, there we go.

Ritchey, Martin:

We should add a Chamber music with the band or something, you know. For those of you in the room, we have some Starbucks available as well as donuts, and we're not going to let you leave until it's all gone.

Robles, Kris:

It would have been a bigger thing, but they were out of coffee.

Ritchey, Martin:

Right. Starbucks told you they ran out of coffee?

Robles, Kris:

Yeah.

Ritchey, Martin:

OK, we have a question online.

Ritchey, Martin:

(Reading) What happens if a community cannot find a project in an LMI area and they wait until the other jurisdictions submit applications to satisfy the LMI requirement? Well, I'm glad Chris Robles from the GLO is here because he would know.

Robles, Kris:

That's a question that I'm going to have to submit to our grant managers who cover the contracts on this information.

Ritchey, Martin:

Is it possible for me to get an answer from you?

Robles, Kris:

Let me take a picture and send it, I'd like to see the policy direction here.

Ritchey, Martin:

OK, we don't know the answer right off the top of our heads.

Harrison, Dee:

We don't know the answer right off the top of our heads, however, Chris Robles from the GLO is sending it off to his director to find out. Thank you for the question. We will put the answer in the chat or email it to everyone.

Valentine, Natasha:

Martin, I have not seen you with your scrappy beard. I love it so much.

Ritchey, Martin

OK, ladies and gentlemen, we have now reached the end of the public hearing. This is CAPCOG without any further folks in the room or online to ask questions. We're going to conclude. Thank you so much for joining us.

The public hearing ended at noon.



March, 2023

Public Comment Period Appendix

Harrison, Dee

From: GLO-MOD
Sent: Thursday, April 13, 2023 3:18 PM
To: 'KingWm'
Subject: RE: Public Hearing Presentation from 3/22
Attachments: PH_Slides_CORRECTED.pdf

Good afternoon –

I emailed the presentation to everyone who provided an email earlier this afternoon. I apologize for the delay in sending them out. I am attaching a .pdf copy for your convenience.

If you have any questions or problems with the attachment, please contact me via phone or email.

Sincerely,
Dee

Dee Harrison, CEM[®], MCP, NEMAA
Homeland Security Program Coord
Capital Area Council of Governments
Ph: 512-916-6035
dharrison@capcog.org ~ www.capcog.org

Sign up for emergency alerts at: WarnCentralTexas.org
No electronic communication by a CAPCOG employee may legally obligate the agency.



From: KingWm <IAm@kingwm.com>
Sent: Saturday, April 1, 2023 10:08 AM
To: GLO-MOD <GLO-MOD@capcog.org>
Subject: Public Hearing Presentation from 3/22

My son, William T Bernsen, attended and recorded the public hearing where Martin Ritchey presented the MOD for the Harvey funds. While listening to the recording, I heard that you would email the presentation to those interested. This is my request for the power point presentation presented at the 3/22 meeting held at the EMS building in La Grange.

God bless,

KingWm

*The opposite of courage in our society is not cowardice, it is conformity.
Do the thing and you shall have the power.*



Executive Committee | Agenda

10:00 a.m., Wednesday, May 10, 2023
CAPCOG Lantana Room
6800 Burleson Road, Bld. 310, Ste. 155
Austin, Texas 78744

Judge James Oakley, Burnet County, **Chair**
Mayor Lew White, City of Lockhart, **First Vice Chair**
Commissioner Debbie Ingalsbe, Hays County, **Second Vice Chair**
Council Member Matthew Baker, City of Round Rock, **Secretary**
Mayor Jane Hughson, City of San Marcos, **Parliamentarian**
Mayor Brandt Rydell, City of Taylor, **Immediate Past Chair**
Council Member Mackenzie Kelly, City of Austin
Commissioner Clara Beckett, Bastrop County
Mayor Connie Schroeder, City of Bastrop
Council Member Kevin Hight, City of Bee Cave
Judge Brett Bray, Blanco County
Mayor Rachel Lumpee, City of Blanco
Commissioner Joe Don Dockery, Burnet County

Judge Hoppy Haden, Caldwell County
Judge Dan Mueller, Fayette County
Council Member Ron Garland, City of Georgetown
Council Member Esmeralda Mattke Longoria, City of Leander
Commissioner Steven Knobloch, Lee County
Judge Ron Cunningham, Llano County
Mayor Pro Tem Doug Weiss, City of Pflugerville
Council Member Janice Bruno, City of Smithville
Judge Andy Brown, Travis County
Commissioner Ann Howard, Travis County
Commissioner Russ Boles, Williamson County
Commissioner Cynthia Long, Williamson County
Senator Pete Flores
Representative Stan Gerdes
Representative Terry Wilson

1. **Call to Order and opening remarks by the Chair**
2. **Consider Approving Minutes for the April 12, 2023 Meeting**
3. **Consider Accepting the Quarterly Investment Report**
Silvia Alvarado, Director of Finance
4. **Consider Accepting the Annual Financial Report of the Capital Area Council of Governments for the Year Ended September 30, 2022**
Silvia Alvarado, Director of Finance
Lupe Garcia, CPA – Audit Partner of Whitley Penn, LLP
5. **Consider Adopting a Proclamation Recognizing June 2023 as Alzheimer’s and Brain Awareness Month**
Patty Bordie, Director of Aging Services
6. **Consider Projects for Remaining FY 2022-2023 Solid Waste Program Unspent Funding**
Charles Simon, Director of Regional Planning and Services
7. **Consider Approving CAPCOG GLO CDBG-MIT MOD**
Martin Richie, Director of Homeland
8. **Consider Approving Appointments to Advisory Committees**
Deborah Brea, Executive Assistant

9. **Staff Reports**

Betty Voights, Executive Director

10. **Adjourn**

A closed executive session may be held on any of the above agenda items when legally justified pursuant to Subchapter D of the Texas Open Meetings Act (Texas Government Code Chapter 551).

EXECUTIVE COMMITTEE MEETING

MEETING DATE: May 10, 2023

AGENDA ITEM: #7 Consider Approving CAPCOG GLO CDBG-MIT MOD

GENERAL DESCRIPTION OF ITEM:

The Texas General Land Office (GLO) received an appropriation from the US Department of Housing and Urban Development for Community Development Block Grant Funds (CDBG) for Mitigation (MIT). These funds were earmarked for "most impacted and distressed" federally declared or state declared from Hurricane Harvey. Councils of Governments (COG) were selected to create a Method of Distribution (MOD) for allotting the funds for mitigation projects.

CAPCOG Homeland Security held a series of four public meetings with both in person and virtual options to collect feedback for the creation of the MOD. Within the directives from the GLO, the total funds of \$52,253,000 were broken down into two major segments: \$25,125,000 was allocated to Fayette County jurisdictions and entities and the remaining \$27,128,000 was allocated to jurisdictions and entities in the counties of Bastrop, Caldwell, and Lee. All eligible jurisdictions in the four identified counties have indicated they will accept the GLO CDBG-MIT funding. Meetings were also held with representatives of the four counties at the beginning of the process on July 13, 2022 and again on April 5, 2023 as the process was wrapping up.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER: **Martin Ritchey, Director Homeland Security**

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: General Land Office CDBG Mitigation funds

Is item already included in fiscal year budget? Yes No

Does item represent a new expenditure? Yes No

Does item represent a pass-through purchase? Yes No

If so, for what city/county/etc.? _____

PROCUREMENT: N/A

ACTION REQUESTED:

Consider Approval of CAPCOG GLO CDBG-MIT MOD.

BACK-UP DOCUMENTS ATTACHED:

1. TX General Land Office Conditionally Approved MOD
2. Allocations by Eligible Jurisdictions

BACK-UP DOCUMENTS NOT ATTACHED: *(to be sent prior to meeting or will be a handout at the meeting):*

None

Texas General Land Office

State of Texas CDBG-Mitigation Regional Mitigation Program
MIT COG MOD Summary



Delivered to the GLO: October 18, 2022

Approved by the GLO:

Council of Governments: Capital Area Council of Governments

Allocation Calculation Sheet Packet Page Number: _____

HUD MID and State MID Allocations

HUD MID Total	\$25,125,000
State MID Total	\$27,128,000
Grand Total COG Allocation	\$52,253,000

Table 1

Funding Limits

Minimum Amount Waiver Requested	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Minimum Amount	\$1,000,000	
Maximum Amount	N/A	

Table 2

Regional Risk Mitigation

Explain how the method of distribution reduces regional risks, how it will foster long-term community resilience that is forward-looking and encourages the prioritization of regional investments with regional impacts in risk reduction for hurricanes, tropical storms and depressions, and flooding in the HUD-identified and State-identified most impacted and distressed areas.

Central Texas is transected by several major river basins and miles of rivers subject to seasonal riverine and flash flooding. In addition to seasonal and other storm-related flooding, the 10-county Capital Area region is highly vulnerable to flooding and flash flooding due to tropical depressions, storms, and/or hurricanes moving inland from the Texas coast. Parts of the region are known as “flash flood alley”, due to geographic and topographic features of the region and proximity to the Texas coast. In particular, four counties were the most severely impacted by Hurricane Harvey: Bastrop, Caldwell, Fayette, and Lee. The Capital Area Council of Governments (CAPCOG) has developed a consistent, understandable Method of Distribution (MOD) that reflects mitigation needs of the region and its communities. CAPCOG staff researched potential objective factors and explored various scenarios involving different formulas and funding options with the CAPCOG Homeland Security Task Force. Public comments and input from the Public Planning Meetings held on May 9, 2022, and May 13, 2022, were considered in the development of the MOD.

After considering the various factors, the following factors were selected:

1. Households Impacted by historic disasters (2002 – 2019)
2. FEMA Individual Assistance (IA) registration data (2002 -2019)
3. Identified Low- to Moderate-Income (LMI) Population
4. Social Vulnerability Indices (SoVI) Rankings

The above listed factors were drawn from publicly available datasets. Together, they provide an indicator of local mitigation needs in the four identified counties. Using the Social Vulnerability Index (SoVI) rankings, identified LMI populations, and the FEMA Individual Assistance (IA) Non-Personally Identifiable Information (PII) registration and damage data 2002 – 2019.).

Each of the factors were given equal weight (25%) in the allocation formula. The formula was used to allocate funding to cities in the four identified CAPCOG counties. Any allocation for a city that would receive less than the \$1,000,000 threshold were rolled back up into the county totals. Any city with a center or seat of government; to wit: the City Hall, is not physically located within the four identified CAPCOG counties were not selected.

The total allocation of \$52,253,000 was approved by the CAPCOG Executive Committee, with \$25,125,000 of the HUD MID allocated solely to Fayette County. The remaining \$27,128,000 will be divided between Bastrop, Caldwell, and Lee Counties based on the allocation factors listed above. Project selection for these allocations will ensure that the overall allocation totals for HUD MID and State MID are met. Sub-grantees will be responsible as project sponsors for developing their individual project proposals, adhering to all applicable requirements, managing all other aspects of implementing the projects, and providing information for required reports.

The CAPCOG MOD will provide funding for mitigation projects to reduce regional riverine, flash flooding, and seasonal flooding risks and damage to infrastructure and communities due tropical depressions, storms, and/or hurricanes moving inland from the Texas coast.

Table 3

Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Households impacted by historic disasters (2002 – 2019)	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual number of FEMA declared disasters during a specified time period. It further supports the number of damaged structures within an impacted area during the specified time period.
Federal Emergency Management Agency (FEMA) Individual Assistance (IA) registration data	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual count of FEMA applicant registrations for Hurricane Harvey (DR-4332-TX) per geographic area. It further supports the number impacted households within an impacted area.
Low-to Moderate Income percentage	25%	US Housing and Urban Development (HUD)	Selected factor is quantifiable and reports the SU Census Identified count of Low- to Moderate Income persons in a geographic area. HUD and GLO require the LMI be a factor in allocations. CBDG funds must be expended to benefit 50% low- and moderate-income (LMI) communities.
Social Vulnerability Indices (SoVI) Rankings	25%	US Census Bureau Texas General Land Office	Selected factor is quantifiable and reports the actual US Census identified variables to determine the overall ranking of a community’s resilience when confronted by external stresses on human health.

Table 4

*Add more rows if needed

Threshold Factors

If any, please describe threshold factors that were used to allocate funds.

Threshold Factor*	Documentation Source	Explanation of Factor Selection
N/A	N/A	N/A
N/A	N/A	N/A

Table 5

*Add more rows if needed

Eligible Activities

Activities must meet the criteria outlined in the Regional Mitigation Program (COG MODs) section of the State of Texas CDBG Mitigation Action Plan.

The COG has addressed prioritization of eligible activities as follows:

<input type="checkbox"/>	The COG has chosen not to limit subrecipients in the region to projects meeting regional priority activities.	
-OR-		
<input checked="" type="checkbox"/>	The COG has limited subrecipients in the region to selecting projects meeting the following regional priority activities:	
<input checked="" type="checkbox"/>	Flood control and drainage improvement, including the construction or rehabilitation of stormwater management systems	<input checked="" type="checkbox"/> Water and sewer facilities <input checked="" type="checkbox"/> Communications infrastructure <input checked="" type="checkbox"/> Provision of generators
<input checked="" type="checkbox"/>	Natural or green infrastructure	<input type="checkbox"/> Removal of debris
<input checked="" type="checkbox"/>	Public Facilities (shelter, library, etc.)	<input checked="" type="checkbox"/> Streets or bridges
<input type="checkbox"/>	Economic development (assistance to businesses for the installation of disaster mitigation improvements and technologies; financing to support the development of technologies, systems, and other measures to mitigate future disaster impacts; “hardening” of commercial areas and facilities; and financing critical infrastructure sectors to allow continued commercial operations during and after disasters)	<input type="checkbox"/> Other infrastructure improvements
		<input checked="" type="checkbox"/> Public Services (<i>within the 15% cap</i>)
		<input checked="" type="checkbox"/> FEMA Hazard Mitigation Grant Program (HMGP) cost share for CDBG-MIT eligible project
		<input type="checkbox"/> Buyouts or Acquisitions with or without relocation assistance, down payment assistance, housing incentives, or demolition
		<input type="checkbox"/> Activities designed to relocate families outside of floodplains

Table 6

Ineligible Activities

Ineligible activities are outlined in the Regional Mitigation Program section of the State of Texas CDBG Mitigation Action Plan, as amended, and should be referenced accordingly.

Covered Projects

A Covered Project is defined as an infrastructure project having a total project cost of \$100 million or more, with at least \$50 million of CDBG funds, regardless of source (CDBG-DR, CDBG-MIT, or CDBG). Covered projects included in the Regional Mitigation Program must meet specific criteria set forth by HUD's CDBG-MIT Notice 84 FR 45838 (August 30, 2019) and the State of Texas Mitigation Action Plan. Inclusion of a Covered Project in the MOD does not guarantee funding until a full eligibility review is completed and the subsequent action plan amendment receives HUD approval.

Will the Method of Distribution include a Covered Project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Table 7

If yes, please provide the following information:

- The eligible entity benefitting from the project;
- A description of the project and how it meets the definition of a mitigation activity; and
- The cost of the Covered Project.

Not Applicable.

Table 8

Low-and Moderate-Income Requirements

Below is the strategic plan of how the method of distribution meets the minimum 50 percent low- and moderate-income (LMI) requirement.

CAPCOG’s strategic plan to meet the LMI National Objective incorporates the data selections and weights. The LMI percentage is weighted at 25% and the SoVI is also weighted at 25% in the allocation worksheet. Therefore, 50% of the allocations are focused on serving the economically distressed areas in Bastrop, Caldwell, Fayette, and Lee counties that are 51% or more low-to moderate-income households or that will benefit households with incomes below 80% of the Area Median Income (AMI). Our regional partners and stakeholders have been informed about the intention and purposes of this funding. They will focus their attention on identifying projects that will meet the regional threshold after the funding allocation has occurred.

Table 9

Public Hearing Information

The Action Plan requires at least one Public Planning Meeting prior to submitting the Preliminary MOD to the GLO for review and one Public Hearing before submission of the Preliminary MOD to GLO for final approval. If the COG holds multiple outreach activities, please contact the GLO for additional documentation forms.

Meeting Type	Public Planning Meeting	MOD Public Hearing
Date(s):	5/9/22 & 5/13/22	
Location(s):	CAPCOG 6800 Burleson Rd, Bldg. 310, Ste 165, Pecan Rm Austin, TX 78744 Fayette County EMS 1721 N Von Minden Rd La Grange, TX 78945	
Total Attendance:	17 (13 via MS Teams) & 31 (3 via MS Teams)	

Table 10

Direct 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	Public Planning Meeting	MOD Public Hearing
	Date(s) Sent	Date(s) Sent
<input checked="" type="checkbox"/> Email	5/4/22 – 5/9/22	
<input type="checkbox"/> Fax	Not Applicable	Not Applicable
<input type="checkbox"/> Hand Delivery	Not Applicable	Not Applicable
<input type="checkbox"/> Certified Mail	Not Applicable	Not Applicable

Table 11

Website Notice. As required, public notice was posted on the COG website at least **five (5)** days in advance:

Website Notice	Public Planning Meeting	MOD Public Hearing
Date(s)	5/3/22	

Table 12

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 the public hearings were published in the following regional newspaper(s):

Newspaper Name	Public Planning Meeting	MOD Public Hearing
	Date Published	Date Published
<i>Austin American Statesman</i>	5/4/22	
<i>Bastrop Advisor</i>	5/4/22	
<i>Bastrop County Insider/Elgin Courier</i>	5/4/22	
<i>Fayette County Record</i>	5/6/22	
<i>Flatonia Argus</i>	5/5/22	
<i>Lexington Leader</i>	5/5/22	
<i>Lockhart Post-Register</i>	5/6/22	
<i>Schulenburg Sticker</i>	5/5/22	
<i>Smithville Times</i>	5/4/22	

Table 13

Public Comment Period

Provide the dates of the public comment period for the COG MOD.

Start Date:					
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Table 14

Citizen Participation

Describe how the COG conducted their citizen and non-governmental organization outreach, including any efforts exceeding GLO minimum public participation requirements. These efforts should comply with the Citizen Participation Plan provided to the GLO.

<p>CAPCOG posted program information on its website, published public hearing notices in local newspapers, published and distributed program information through its newsletter, <i>Connections</i>. CAPCOG will continue to identify other government agencies and organizations that can provide additional input and expertise and expand upon representation of the residents of Bastrop, Caldwell, Fayette, and Lee Counties.</p>
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Table 15

Accommodations. Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for persons with Limited English Proficiency and for people with hearing impairments or other access and functional needs (ADA compliance).

CAPCOG uses a variety of methods to communicate with non-English speaking residents. CAPCOG and Fayette County have Spanish speaking employees who are available to provide translation services upon request. In addition, CAPCOG subscribes to a telephone service that provides translation services for multiple languages. CAPCOG will provide American Sign Language (ASL) and other language interpretation services, if requested within 48 hours of the public meetings.

Notices for public hearings and media releases and advisories will be sent to local print and broadcast media outlets that serve the residents of the four counties that are part of this program. The media distribution will include those who serve non-English speaking and Limited English Proficiency populations and persons with disabilities, including those with visual and/or hearing impairments, behavioral health disorders, and/or IDD.

CAPCOG will provide reasonable accommodations for persons attending the public meetings. Requests from persons needing special accommodations will be requested 48 hours prior to the public meetings. The meetings will be conducted in English. Requests for language interpreters or other special communication needs will be accommodated if made at least 48 hours prior to the public meetings.

Table 16

Affirmatively Furthering Fair Housing (AFFH) 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.

COG Principal Contact Information

Contact Name:	Betty Voights
Title:	Executive Director

Table 17

Contact and Signatory Authority

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

Signature

Date

Betty Voights
Printed Name

Executive Director
Title

bvoights@capcog.org
Email Address

512-916-6000
Telephone Number

**Allocation Summary Worksheet
CAPCOG**

p **CAPCOG** \$ 52,253,000.00
Total Allocation: \$ **52,253,000.00**

HUD MID				
Entity	Allocation	Percentage of Total Allocation	LMI Portion	LMI Percentage
Fayette County	\$ 4,810,100	19.14%	\$ 2,405,100	50%
Carmine	\$ 2,548,300	10.14%	\$ 1,274,200	50%
Ellinger	\$ 1,588,300	6.32%	\$ 794,100	50%
Fayetteville	\$ 3,344,800	13.31%	\$ 1,672,400	50%
Flatonia	\$ 3,022,400	12.03%	\$ 1,511,200	50%
La Grange	\$ 4,556,000	18.13%	\$ 2,278,000	50%
Round Top	\$ 1,965,200	7.82%	\$ 982,600	50%
Schulenburg	\$ 3,289,900	13.09%	\$ 1,645,000	50%
Total	\$ 25,125,000	100.00%	\$ 12,562,600	50%
State MID				
Entity	Allocation	Percentage of Total Allocation	LMI Portion	LMI Percentage
Bastrop County	\$ 4,362,600	16.08%	\$ 2,181,300	50%
Bastrop	\$ 2,358,000	8.69%	\$ 1,179,000	50%
Elgin	\$ 1,970,700	7.26%	\$ 985,300	50%
Smithville	\$ 2,421,100	8.92%	\$ 1,210,600	50%
Caldwell County	\$ 3,499,500	12.90%	\$ 1,749,700	50%
Lockhart	\$ 1,889,900	6.97%	\$ 945,000	50%
Luling	\$ 1,527,800	5.63%	\$ 763,900	50%
Martindale	\$ 2,375,000	8.75%	\$ 1,187,500	50%
Lee County	\$ 2,548,800	9.40%	\$ 1,274,400	50%
Giddings	\$ 2,207,100	8.14%	\$ 1,103,500	50%
Lexington	\$ 1,967,500	7.25%	\$ 983,700	50%
Total	\$ 27,128,000	100.00%	\$ 13,563,900	50%

\$ 52,253,000



Executive Committee | Agenda

10 a.m., Wednesday, July 12, 2023
CAPCOG Lantana Room
6800 Burleson Road, Bld. 310, Ste. 155
Austin, Texas 78744

Judge James Oakley, Burnet County, **Chair**
Mayor Lew White, City of Lockhart, **1st Vice Chair**
Commissioner Debbie Ingalsbe, Hays County,
2nd Vice Chair
Mayor Pro Tem Matthew Baker, City of Round
Rock, **Secretary**
Mayor Jane Hughson, City of San Marcos,
Parliamentarian
Mayor Brandt Rydell, City of Taylor, **Immediate
Past Chair**
Council Member Mackenzie Kelly, City of Austin
Commissioner Clara Beckett, Bastrop County
Ms. Connie Schroeder, City of Bastrop
Council Member Kevin Hight, City of Bee Cave
Judge Brett Bray, Blanco County
Commissioner Joe Don Dockery, Burnet County

Judge Hoppy Haden, Caldwell County
Judge Dan Mueller, Fayette County
Council Member Ron Garland, City of Georgetown
Mayor Pro Tem Esmeralda Mattke Longoria, City of Leander
Commissioner Steven Knobloch, Lee County
Judge Ron Cunningham, Llano County
Mayor Pro Tem Doug Weiss, City of Pflugerville
Council Member Janice Bruno, City of Smithville
Judge Andy Brown, Travis County
Commissioner Ann Howard, Travis County
Commissioner Russ Boles, Williamson County
Commissioner Cynthia Long, Williamson County
Senator Pete Flores
Representative Stan Gerdes
Representative Terry Wilson

1. **Call to Order and opening remarks by the Chair**
2. **Consider Approving Minutes for the June 14, 2023 Meeting**
3. **Consider Adopting a Resolution Approving CAPCOG's CDBG Mitigation Method of Distribution**
Dee Harrison, Homeland Security Program Manager
4. **Consider Approving a Contract with University of Houston for an Air Quality Monitoring Project**
Anton Cox, Air Quality Program Manager
5. **Consider Approving Contracts with St. Edward's University and Huston-Tillotson University for PM_{2.5} Monitoring Projects**
Anton Cox, Air Quality Program Manager
6. **Consider Approving the FY 2024 – 2026 AAACAP Area Plan for submission to the Texas Health and Human Services Commission**
Patty Bordie, Director of Aging Services
7. **Consider Approving Appointments to Advisory Committees**
Betty Voights, Executive Director
8. **Consider Authorizing Purchase of Equipment and Licenses for CAPCOG Cyber Resiliency Project**
Kelly Claflin, Chief Information Security Officer
9. **Staff Reports**
Betty Voights, Executive Director
10. **Adjourn**

A closed executive session may be held on any of the above agenda items when legally justified pursuant to Subchapter D of the Texas Open Meetings Act (Texas Government Code Chapter 551).



Council of Governments: Capital Area Council of Governments

Allocation Calculation Sheet Packet Page Number: _____

HUD MID and State MID Allocations

HUD MID Total	\$25,125,000
State MID Total	\$27,128,000
Grand Total COG Allocation	\$52,253,000

Table 1

Funding Limits

<i>Minimum Amount</i> Waiver Requested	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Minimum Amount	\$1,000,000	
Maximum Amount	N/A	

Table 2

Regional Risk Mitigation

Explain how the method of distribution reduces regional risks, how it will foster long-term community resilience that is forward-looking and encourages the prioritization of regional investments with regional impacts in risk reduction for hurricanes, tropical storms and depressions, and flooding in the HUD-identified and State-identified most impacted and distressed areas.

Central Texas is transected by several major river basins and miles of rivers subject to seasonal riverine and flash flooding. In addition to seasonal and other storm-related flooding, the 10-county Capital Area region is highly vulnerable to flooding and flash flooding due to tropical depressions, storms, and/or hurricanes moving inland from the Texas coast. Parts of the region are known as “flash flood alley”, due to geographic and topographic features of the region and proximity to the Texas coast. In particular, four counties were the most severely impacted by Hurricane Harvey: Bastrop, Caldwell, Fayette, and Lee. The Capital Area Council of Governments (CAPCOG) has developed a consistent, understandable Method of Distribution (MOD) that reflects mitigation needs of the region and its communities. CAPCOG staff researched potential objective factors and explored various scenarios involving different formulas and funding options with the CAPCOG Homeland Security Task Force. Public comments and input from the Public Planning Meetings held on May 9, 2022, and May 13, 2022, were considered in the development of the MOD.

After considering the various factors, the following factors were selected:

1. Households Impacted by historic disasters (2002 – 2019)
2. FEMA Individual Assistance (IA) registration data (2002 -2019)
3. Identified Low- to Moderate-Income (LMI) Population
4. Social Vulnerability Indices (SoVI) Rankings

The above listed factors were drawn from publicly available datasets. Together, they provide an indicator of local mitigation needs in the four identified counties. Using the Social Vulnerability Index (SoVI) rankings, identified LMI populations, and the FEMA Individual Assistance (IA) Non-Personally Identifiable Information (PII) registration and damage data 2002 – 2019.).

Each of the factors were given equal weight (25%) in the allocation formula. The formula was used to allocate funding to cities in the four identified CAPCOG counties. Any allocation for a city that would receive less than the \$1,000,000 threshold were rolled back up into the county totals. Any city with a center or seat of government; to wit: the City Hall, is not physically located within the four identified CAPCOG counties were not selected.

The total allocation of \$52,253,000 was approved by the CAPCOG Executive Committee, with \$25,125,000 of the HUD MID allocated solely to Fayette County. The remaining \$27,128,000 will be divided between Bastrop, Caldwell, and Lee Counties based on the allocation factors listed above. Project selection for these allocations will ensure that the overall allocation totals for HUD MID and State MID are met. Sub-grantees will be responsible as project sponsors for developing their individual project proposals, adhering to all applicable requirements, managing all other aspects of implementing the projects, and providing information for required reports.

The CAPCOG MOD will provide funding for mitigation projects to reduce regional riverine, flash flooding, and seasonal flooding risks and damage to infrastructure and communities due tropical depressions, storms, and/or hurricanes moving inland from the Texas coast.

Table 3

Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Households impacted by historic disasters (2002 – 2019)	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual number of FEMA declared disasters during a specified time period. It further supports the number of damaged structures within an impacted area during the specified time period.
Federal Emergency Management Agency (FEMA) Individual Assistance (IA) registration data	25%	Federal Emergency Management Agency (FEMA)	Selected factor is quantifiable and reports the actual count of FEMA applicant registrations for Hurricane Harvey (DR-4332-TX) per geographic area. It further supports the number impacted households within an impacted area.
Low-to Moderate Income percentage	25%	US Housing and Urban Development (HUD)	Selected factor is quantifiable and reports the SU Census Identified count of Low- to Moderate Income persons in a geographic area. HUD and GLO require the LMI be a factor in allocations. CBDG funds must be expended to benefit 50% low- and moderate-income (LMI) communities.
Social Vulnerability Indices (SoVI) Rankings	25%	US Census Bureau Texas General Land Office	Selected factor is quantifiable and reports the actual US Census identified variables to determine the overall ranking of a community’s resilience when confronted by external stresses on human health.

Table 4

*Add more rows if needed

Threshold Factors

If any, please describe threshold factors that were used to allocate funds.

Threshold Factor*	Documentation Source	Explanation of Factor Selection
N/A	N/A	N/A
N/A	N/A	N/A

Table 5

*Add more rows if needed

Eligible Activities

Activities must meet the criteria outlined in the Regional Mitigation Program (COG MODs) section of the State of Texas CDBG Mitigation Action Plan.

The COG has addressed prioritization of eligible activities as follows:

<input type="checkbox"/>	The COG has chosen not to limit subrecipients in the region to projects meeting regional priority activities.		
-OR-			
<input checked="" type="checkbox"/>	The COG has limited subrecipients in the region to selecting projects meeting the following regional priority activities:		
<input checked="" type="checkbox"/>	Flood control and drainage improvement, including the construction or rehabilitation of stormwater management systems	<input checked="" type="checkbox"/>	Water and sewer facilities
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		<input checked="" type="checkbox"/>	Provision of generators
<input checked="" type="checkbox"/>	Natural or green infrastructure	<input type="checkbox"/>	Removal of debris
<input checked="" type="checkbox"/>	Public Facilities (shelter, library, etc.)	<input checked="" type="checkbox"/>	Streets or bridges
<input type="checkbox"/>	Economic development (assistance to businesses for the installation of disaster mitigation improvements and technologies; financing to support the development of technologies, systems, and other measures to mitigate future disaster impacts; “hardening” of commercial areas and facilities; and financing critical infrastructure sectors to allow continued commercial operations during and after disasters)	<input type="checkbox"/>	Other infrastructure improvements
		<input checked="" type="checkbox"/>	Public Services (<i>within the 15% cap</i>)
		<input checked="" type="checkbox"/>	FEMA Hazard Mitigation Grant Program (HMGP) cost share for CDBG-MIT eligible project
		<input type="checkbox"/>	Buyouts or Acquisitions with or without relocation assistance, down payment assistance, housing incentives, or demolition
		<input type="checkbox"/>	Activities designed to relocate families outside of floodplains

Table 6

Ineligible Activities

Ineligible activities are outlined in the Regional Mitigation Program section of the State of Texas CDBG Mitigation Action Plan, as amended, and should be referenced accordingly.

Covered Projects

A Covered Project is defined as an infrastructure project having a total project cost of \$100 million or more, with at least \$50 million of CDBG funds, regardless of source (CDBG-DR, CDBG-MIT, or CDBG). Covered projects included in the Regional Mitigation Program must meet specific criteria set forth by HUD's CDBG-MIT Notice 84 FR 45838 (August 30, 2019) and the State of Texas Mitigation Action Plan. Inclusion of a Covered Project in the MOD does not guarantee funding until a full eligibility review is completed and the subsequent action plan amendment receives HUD approval.

Will the Method of Distribution include a Covered Project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Table 7

If yes, please provide the following information:

- The eligible entity benefitting from the project;
- A description of the project and how it meets the definition of a mitigation activity; and
- The cost of the Covered Project.

Not Applicable.

Table 8

Low-and Moderate-Income Requirements

Below is the strategic plan of how the method of distribution meets the minimum 50 percent low- and moderate-income (LMI) requirement.

CAPCOG’s strategic plan to meet the LMI National Objective incorporates the data selections and weights. The LMI percentage is weighted at 25% and the SoVI is also weighted at 25% in the allocation worksheet. Therefore, 50% of the allocations are focused on serving the economically distressed areas in Bastrop, Caldwell, Fayette, and Lee counties that are 51% or more low-to moderate-income households or that will benefit households with incomes below 80% of the Area Median Income (AMI). Our regional partners and stakeholders have been informed about the intention and purposes of this funding. They will focus their attention on identifying projects that will meet the regional threshold after the funding allocation has occurred.

Table 9

Public Hearing Information

The Action Plan requires at least one Public Planning Meeting prior to submitting the Preliminary MOD to the GLO for review and one Public Hearing before submission of the Preliminary MOD to GLO for final approval. If the COG holds multiple outreach activities, please contact the GLO for additional documentation forms.

Meeting Type	Public Planning Meeting	MOD Public Hearing
Date(s):	5/9/22 & 5/13/22	3/22/23 & 3/23/23
Location(s):	CAPCOG 6800 Burlison Rd, Bldg. 310, Ste 165, Pecan Rm Austin, TX 78744 Fayette County EMS 1721 N Von Minden Rd La Grange, TX 78945	Fayette County EMS 1721 N Von Minden Rd La Grange, TX 78945 CAPCOG 6800 Burlison Rd, Bldg. 310, Ste 165, Pecan Rm Austin, TX 78744
Total Attendance:	17 (13 via MS Teams) & 31 (3 via MS Teams)	23 (2 via MS Teams) & 9 (4 via MS Teams)

Table 10

Direct 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	Public Planning Meeting	MOD Public Hearing
	Date(s) Sent	Date(s) Sent
<input checked="" type="checkbox"/> Email	5/4/22 – 5/9/22	3/8/23
<input type="checkbox"/> Fax	Not Applicable	Not Applicable
<input type="checkbox"/> Hand Delivery	Not Applicable	Not Applicable
<input type="checkbox"/> Certified Mail	Not Applicable	Not Applicable

Table 11

Website Notice. As required, public notice was posted on the COG website at least **five (5)** days in advance:

Website Notice	Public Planning Meeting	MOD Public Hearing
Date(s)	5/3/22	2/28/23

Table 12

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 the public hearings were published in the following regional newspaper(s):

Newspaper Name	Public Planning Meeting	MOD Public Hearing
	Date Published	Date Published
<i>Austin American Statesman</i>	5/4/22	3/10/23
<i>Bastrop Advertiser</i>	5/4/22	3/10/23 & 3/15/23
<i>Bastrop County Insider/Elgin Courier</i>	5/4/22	3/8/23
<i>Fayette County Record</i>	5/6/22	3/10/23
<i>Flatonian Argus</i>	5/5/22	3/9/23
<i>Giddings Times and News</i>	5/5/22	3/9/23
<i>Lexington Leader</i>	5/5/22	3/9/23
<i>Lockhart Post-Register</i>	5/6/22	3/9/23
<i>Schulenburg Sticker</i>	5/5/22	3/9/23
<i>Smithville Times</i>	5/4/22	3/15/23

Table 13

Public Comment Period

Provide the dates of the public comment period for the COG MOD.

Start Date:	5/3/23 to 5/13/22	2/28/23 to 3/31/23
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Table 14/

Citizen Participation

Describe how the COG conducted their citizen and non-governmental organization outreach, including any efforts exceeding GLO minimum public participation requirements. These efforts should comply with the Citizen Participation Plan provided to the GLO.

CAPCOG posted program information on its website, published public hearing notices in local newspapers, published and distributed program information through its newsletter, *Connections*. CAPCOG identified other government agencies and organizations that could provide additional input and expertise and expand upon representation of the residents of Bastrop, Caldwell, Fayette, and Lee Counties, that were invited to attend the public hearings either in-person or virtually.

Table 15



A RESOLUTION AUTHORIZING THE APPROVAL OF THE CAPCOG METHOD OF DISTRIBUTION FOR CDBG MITIGATION

WHEREAS, the Capital Area Council of Governments (CAPCOG) is a political subdivision of the State, serving Bastrop Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson Counties; and,

WHEREAS, CAPCOG was selected by the Texas General Land Office (GLO) to develop a Method of Distribution (MOD) for \$52,253,000 in US Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) Mitigation (MIT) funds; and,

WHEREAS, Fayette County and its jurisdictions and entities were allocated \$ 25,125,000; and,

WHEREAS, Bastrop, Caldwell, and Lee County jurisdictions and entities were allotted \$27,128,000; and,

WHEREAS, a series of public hearings were held to gather community feedback on the Method of Distribution of the funds; and,

WHEREAS, the CAPCOG Executive Committee, has previously approved the Method of Distribution of the CDBG -MIT funds; and

THEREFORE, BE IT RESOLVED, that the Capital Area Council of Governments Executive Committee hereby approves the GLO DCBG_MIT MOD as requested the GLO.

Resolution adopted by the Capital Area Council of Governments Executive Committee this 12th day of July, 2023.

A handwritten signature in black ink, appearing to read "J. Oakley", written over a horizontal line.

Judge James Oakley, Chair
Executive Committee
Capital Area Council of Governments

A handwritten signature in black ink, appearing to read "M. Baker", written over a horizontal line.

Mayor Pro Tem Matthew Baker, Secretary
Executive Committee
Capital Area Council of Governments