CDBG-MIT Citizen Advisory Committees

On August 23, 2019, the U.S. Department of Housing and Urban Development (HUD) released guidelines and rules via Federal Register notice for Community Development Block Grant – Mitigation (CDBG-MIT), a first-of-its-kind block grant geared toward disaster mitigation activities and projects, covering jurisdictions affected by disasters from 2015, 2016, and 2017 (including Hurricane Harvey). Among these rules, each grantee is required to form one or more citizen advisory committee ("committee"), which shall meet biannually to provide transparency and serve as a public forum for grantees' use of CDBG-MIT funds. To meet this requirement, the Texas General Land Office (GLO) must establish and maintain at least one state agency advisory committee as described in Texas Government Code Chapter 2110.

Statement of Purpose

Each committee shall adopt the following statement of purpose: "The purpose of this committee is to provide increased transparency in the implementation of CDBG–MIT funds, to solicit and respond to public comment and input regarding the grantee's mitigation activities and to serve as an on-going public forum to continuously inform the grantee's CDBG–MIT projects and programs."

Committee Governance and Responsibilities

Committee At-Large

Chapter 2110 limits committee size to a maximum of 24 committee members, with one serving as the presiding officer. Additionally, the Chapter requires the composition of committee members must provide "balanced representation" between "the industry occupation" and "consumers of services provided by the agency, industry, or occupation."

Chair

Each committee shall elect a Chair to preside over its activities and serve as its primary representative to the GLO. The Chair shall be elected by committee members via popular vote following the first official meeting. In the event of a tie vote, the GLO shall appoint a Chair from the individuals with a tied vote count. Each Chair shall remain in the position for no more than 4 years.

Secretary

Each Chair shall appoint a Secretary to serve as the administrative officer and will support the Chair in ensuring the smooth functioning of their respective committee. The ' 'Secretary's duties include organizing and minuting each committee meeting and may work with the GLO to carry out these duties.

Joint Committees

In any case, the committee(s) should be comprised of no more than 24 members pursuant to Chapter 2110. Advisory committees are automatically abolished by law four years after creation by default, but the abolition date can be extended by the GLO to any desired date via its rulemaking authority. The duration of a CDBG-MIT advisory committee should last 12 years to align with the grantees' 12-year deadline to spend 100% of CDBG-MIT funds.

Special Elections

Should the Chair resign from their position or the committee, the GLO shall call for volunteers and organize a special election to replace the Chair within three weeks of the Chair's resignation. The special election may take place electronically (via email, SurveyMonkey, etc.) should a meeting not be scheduled within three weeks of the Chair's resignation. The new Chair may appoint a new Secretary. Should there be no volunteers, the GLO will appoint a new Chair.

Committee Report

Each committee Chair shall submit to the GLO a brief report on behalf of their committee after each Joint Committees meeting. The report will serve as the committee's medium for communicating guidance and recommendations to the GLO, and its contents must be approved by a majority of committee members. The Chair shall distribute the report to committee members for feedback before sending it to the GLO. The report will then be posted on the GLO's disaster recovery website.

While most of the report's contents will remain flexible to accommodate guidance and recommendations, it must include the meeting agenda and minutes as produced by the Secretary.

Committee Duration

Chapter 2110 automatically abolishes any state agency advisory committee four years after its creation by default, but the abolition date can be extended by the GLO to any desired date via its rulemaking authority. The duration of a CDBG-MIT advisory committee should last 12 years to align with the grantees' 12-year deadline to spend 100% of CDBG-MIT funds.

GLO Responsibilities

Meetings and Logistics

The CDBG-MIT Federal Register notice requires each committee to meet biannually (*currently February and July*) but may meet up to four times per year at a time and place proposed by the committee and agreed upon by the GLO. The GLO shall coordinate meeting locations and may coordinate with a COG, AgriLife, etc., to find a venue.

The public may submit comments to the CAC through the GLO via mail, email, or the GLO website. The GLO Staff Representative or another GLO employee will monitor the appropriate channels to receive and respond to public comments sent to the CAC via the GLO. When a comment is received, the representative or another GLO employee is responsible for responding to the comment with an acknowledgment of receipt within ten (10) business days. The acknowledgment will include a delivery receipt where possible.

The Secretary shall notify committee members no earlier than two weeks before a scheduled meeting. Translation services for written materials may be available via the GLO upon request.

To accommodate those unable to travel long distances, each committee shall use technology solutions such as teleconferencing software to facilitate meetings and solicit feedback as necessary.

The GLO will record each biannual meeting and compile draft minutes for the Committee Secretaries to use in creating the Committee Report. The Committee Secretaries will circulate the draft to Committee Leadership for review and edits. The draft may be used to supplement the meeting minutes submitted in the committee report. In the event the Secretaries do not submit an approved report to the GLO within two weeks, the GLO will post the draft minutes submitted to the Secretaries as approved. The minutes and recording of each biannual meeting will be posted within one (1) month of the meeting.

Program Updates

To routinely update the committee, the GLO shall provide a report to the committee at each planned committee meeting. The report shall include, at a minimum, the following information:

- General CDBG-MIT program updates by region;
- Action plan amendments and/or relevant legislative changes, if any.
- Unaltered public comments received on behalf of the committee;
- Project information and statuses upon request if applicable; and

Member Appointment and Replacement

Participation in the Citizens Advisory Committees (CAC) is open to the public, with additional consideration given to local elected officials, long-term recovery group members, academics whose research is in disaster recovery, disaster survivors served by GLO-CDR recovery programs, and citizens at large.

In the event of a committee member's resignation, the GLO shall nominate a replacement and consult the region's COGs and long-term recovery groups. A committee member may be replaced if they miss two consecutive CDBG-MIT Joint Committees meetings without cause.

Compensation

Per Chapter 2110, committee members cannot be compensated for their time but can be reimbursed for expenses related to service on the committee, which is permissible under CDBG-based programs. Compensation for committee activities is subject to oversight by the Legislative Budget Board.

Intergovernmental Relations

The GLO shall serve as the representative to other state and regional governmental entities regarding committee activities, namely the COGs and Legislative Budget Board, among others. For example, Chapter 2110 requires the GLO to provide estimated costs associated with the committees to the Legislative Budget Board.