

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. In order 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 advise the Texas General Land Office (GLO) on the implementation of programs using first-of-its-kind Community Development Block Grant – Mitigation (CDBG-MIT) funding.”

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.

Committee At-Large

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 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 organize a special election to replace the Chair within two weeks of the Chair's resignation. The special election may take place electronically (via email, SurveyMonkey, etc.) should a meeting not be scheduled within two weeks of the Chair's resignation. The new Chair may appoint a new Secretary.

Committee Report

Each committee Chair shall submit to the GLO a brief report on behalf of their committee not later than two weeks after each 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 the 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's 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 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 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 Secretary shall notify committee members no earlier than two weeks before a scheduled meeting. The GLO strongly encourages the committee to make meetings open and transparent to the public when possible. Translation services for written materials may be available via the GLO upon request.

In order 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.

Program Updates

In order to routinely update the committee, the GLO shall provide a report to the committee via the Chair no later than two weeks before each planned committee meeting. The report shall include, at a minimum, the following information:

- General CDBG-MIT program updates by region;
- Project information and statuses upon request if applicable; and
- Action plan amendments and/or relevant legislative changes, if any.

Member Appointment and Replacement

The GLO should seek members of the committees from a diverse pool of applicants across Texas, which can be most easily achieved by distributing an application/nomination form to citizens and practitioners via COGs, long-term recovery groups, and other methods.

In the event of a committee member resignation, the GLO shall nominate a replacement after consulting the region's COGs and long-term recovery groups.

Compensation

Per Chapter 2110, committee members cannot be compensated for their time but can be reimbursed for expenses related to service on 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.