

PY17 Substantial Amendment #2

- Notification via Newspapers – Week of December 19, 2022
- Mailout to Community Contacts – Completed December 22, 2022
- Social media, NextDoor, Community Centers, and Email notices – Completed by Dec. 27
- Public Comment Draft of Substantial Amendment document placed on court's Jan. 10, 2023 agenda for approval.
- 30-day Public Comment Period (January 11 – February 9, 2023)
- Public Hearing – January 24, 2023
- All comments received and the transcript from the public hearing will be included in Section IV. Of this substantial amendment document.

I. Introduction

The Community Development Block Grant (CDBG) initiative is a federal grant program administered by the U.S. Department of Housing and Urban Development (HUD). The program provides annual grants to cities and counties to carry out a variety of community development activities aimed at revitalizing neighborhoods, improving affordable housing options, and providing improved community facilities and services. Since 2006, Travis County has received CDBG funds from HUD on an annual basis.

The administration of the CDBG program follows a cycle that includes the drafting of a Consolidated Plan, an Action Plan, and an annual evaluation. The Consolidated Plan identifies the County's community and housing needs and outlines the strategies to address those needs over a five-year period. The Action Plan defines the specific activities and projects to be undertaken during each program year. The annual evaluation assesses yearly accomplishments.

According to Travis County's Citizen Participation Plan as required by HUD rules, a substantial amendment is required if any of the changes represent 1) a change in the location or beneficiaries of a project proposed under the Consolidated Plan or Action Plan; 2) a change in the scope of the project by more than 25%; or 3) a change in the funding of a new project that was not originally subject.

Travis County is proposing to amend its Program Year 2017 (PY17) Action Plan.

REASONS FOR SUBSTANTIAL AMENDMENT:

1. Cost savings from public service projects cannot be reallocated to home rehab project types **without substantially amending the PY17 Action Plan** because the project type is different. See CPP Section IV.C.7 for explanation.
2. Activity 77 exceeds the \$24,999 threshold amount noted in CPP Section IV.C.7; Although the project type is the same and the cost would be considered perpetual, since the amount exceeds \$24,999 the CDBG Office opted to include this project in the substantial amendment.

CPP PROVISION THAT REQUIRES SUBSTANTIAL AMENDMENT FOR THE REALLOCATION OF FUNDS:

Section IV. C.7 of the Citizen Participation Plan (CPP) – August 2021 (See pages 14-15)

IV. Participation Opportunities

C. Annual Action Plan

7. Substantial Amendments When the location or beneficiaries of a project proposed under the Action Plan are changed, the CDBG service area is changed, the scope of the project is increased or reduced by more than 25%, or a new project is funded that was not originally subject to public review, Travis County HHS shall substantially amend its plan.

Use of an alternate project by the process defined in Section III.C.6 of this plan, will not require a Substantial Amendment. Approval by the Travis County Commissioners Court will be necessary to replace a funded project with an alternate or to fund an alternate with cost savings from a completed project regardless of whether or not the increase or decrease exceeds 25%.

If, upon the completion of a project, there are cost savings not exceeding \$24,999, Travis County may reallocate the cost savings for the same project type, in a future annual Action Plan, without substantially amending the impacted Action Plan. The following actions shall be required to reallocate cost savings up to \$24,999:

- Reallocated funds shall be clearly documented in the future annual Action Plan within which funds are reprogrammed/reallocated. The Action Plan shall include a full description of the program and the amount of funds that were not expended, and which are being reprogrammed for a new purpose, and the original program year for the funds.
 - For example: PY20 Project A's budget was \$30,000. Only \$17,000 was spent. \$13,000 can be reprogrammed without a substantial amendment. The reallocation of the remaining \$13,000 must clearly state in the future Action Plan, "PY22 Project B, will be funded partially or fully with \$13,000 in cost savings from PY20 Project A."
- The Action Plan must specify the intended use of the reallocated funds.
- The reallocation proposal must be tied to the delivery of priorities outlined in the applicable Travis County five-year ConPlan.

Because the reallocation of cost savings will be included in the annual action planning process, the public will have a reasonable opportunity to provide feedback on the reallocation proposal, during the annual 30-day Action Plan public comment period.

The reallocation of funds more than \$24,999 is subject to a substantial amendment, unless remaining cost savings are connected to a perpetual project, which would allow existing unspent funds to be spent first, prior to expending current year program funds.

If a project which is replaced by an alternate is deleted permanently, a substantial amendment will be completed in the summer during the next Annual Action Plan process to allow for public comment on the deletion of the project. Consideration of any project that was not identified as an alternate will go through the normal substantial amendment process.

The amendment process shall include:

- a. Public notice,
- b. A thirty (30) day public comment period, and
- c. One (1) public hearing at Travis County Commissioners Court during the public comment period.

As necessary, such notice may also include a public hearing in the precinct in which the project has been changed or added. Amendments to the Action Plan may take place at any time during the program year.

Travis County will document and report all public comments from citizens, public agencies, and other interested parties in preparing its final submissions. Public comments will be considered when feasible and beneficial, preceding final approval of Travis County Commissioners Court.

On January 10, 2023, the Travis County CDBG Office submitted a substantially amended PYXX action plan draft to reallocate cost-savings for the following projects:

Action Plan Program Year	IDIS Activity ID	Project Activity	Original Project Type	New Project Type	Cost-Savings (Unspent Funds)	Reason for Substantial Amendment per CPP Section C.7
2017 (PY17)	74	PY17 Admin & Planning	Admin	Home Rehab	\$3,811.00	Different Project Type
2017 (PY17)	77	PY17 Home Rehab – Proj. Delivery	Home Rehab	Home Rehab	\$36,164.21	Exceeds \$24,999
2017 (PY17)	78	PY17 Tenant’s Rights (public service)	Public Service	Home Rehab	\$6,225.00	Different Project Type
2017 (PY17)	79	PY17 Money Management	Public Service	Home Rehab	\$212.28	Different Project Type

II. Public Engagement

During the week of December 19, 2022 Travis County published a Public Notice announcing the availability of the draft Substantial Amendment, the public comment period, and the public hearings at Travis County Commissioners Court. The notice appeared in several area newspapers of general circulation. Copies of the notices may be found in *Attachment B* (English and Spanish). Public notices were also posted at the six Travis County Community Centers, on the Travis County Website, the HHS Department webpage, the CDBG website (English and Spanish.) Email and postal mail notices were provided to people who attended public hearings previously or who requested to be on the notification list.

Travis County HHS presented the proposed Substantial Amendment projects to the Travis County Commissioners Court on January 24, 2023. The Substantial Amendment was posted for public review and written comments prior to final approval by the Travis County Commissioners Court.

The 30-day public comment period was held from January 11, 2023 to February 9, 2023. A public hearings will be held at 9am during Travis County Commissioners Court on January 24, 2023. The public has the opportunity to submit comments in writing via email or postal mail, or verbally at the public hearing. The CDBG Program, Travis County, TX

draft Substantial Amendment was posted on the Travis County CDBG website (<https://www.traviscountytx.gov/health-human-services/cdbg>), and copies of the document were available for review at the six Travis County Community Centers.

III. Second (2nd) Amendment to the PY17 Action Plan

The Program Year 2017 (PY17) Action Plan covers the time period from October 1, 2017 to September 30, 2018. Travis County Commissioners Court approved the PY17 Action Plan on August 8, 2017. Travis County's CDBG allocation for PY17 was \$1,108,778.

Note: The table below represents the projects with cost-savings, which will be reallocated as a result of the 2nd substantial amendment to the PY17 action plan. The priority and performance table conveys specifics about the intended use (home rehab). The stricken alternate projects were not deleted. In fact, Austin's Colony and Forest Bluff are both fully funded construction (right-of-way) improvement projects for ADA compliance. These projects were funded in 2018-2021 for design and construction costs. The strikethrough is provided to show the prior content, but to also note the first substantial amendment to the PY17 action plan, will not be impacted by the 2nd substantial amendment. The stricken content was left in (not deleted) from this second substantial amendment to document and clearly convey an accurate record of projects (original as well as those included in the first substantial amendment) that had cost-savings and how much of the cost-savings will be re-allocated to home rehab.

Action Plan Program Year	IDIS Activity ID	Project Activity	Original Project Type	New Project Type	Cost-Savings (Unspent Funds)	Reason for Substantial Amendment per CPP Section C.7
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Priority & Performance Measurement Information (HUD-prescribed)			
Priority Need Category	Owner Occupied Housing	Project	Rehabilitation of existing units
Eligible Activity	Rehabilitation	Outcome Category	Availability/ Accessibility
Objective Category	Decent Housing	Specific Objective	Improve the quality of owner housing

Citation	\$570.202	Accomplishment	TBD in PY23 Action Plan
Eligibility	LMH	Matrix Code	14A, Rehabilitation, Single Unit Residential and 14H Rehabilitation Project Delivery
Priority in the PY19-23 Strategic Plan	High	Travis County SAP #	TBD

Alternate Projects

The PY17 Action Plan includes approved alternate projects. The inclusion of alternate projects allows for flexibility in the event of unforeseen incidents, and allows the CDBG program to utilize any unspent PY17 project savings in a timely manner by reprogramming them to an approved alternate project. Two additional alternate projects are being added to the PY17 Action Plan.

Figure 1: Alternate Projects	
Project	Allocation
Austin's Colony Street Improvements	\$1,066,450
Forest Bluff Street Improvements	\$978,170

Alternate Project # 7: Austin's Colony Street Improvement—\$1,066,450

Project Description: The sidewalks in this neighborhood were built to pre ADA standards and have not been accepted by Travis County TNR for road maintenance. The roads in this subdivision are not adequately maintained causing accelerated neighborhood roadway deterioration. This project would include removal and replacement of existing sidewalks, driveways, intersection sidewalk ramps and pavement overlay to achieve ADA compliance, and repair roadway to acceptable standards for maintenance. Design, engineering, environmental review and construction costs are included in the funding for this project.

The improvements impact 5,505 people, of which 53.86% are considered low to moderate income. If implemented, the first phase includes design services and environmental assessment. Construction will be completed during the first and/or second phase of the project depending upon funding.

- The project supports construction on the following streets:
 - Austin's Colony Boulevard, Peavey Drive and Crownover Street—estimated \$296,900;
 - Amy Francis—estimated \$130,250
 - Cottingham—estimated \$129,950
 - James Vincent—estimated \$129,300
 - Hartsmith—estimated \$110,500
 - Oliphant—estimated \$146,800

Figure 2: Alternate Project 7—General Project Information

CDBG Funding	\$1,066,450
Leverage Funding	N/A
Program Delivery	Travis County Transportation and Natural Resource Department
Program Oversight	Travis County Health and Human Services
Estimated Start/ Completion Date	TBD
Location	Austin's Colony, see Map 1.

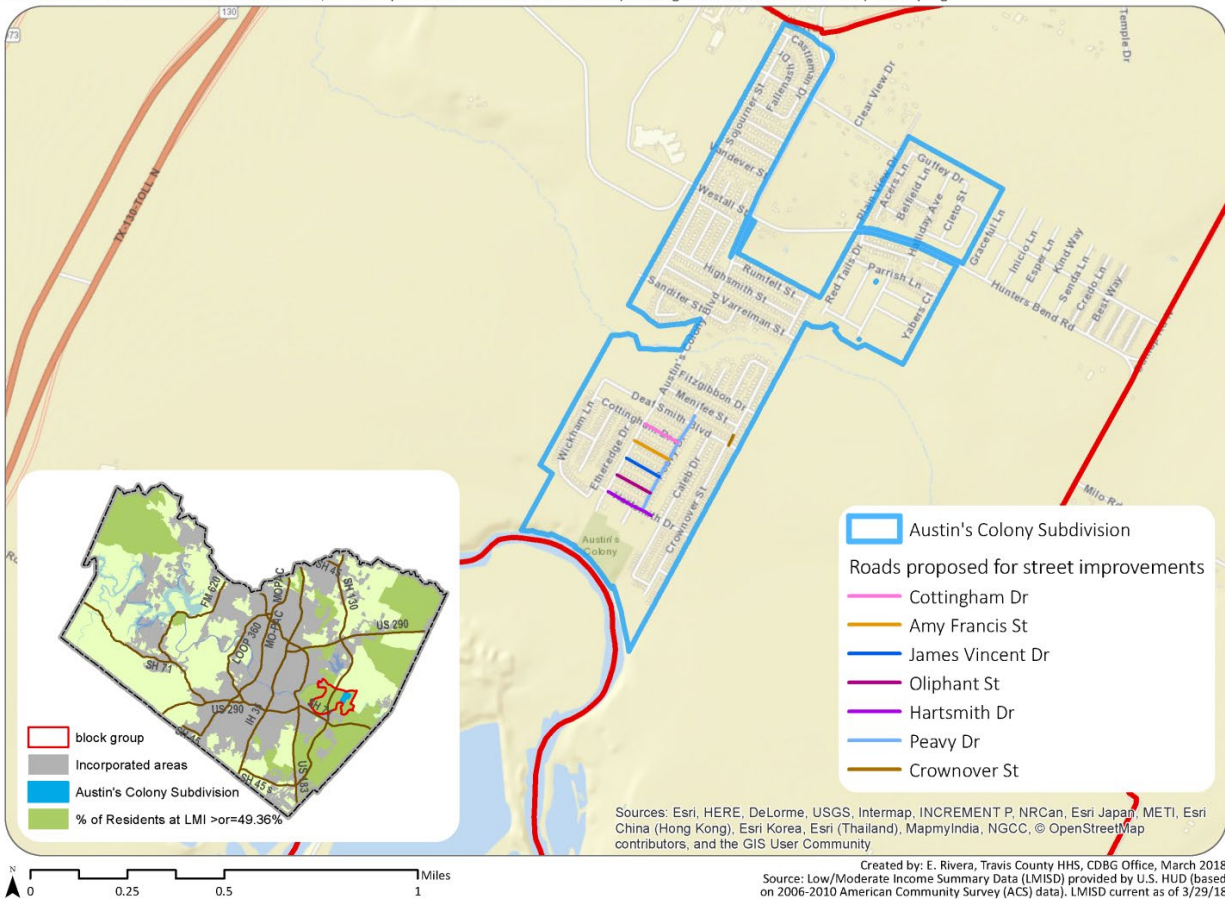
Figure 3: Alternate Project 7—Priority and Performance Measurement Information (HUD-prescribed)

Priority Need Category	Infrastructure	Project	Street Improvements
Eligible Activity	Street Improvements	Outcome Category	Sustainability
Objective Category	Suitable—Living Environment	Specific Objective	Improve quality of public infrastructure for lower income persons
Citation	§570.201 (c)	Accomplishment	5,505 individuals
Eligibility	LMA	Matrix Code	03-K Street Improvements
Priority in the 2014-2018 Strategic Plan	High	Travis County SAP #	TBD

Program Year 2018, Area of Benefit (AOB) Map for: Austin's Colony Street Improvements

Area of Benefit = Block Group 2, Census Tract 22.07 LMI for the block group = 53.86%; Total # of persons to benefit = 5,505

Since the LMI for the Area of Benefit is 53.86%, street improvements within Austin's Colony are eligible under the Travis County CDBG program.



Alternate Project # 8: Forest Bluff Street Improvements—up to \$978,170

Project Description: The sidewalks in this neighborhood were built to pre ADA standards and have not been accepted by Travis County TNR for road maintenance. The roads in this subdivision are not adequately maintained causing accelerated neighborhood roadway deterioration. This project would include removal and replacement of existing sidewalks, driveways, intersection sidewalk ramps and pavement overlay to achieve ADA compliance, and repair roadway to acceptable standards for maintenance. Design, engineering, environmental review and construction costs are included in the funding for this project.

The improvements impact an estimated 2,060 individuals. A primary survey of resident income needs to be conducted to confirm area meets LMI eligibility requirements as Census data does not currently indicate it is a low to moderate income level area. This project will only be considered upon successful completion of a primary survey and results which comply with LMI eligibility requirements. If implemented, the first phase includes design services and environmental assessment. Construction will be completed during the first and/or second phase of the project depending upon funding.

- The project supports construction on the following streets:
 - Arizona Oak estimated \$209,100;
 - Bigelow and Catsby estimated \$181,500;
 - Delta Post estimated \$175,100;
 - English Ave estimated \$124,000;
 - Stave Oak estimated \$175,900.

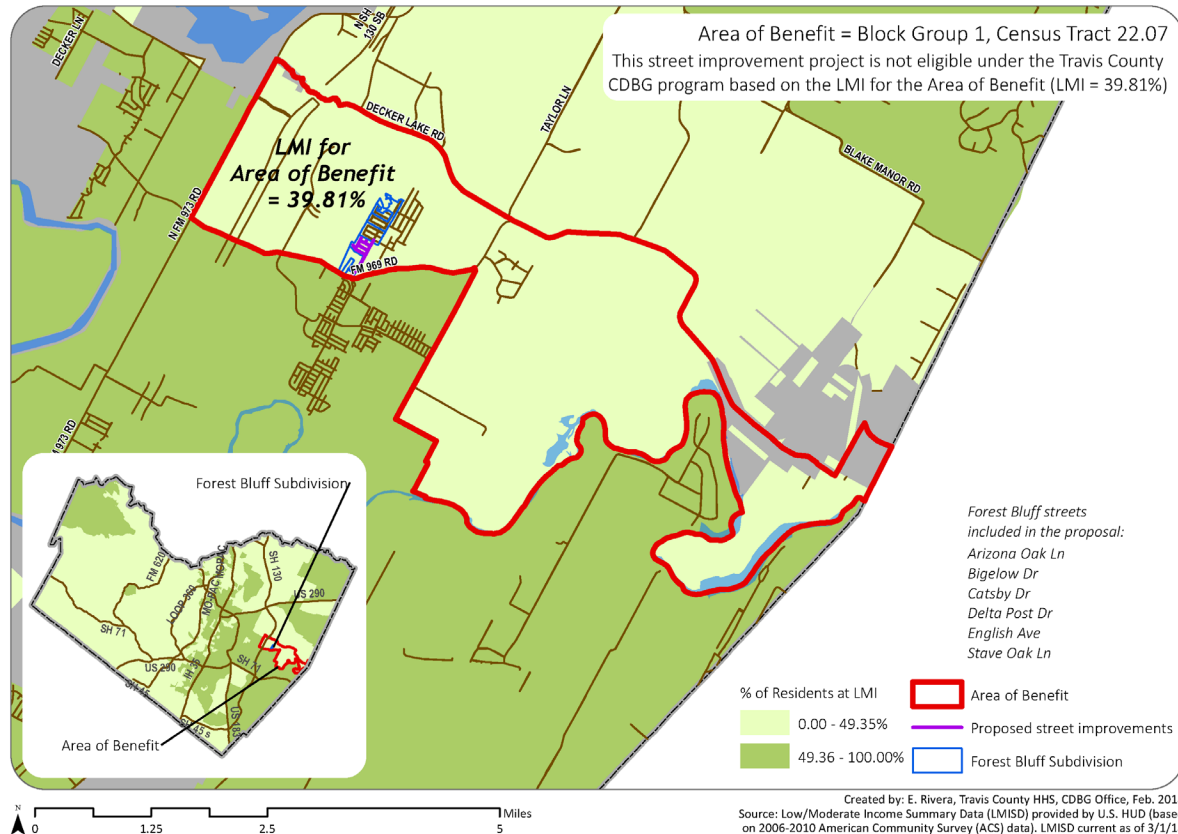
Figure 4: Alternate Project #8—General Project Information

CDBG Funding	Up to \$978,170
Leverage Funding	N/A
Program Delivery	Travis County Transportation and Natural Resource Department
Program Oversight	Travis County Health and Human Services
Estimated Start/Completion Date	TBD
Location	Forest Bluff, see Map 2.

Figure 5: Alternate Project #8—Priority and Performance Measurement Information (HUD-prescribed)

Priority Need Category	Infrastructure	Project	Street Improvements
Eligible Activity	Street Improvements	Outcome Category	Sustainability
Objective Category	Suitable—Living Environment	Specific Objective	Improve—quality—of—public infrastructure for lower income person
Citation	§570.201(c)	Accomplishment	2,060 individuals
Eligibility	TBD	Matrix Code	03-K Street Improvements
Priority in the 2014-2018 Strategic Plan	High	Travis County SAP #	TBD

LMI Concentration for the Area of Benefit for TNR Road Improvement Proposed Project in Forest Bluff Subdivision, Travis County, TX Precinct 1



IV. Results of Participation Process

Public Participation to Solicit Feedback on the Draft PY16-18 Substantial Amendments Action Plan

To assist in broadening participation, residents were invited to provide public comment in the following ways:

- Notices were mailed to the CDBG contact database
- Notices were provided to the public through various methods including publication ads, social media and emailing the CDBG community contacts database.
- During the week of December 19, 2022, public notification ads were published in English and Spanish in the Austin American Statesman, The Villager, and El Mundo.
- Notices were also posted to Travis County social media (Facebook, Twitter, and Next Door) as well as being posted at all six (6) Travis County Community Centers.

Public Comment to Solicit Feedback on the Draft PY16-18 Substantial Amendments Action Plan

On January 10, the substantial amendments were posted for public comment; public comments were accepted for a 30-day public comment period, which was January 11, 2023 through February 9, 2023. On

Tuesday, January 24, a public hearing was held the Travis County Commissioners Court voting session; public comments were accepted. One comment was made on the substantial amendments, but the comment was made on the proposed PY16-18 Action Plans substantial amendments during the general public comment portion instead of the item's public hearing portion. To ensure all feedback is included, the comment made during the public hearing is documented in the court transcript included below., Final approval of all substantial amendments will be placed on the Travis County Commissioners Court's February 28, 2023 court agenda.

The public input schedule:

Location of Hearing		Date/Time
PY16-18 Substantial Amendments Action Plan Public Comment Draft	Public Comment Draft approved by Court	Tues., January 10, 2023
PY16-18 Substantial Amendments Action Plan Public Comment Period	30-day Public Comment Period	8 AM, January 11 – 5PM, February 9, 2023
Community-Wide Public Hearing: PY16-18 Substantial Amendments Action Plan Hearing	Court Voting Session In-Person or Online	9 AM, Tues., Jan. 24, 2023

Summary of Public Comments Received during Public Comment Period

Only one public comment was received during the public comment period which ended on February 9, 2023. The public comment was provided during the January 24, 2023 agenda session; however, the comment was made before the public hearing was opened to public comment and was recorded as an 'early comment' on the court transcript.

PY16-18 Substantial Amendments Action Plan Public Comment Period

The PY16-18 Substantial Amendments Action Plan was posted for a 30-day public comment period. Comments were accepted beginning January 11, 2023, at 8:00 a.m. and ending February 9, 2023 at 5:00 p.m. Beginning January 10, 2023, a draft of each amended action plan was made available for download on the Travis County CDBG page. The public was able to provide their comments by attending a Public Hearing scheduled for Tuesday, January 24, 2023, at 9:00 a.m.

Summary of Comments Received on the Action Plan

No comments were received.

Comments Not Accepted

All comments were accepted.

Transcript of the Comments Received at Early Public Comment Period

Judge Brown: And we'll start with early public comment. Anyone here for the early public comment period?

Court Moderator: Good morning, Judge. We have one person on the phone to make an early public comment. Zenobia Joseph.

Judge Brown: Okay. Go ahead.

Court Moderator: Zenobia, please go ahead. You have three minutes.

Zenobia Joseph: Thank you, Judge, Commissioners. I'm Zenobia Joseph. My comments are specifically related to item 6 which is the resolution of no objection. The 2013 and 2404 Crystal Bend Drive if Pflugerville, I just wanted to call to your attention that I appreciate you're not taking action on this item.

The fair housing analysis appears to illustrate that this project violates the fair housing act of 1968, specifically, the environmental hazards are very low. It specifies that it has higher obesity and diagnosed diabetes and asthma rates and more than twice of the insurance rate which means that fewer residents have health insurance. Talking about the respiratory hazard, environmental justice index is more than 20 times higher than census tract than that of the regional level. It is very low is the rating that the staff provided in the overall assessment. And this opportunity zone area, I wanted to ask that you actually scrap this project. This is about the third time that it's cycling through the Commissioners Court and you have a Travis County Action Plan. This [indiscernible] in Pflugerville and it's unfair and does not align with their strategic plan or their long-term vision. I also would call to your attention as it relates to item 11, that is the CDBG -- no, that's not right. It's item 5, which is the unspent money for the Community Development Block Grant. I'm not sure how you decided to allocate the \$114,317.31, for housing rehabilitation, but I would just call to your attention that it's about \$40,000 for a bus shelter. And I would ask you to be more transparent and allow the community to decide what to do with the excess funds. I would also like to make comment as it relates to number 26, which is the Asian Family Support Services of Austin. And my opposition on the contract which is \$200,000 that you're going to later discuss TCTX and you're going to ask other non-profits to compete for \$50,000 grant. Or however much that you might decide on. So this is an unfair process and it's the Asian Family Support Services is exempt, then these other non-profits should be as well. They need to compete just like everybody else. And then, lastly, there was the echo point-in-time resolution and I think that will come up later so I'll just reserve my comments on that. But I did write to the Pflugerville City Council, they actually have a meeting tonight, and I will ask them to provide some comments to you as it relate to the area in far Northeast Austin and I will also just tell you that the students at the middle school are predominantly Hispanic and African American makeup a small portion of that population. So it's unfair.

Court Moderator: That is three minutes.

Zenobia Joseph: This needs to be mixed-use development. I thank you for allowing me to make my comments and if you have any questions I'm happy to answer them at this time.

Judge Brown: Thanks. Any other public comment today?

Transcript of the Comments Received at Public Hearing

The last hearing is item 5, receive comments on the proposed substantial amendments to the CDBG, PY16, PY17, and PY18 Action Plans, the proposed amendments reallocating unspent funds to home rehab.

Commissioner Gómez: Move that the public hearing be open.

Commissioner Travillion: Second.

Judge Brown: a motion from Commissioner Gómez and a second from Commissioner Travillion to open it. All of those in favor please raise your hand. It passes unanimously. And then we'll have a short briefing from Monique Coleman. I see -- I see your presentation. I see your name, Monique, but we cannot hear you yet there you are. All right.

Monique Coleman: My apologies.

Judge Brown: No worries.

Monique Coleman: Hey, good morning. Monique Coleman, CDBG. Thank you, Judge and Commissioners for allowing me to give you a brief overview for the PY16, 17, 18 Amendments. The CDBG

project budgets are informed estimates at a moment in time. The budgets are typically developed using the previous year's costs and sometimes costs are overestimated which create unspent project funds. Funding reallocation is needed to remedy the cost savings attached to a completed project. CDBG reconciled cash in current projects and identified various projects with unspent funds which we're calling cost savings. the CDBG had approved -- the counties had approved CPP, or Citizen Participation Plan, stipulates the projects of the different project type, or cost threshold must go through the Substantial Amendment process to include a proper public notification process. A public hearing, and a 30-day public comment period before unspent funds can be reallocated or reprogrammed for another project. As shown in the PY14-18 chart below, housing or home rehab was one of four high priority project types in the PY2023 Comp Plan, from the operating end. Rehab remains one of two high priority project types. CDBG designated the full PY19, 20, 21 and CDBG funds or the HUD funding a allocation to infrastructure. So home rehab has only been funded in the PY22 action plan, and the court may recall that we funded or allocated a little over a million dollars in the PY22 action plan. The need for home rehab has been conveyed through public input. As a result, CDBG has the unspent funds to home rehab for future projects. Shown in the PY14-18 Con Plan goals chart below, the rehab of affordable housing stock was one of four goals. The proposal to reallocate home rehab is consistent with both past and current plan goals. The table below shows all activities with unspent funds. And CDBG will reallocate the lump sum of \$114,317 to home rehab in the PY23 action plan. This action is a prerequisite to prevent the funding expiration or recapture tour and the funds will be spent on high priority during the PY14-18 program year. I'm pausing here for just a second so that everyone can kind of see the different program years, the different activities, the initial project activity, and how we are moving that -- those funds over to home rehab. But we'll basically have two categories for home rehab. Some will be project delivery and some will be construction that hasn't been flushed out yet but i wanted to pause just for a moment more so that you can kind of see how we have a mixture of different project types, and the original action plans and how we're going to re-program that all to home rehab. Public participation is always an important part of everything that we do. This slide kind of lays out the who, what, when, where and how. The -- we always send notifications through the [indiscernible] and social media, the community centers, and we send out emails and we also did a mail out to our contact database. The plans, the amendments that were approved on January 10th for the public comment period are currently available on our website at the community centers, or upon request. I did strike-through and didn't want to delete it because it was an incorrect statement but I wanted to strike-through and note that the summaries are not available in English and Spanish, but the amendments are available on our website. So that was um, a misstatement that I wanted to point out. And the public may, of course, provide feedback in the following ways. At today's public hearing they can call and leave us a message on our voice mail line and we're happy to follow up with callers. And we do monitor that line. You can mail in comments to the CDBG office of the P.O. Box listed on the slide or you can email comments to cdbg@traviscountytexas.gov and we typically get comments emailed to us, Judge. The next --

Commissioner Travillion: Just one more thing if I could, I saw the newspapers, I saw the social media, I thought that was excellent. I was wondering whether we could also use community radio, KUT, and KAZI. I know that KAZI is still a staple in the African American community. So -- and I would imagine that this community radio, the costs not be prohibitive as well.

Monique Coleman: Okay, thank you for that, Commissioner Travillion, I have actually been wanting to do that and I have not fully vetted that out. I may need a little assistance from your office in getting that

contact information, but we would absolutely love to do, um, radio, um, announcements, public service announcements. That would be really awesome.

Commissioner Travillion: We would absolutely be happy to reach you, if you would reach out to Deon, he will give you Mary Ann Nickerson's information at KCI and we'll get you contact at KAZI as well.

Monique Coleman: Thank you. And my last slide is just the next steps. So we're in our public comment period. It started the day after the public comment drafts were approved on January 10th by the court. So January 11th through February 9th, today's public hearing, and that concludes my presentation, Judge. Thank you.

Judge Brown: Thank you very much. Any questions, court members? We don't need to take action on this today. Just an update. Okay.

Commissioner Travillion: Always –

Commissioner Gómez: We do need to close the public hearing?

Judge Brown: We do.

Commissioner Gómez: Motion.

Commissioner Travillion: Second.

Judge Brown: A motion by Commissioner Gómez and a second by Commissioner Travillion to close the public hearing. All of those in favor, please raise your hand. It passes unanimously.