

PUBLIC NOTICE
CALDWELL COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
TEXAS GENERAL LAND OFFICE 2017 HURRICANE HARVEY
APPLICATION

Caldwell County is giving notice of the County's intent to submit a Community Development Block Grant Program Disaster Relief Applications to recover from Hurricane Harvey flooding through the following Housing activity:

- A voluntary housing buyout program for \$1,000,000 in Hurricane Harvey funds allocated by the Texas General Land Office.

This application is available for review on the County's website (<http://www.co.caldwell.tx.us/>) Citizens are welcome to review this application for a 30-day public comment period and provide all public comment to Dennis Engelke via email at dennis.engelke@co.caldwell.tx.us or in County offices located at Caldwell County Courthouse, 110 S. Main St., Lockhart, TX 78644 during regular business hours. For further information, contact the office of Dennis Engelke, County Grants Administrator at (512) 359-4686. Para más información en español, comuníquese con la oficina de Dennis Engelke, County Grants Administrator at (512) 359-4686.

I, Dennis Engelke, County Grants Administrator, certify that this notice was posted to the Caldwell County bulletin board as well as the Caldwell County website for public participation on May 28, 2019. This notice is to remain posted until June 27, 2019.


Dennis Engelke, County Grants Administrator

Hurricane Harvey: Local Buyout and Acquisition Program



Texas General Land Office, P.O. Box 12873, Austin, Texas 78711-2873
1-844-893-8937 or 512-475-5000, cdr@glo.texas.gov

Texas General Land Office
Community Development and Revitalization

This application is not to be filled out by individuals.

FOR PUBLIC COMMENT

Caldwell County

APPLICANT NAME

Caldwell

COUNTY

CAPCOG

COG/Regional Planning Commission

DR-4332 - 2017

Disaster Declaration Number and Year

APPLICATION FOR FEDERAL ASSISTANCE SF-424

Each applicant for Community Development Block Grant Disaster Recovery (CDBG-DR) funding must certify by signing Form SF-424 that local certifications included in the application guide governing this funding have been followed in the preparation of any CDBG-DR program application, and, if funded, will continue to be followed. (Note: False certification can result in legal action against the jurisdiction).

Further, by signing the SF-424 and submitting with the application, the signee authorizes the state or any of its duly authorized representatives to verify the information contained therein. Title 18, Section 1001 of the U.S. code states that a person is guilty of a FELONY for knowingly and willingly making false statements to any department of the United States Government.

All applications must be accompanied by a completed and signed Application for Federal Assistance SF-424, OMB Number: 4040-0004, Expiration Date: 10/31/2019. SF424_2_1-V2.1

This form is available on the GLO-CDR website with detailed instructions available in the CDR Application Guide.
<http://recovery.texas.gov/files/resources/housing/s2-form424.pdf> or www.recovery.texas.gov

INTRODUCTION AND INSTRUCTIONS

INTRODUCTION: This application is for the residential Local Buyout and Acquisition Program for Hurricane Harvey CDBG-DR funding. It is created to be used for the buyout or acquisition of residential housing activities affected by Hurricane Harvey.

CDBG-DR funds must be used for disaster-related expenses in the most impacted and distressed areas. An activity underway prior to a Presidential disaster declaration will not qualify unless the disaster impacted the project.

Applicants are required to provide sufficient detail about the buyout or acquisition of residential property, the National Objective, the geographic/target area that will receive benefit, the estimated costs and materials needed, the projected schedule to completion, any potential environmental impact, and other details specific to the buyout or acquisition activity involved. Please be thorough in completing this application to ensure prompt review.

Applicants are encouraged to develop these recovery activities in a manner that considers an integrated approach to housing, fair housing obligations, economic revitalization, and overall community recovery. The Applicant must document how the activity(s) will address long-term recovery and community resilience.

INSTRUCTIONS:

1. Complete and sign the SF-424 as indicated above.
2. Complete this Local Buyout and Acquisition application.
3. **AUDIT:** If applicable, provide the most recent Single Audit in accordance with 2 CFR Part 200, Subchapter F. Texas General Land Office (GLO) - Community Development and Revitalization (CDR) Staff will review single audit requirements for applicable recipients, who have open contracts with GLO.
4. **ANNUAL FINANCIAL STATEMENTS:** Provide the most recent financial statement prepared in accordance with 2 CFR 200.510. Include a schedule of expenditures and schedule of findings and questioned costs.
5. **KEY STAFF:** Provide the names and contact information for staff that will provide local oversight of the application, the potential contract, and all applicable requirements.
6. Provide **LOCAL PROCUREMENT POLICIES AND PROCEDURES** along with other required documentation.

For detailed application instructions, see the Community Development and Revitalization (CDR) Hurricane Harvey Buyout and Acquisition Application Guide.

Select the Activity for this application:

Buyout Program

CITIZEN PARTICIPATION DETERMINED THE NEEDS IN THIS PLAN BY:

Did the applicant carry out citizen participation procedures in accordance with the Citizen Participation Plan as ☐ Yes ☐ No required by the governing documentation? Refer to your governing Federal Register and Action Plan for specific information regarding Citizen Participation Plans. NOTE: The Citizen Participation Plan must be posted for a 30-day local comment period.

List all opportunities where citizens, especially low-to-moderate income citizens of the target area, were given to participate in the determination of these needs. Click the + to add events, X to remove events.

Opportunity: Other

Date: To be Posted

Date of resolution authorizing application submission: 4/22/2019

COMMUNITY NEEDS ASSESSMENT

DESCRIPTION OF THE NEED(S) ADDRESSED IN THIS APPLICATION

In this section, provide full and complete answers to each of the questions below. Descriptions should include the cause of the damage, current condition of the activity, and a detailed description of the project that coincides with the information contained in both Tables 1 and 2.

The Buyout or Acquisition activities must demonstrate impact by Hurricane Harvey. CDBG-DR funds must be used for disaster-related expenses in the most impacted and distressed areas.

The situation addressed in this application first occurred: August 25, 2017

1. Describe the specific flood and storm-related condition that caused direct damage (include date and duration), the areas (example: subdivisions, cities, etc.) receiving disaster-related damage, and the threat that was posed to public health and safety:

Hurricane Harvey rains caused flooding of the San Marcos river and low-lying homes surrounding the river in the City of Martindale within Caldwell County.

2. Describe the impacts on the community that resulted from the disaster-related damage:

City of Martindale residents continue to face hazardous, life-threatening conditions during heavy rain events and have experienced repetitive flooding with the most recent flood event caused by Hurricane Harvey.

3. List and attach materials submitted as documentation of the Hurricane Harvey-related condition.

Attached are news articles reporting the impacts of Hurricane Harvey in the Caldwell County area.

4. Describe how the proposed activities will address damage affected by Hurricane Harvey.

Funding for home buyout will support the County to fund life-saving activities for the dozens of homeowners who remain in harms way due to financial limitations of the households as well as the County and City of Martindale.

5. Describe the proposed project.

Caldwell County would like to conduct voluntary buyout in a designated Disaster Risk Reduction Area located within the city limits of Martindale. Homes within the City located along the San Marcos River that have sustained repetitive loss from past flooding and were

again impacted by Hurricane Harvey flooding will be targeted for buyout with a priority on homes that now located in floodways according to preliminary FEMA flood maps.

6. Describe the impact of taking no action:

If no action is taken, these residents will remain in harms way.

HOUSING NEEDS ASSESSMENT QUESTIONNAIRE:

1. Describe the jurisdiction's current supply of housing units available at affordable rents (Public Housing, Section 8 assisted, RHS assisted, HOME program assisted, TDHCA assisted, Local Housing Development Corp. assisted, etc.).

There are 23 low income housing apartment complexes which contain 2,242 affordable apartments for rent in Caldwell County, Texas. Many of these rental apartments are income based housing with about 631 apartments that set rent based on ncome. There are 1,611 other low income apartments that don't have rental assistance but are still considered to be affordable housing for low income families.

2. Describe past efforts to increase the supply of affordable housing.

The County supports the incorporated cities within the County to encourage affordable housing.

3. Describe efforts planned that will increase the supply of affordable housing.

The County will consider applying to the HOME program to increase available affordable housing.

4. Describe any instances, within the last 5 years, where the applicant has applied for affordable housing funds and did not receive the funding.

None

5. Describe any instances, within the past 5 years, where the applicant has not accepted funds for affordable housing.

None

6. Describe any current and/or future planned compliance codes to mitigate hazard risks.

The County follows IRC

7. Are there any persons/entities with a reportable interest to disclose? If so, submit all appropriate Financial Interest Forms with this application.

Yes No

☒ ☐

AFFIRMATIVELY FURTHERING FAIR HOUSING

Any locality receiving CDBG-DR funds must certify that it will affirmatively further fair housing. Using the drop-down box below, identify the activities already achieved to affirmatively further fair housing, and those new activities to be undertaken if an award is made from CDBG-DR and when that activity will be complete. Localities should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact GLO-CDR to determine eligibility.

What methods and criteria were used to prioritize the projects in the application, including affirmatively furthering fair housing?

The County, in preparation for submission of this application, reviewed areas of the County that were most negatively affected by the flooding. Homes located in the City of Martindale area in high-risk flood zones have been selected due to the hazard current residents face, the consideration that these properties are in low-to-moderate income areas, and the fact that property owners have a remaining unmet need.

Activity(ies)

Establishing a local complaint and monitoring process

Date Achieved

To Be Complete By

within 30 days of executed contract

Designating a Fair Housing Month

Date Achieved

To Be Complete By

within 30 days of executed contract

Enforcing Fair Housing Guidelines that are equivalent to a Fair Housing Ordinance

Date Achieved

To Be Complete By

within 30 days of executed contract

X

LIST OF UNMET NEEDS

Taking into consideration the disaster-related damage described, citizen participation responses, and the assessment of housing and affirmatively furthering fair housing, provide a list (in priority order) of all the disaster-related needs still unmet from Hurricane Harvey.

Use the + to add a line. Use X to delete a line as needed.

Impacted Homes

Drainage

Sewer

Water

LONG-TERM PLANNING

Applicants must develop their community recovery projects in a manner that considers an integrated approach to housing, fair housing obligations, infrastructure, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged. Disaster recovery presents communities with unique opportunities to examine a wide range of issues including (1) housing quality and availability, (2) road and rail networks, (3) environmental issues, (4) the adequacy of existing infrastructure, (5) opportunities for the modernization of public facilities and the built environment, (6) the development of regional and integrated systems, and (7) the stimulation of the local economy impacted by the disaster.

Applicants must provide a brief description of how the project addressed in this application form part of an integrated approach to recovery.

Describe the applicant's overall recovery plan and how the project addressed in this application further that plan. Include information about how the project will specifically address the long-term recovery and restoration of housing in the most impacted and distressed areas. Include how the community will be more resilient against future disasters as a result of these projects.

Caldwell County home buyout activity has been selected in consideration of infrastructure, housing, and overall community recovery.

Caldwell County buyout activity within the City of Martindale will:

- (1) reduce the loss of life and property for repetitive loss homes that experienced flooding during the 2017 floods and storms;
- (2) remove repetitive loss homeowners from harms way and reduce the need for rescue services in a future flood; and
- (3) protect the investment of additional disaster recovery funds in the rehabilitation and reconstruction of homes in the neighborhood needed to support the workforce necessary to reopen businesses and attract new ones.

PROCUREMENT INFORMATION

All applicants are required to follow the procurement process guidelines set forth in 2 CFR §200.318-§200.326 for grant administration, environmental, and engineering services if using CDBG-DR funds to pay third-party vendors for those services.

Along with this application, applicants must provide a copy of local procurement policies and procedures.

1. Has the applicant chosen to use a third-party administrator to administer the proposed project?

Yes No

☒ ☐

If Yes, will the vendor also provide environmental services?

Yes No

☒ ☐

If Yes to either question, and the vendor has been procured, provide the vendor's name, phone, and email.

If Yes, but the vendor has not been procured, adhere to 2 CFR §200.318-§200.326 regulations in the procurement process.

Company Name Langford Community Management Services, Inc.

Contact Name Judy Langford

Phone 512-452-0432

Email judy@lcmsinc.com

2. Has the applicant procured any other services?

Yes No

☐ ☒

If Yes, and the vendor has been procured, provide the vendor's name, phone, and email.

If Yes, but the vendor has not been procured, adhere to 2 CFR §200.318-§200.326 regulations in the procurement process.

Type of Service

Company Name

Contact Name

Phone

Email

UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION ACT (URA)

1. Does the project require acquisition of property, purchase of easements, relocation or any other activity requiring compliance with the URA?

Yes No N/A

☒ ☐ ☐

2. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Yes No N/A

☒ ☐ ☐

If yes, explain:

The buyout program will voluntarily acquire properties from owners which may cause displacement of renters.

Should any proposed projects cause the displacement of people, the GLO will work with the Subrecipient to follow the requirements set forth under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, and applicable waivers...

PROJECT SUMMARY

The Project Summary consists of three parts for each target area, Disaster Risk Reduction Area designation, and/or activity: (1) Summarize Problem(s), (2) Location and Acquisition Description, and (3) Detailed Actions to Address Problems.

1. Summarize the problem(s) to be addressed within the application by target area.

Caldwell County would like to conduct voluntary buyout in a designated Disaster Risk Reduction Area located within the city limits of Martindale. Homes within the City located along the San Marcos River that have sustained repetitive loss from past flooding and were again impacted by Hurricane Harvey flooding will be targeted for buyout with a priority on homes that now located in floodways according to preliminary FEMA flood maps.

2. Identify the Project Title and location of each activity and any acquisition. Provide a map identifying the project location.

NOTE: For the title, the spelling and capitalization of the project titles/locations identified in this application must be consistently used throughout to ensure clear identification of each project. For example, a project title of "Green Acres, Site 3" here should appear as "Green Acres, Site 3" at every other reference in this application. A reference to some other title such as "green acres subdivision" or "#3 Green Street" elsewhere in the application could cause delays in the eligibility review process.

Project Title: Buyout of homes in high-risk flood areas

Location: City of Martindale along the San Marcos River

Is this activity Buyout or Acquisition? (Choose one only)

☒ Buyout

☐ Acquisition

Is this activity Voluntary or Involuntary? (Choose one only)

☒ Voluntary

☐ Involuntary

What is the end use of the property?

The County intends to demolish all structures in the designated Disaster Risk Reduction Area (DRRA) purchased through the Buyout program and convert the vacant lots to unused green space maintained by the County or through a legal agreement with neighboring residents. Any further activities to convert appropriate areas of the

Incentives or additional activities:

The County will not offer additional incentives for relocation due to the limited availability of funds.

3. Identify the action(s) to resolve the problem(s) and their anticipated outcomes. Include specific materials and quantities.

The County has identified homes in high-risk flood areas for the buyout program. All homeowners will be contacted through targeted outreach and supported by the County's Grant Administrator to complete a housing application. As the program is voluntary, the County will refer any property owners with title issues to HUD approved counselors and legal aid services for further assistance.

4. If you are leveraging funds, provide the source of the funds, the funding amount, and a description of it's use.

Caldwell County will not be leveraging other funds for this activity.

NATIONAL OBJECTIVES

National Objective being met:

☒ 1. Activities benefiting low- and moderate- income persons.

☒ LMHI Housing Incentive

☒ LMB Buyout

☒ LMH Housing Benefit

☒ LMH Down Payment Assistance

☐ 2. Prevention/Elimination of Slums or Blight. ☐ Area Basis ☐ Spot Basis

Yes No

Has the proposed project area been officially designated as a slum or blighted area?

☐ ☐

If yes, what conditions are present in the area to designate and qualify the area as a slum or blighted area?

Describe the boundaries of the slum or blighted area. (Do not use this field to document the Census Tract / Block Group data.)

Enter the percentage of deteriorated buildings / properties in the area at the time it was designated a slum or blighted area (enter value as decimal).

If the activity qualifies for CDBG-DR assistance on the basis that public improvements throughout the area are in a general state of deterioration, enter a description of each type of improvement in the area and its condition at the time the area was designated as slum / blight.

Enter the year the area was designated as a slum / blighted area. If the period during which such designations are valid has lapsed, the applicant entity must re-evaluate and re-designate the area.

☒ **3. Urgent Need**

Do the existing conditions pose a serious and immediate threat to the health or welfare of the community?

Yes No

☒ ☐

Is the applicant able to finance the project on their own? Or are other sources of funding available?

Yes No

☒ ☒

Provide justification of the beneficiary identification method used to meet the National Objective:

Homes have been identified for buyout based on the health and safety risk that is posed to the residents in the event of severe flooding like Harvey. Additionally, due to the location of the majority of these homes, rescue efforts are compromised due to limited to no access during high flood activity.

TABLE 1 - CONTRACT BUDGET AND BENEFICIARY IDENTIFICATION

Complete a separate table for each activity or target area. Only one Table 1 is needed if the same target area, beneficiaries, and national objective apply. If any of these are different, add a new Table 1. Refer to the Application Guide for instructions.

Provide comprehensive budget information to include all Other Funds (FEMA, insurance, local, etc.) committed to the proposed projects.

Use the + button to add additional projects. Use the X button to remove a project.

Refer to the Application Guide for instructions.

BUDGET AND BENEFICIARY TABLE:

| Activity Description: | Total Units | LMI Units | LMI % | National Objective | Total CDBG-DR Request | Other Sources | Activity Total |
|-----------------------|-------------|-----------|--------|--------------------|-----------------------|---------------|----------------|
| Buyout Program | 8 | 6 | 75.00% | LMI | \$1,000,000.00 | \$0.00 | \$1,000,000.00 |
| SUMMARY TOTALS: | | | | | | | |
| | 8 | 6 | 75.00% | | \$1,000,000.00 | \$0.00 | \$1,000,000.00 |

TABLE 2 - GRANT PROJECT BUDGET BREAKDOWN

Provide comprehensive budget information.

Project Title:

Lee County Buyout

| Activity Description | Description of Task | Funding Type | Explanation | Budget |
|---|-------------------------------------|------------------|--------------------------------------|-------------|
| Buyouts | General Administration | Administration | General administration activities to | \$12,500 |
| Buyouts | Housing Guidelines Development a | Administration | Housing Guidelines | \$2,000 |
| Buyouts | Housing Guidelines Development a | Project Delivery | Housing Guidelines | \$1,000 |
| Buyouts | Affirmatively Furthering Fair Housi | Administration | AFFH | \$500 |
| Buyouts | Affirmatively Furthering Fair Housi | Project Delivery | AFFH | \$17,814 |
| Buyouts | Project Case Management | Administration | Case Management | \$5,000 |
| Buyouts | Project Case Management | Project Delivery | Case Management | \$81,186 |
| Buyouts | Acquisition/Buyouts | Project | Buyout | \$802,500 |
| Demolition with buyout or acquisition activ | Acquisition/Buyouts | Project | Demolition | \$77,500 |
| | | | | \$1,000,000 |

PROJECT SCHEDULE

Highlight the projected length in months for each phase by clicking on the desired months. If a phase is not applicable, leave it blank. Projects are expected to be completed within 24 months following execution of the contract between the applicant and the GLO. Provide any comments regarding the schedule that may be helpful.

Project Title: Lee County Buyout

| 21 | MONTHS: | 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
|----|--|---|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| | Professional Services Procurement | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Housing Guideline Development/ Outreach Plan, as applicable | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Broad Environmental Review | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Bid Advertisement/Contract Award | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Buyout or Acquisition | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Mitigation Activities | | | | | | | | | | | | | | | | | | | | | | | | | |
| | General Administration | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Audit and Closeout | | | | | | | | | | | | | | | | | | | | | | | | | |

Note: If the proposed project requires a schedule longer than 24 months, justification must be provided.

Comments:

LOCAL CERTIFICATIONS

Every Application must be signed by the authorized signatory. By signing this application, the signee authorizes the state or any of its duly authorized representatives to verify the information contained herein. It should be noted that 18 USC § 1001 states that any person who (1) knowingly or willfully falsifies, conceals, or covers up by any trick, scheme, or device of material fact, (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false fact, fictitious, or fraudulent statement or is a federal offense and punishable under the law. Title 18, Section 1001 of the U.S. code states that a person is guilty of a FELONY for knowingly and willingly makes false statements to any department of the United States Government.

Each application for CDBG Disaster Recovery funding must also be accompanied by a completed and signed Application for Federal Assistance Standard Form 424 (SF-424).

Each applicant must comply with the provisions of the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations, the requirements set forth in title 24 of the Code of Federal Regulations (CFR) part 58, and applicable GLO-CDR policy directives. All applicable federal and state laws, including environmental, labor (Davis-Bacon), procurement procedures and contract requirements of 2 CFR 200.318 -200.326, and civil rights requirements apply to the use of these funds. Each applicant certifies, in compliance with the requirements presented in Volume 81, Number 224 of the Federal Register effective November 28, 2016, that:

- a. It has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG-DR program;
- b. It is in compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87;
- c. It will comply with the acquisition and relocation requirements of the Uniform Act (URA), as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in the Federal Register notice.
- d. It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- e. It is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 Public Participation Plan as it pertains to local government administration

of CDBG-DR funds, or 91.115 Public Participation Plan as it pertains to State administration of CDBG-DR funds., as applicable (except as provided for in notices providing

waivers and alternative requirements for this grant). Also, each Unit of General Local Government (UGLG) receiving assistance from a state grantee must follow a detailed

citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).

1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the

most impacted and distressed areas for which the President declared a major disaster in 2016 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance

Act of 1974 (42 U.S.C. 5121 et seq.) related to the consequences of the 2016 flood events.

f. The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601 -3619)

and implementing regulations, and that it will affirmatively further fair housing.

g. It has adopted the following policies:

- 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- 2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

Date

Printed Name

Hoppy Haden

Title

County Judge

Email

hoppy.haden@co.caldwell.tx.us

Phone Number

+1 (512) 398-1809

Authorized Signature

**Standard Form 424
(SF-424)**

FOR PUBLIC COMMENT

Application for Federal Assistance SF-424

| | | | | |
|---|--|---|--|--|
| * 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application | | * 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision | | * If Revision, select appropriate letter(s): <div style="border: 1px solid black; height: 15px; width: 100%;"></div> * Other (Specify): <div style="border: 1px solid black; height: 15px; width: 100%;"></div> |
| * 3. Date Received: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | 4. Applicant Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | |
| 5a. Federal Entity Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | 5b. Federal Award Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | |
| State Use Only: | | | | |
| 6. Date Received by State: <div style="border: 1px solid black; padding: 2px;">TBD</div> | | 7. State Application Identifier: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | |
| 8. APPLICANT INFORMATION: | | | | |
| * a. Legal Name: <div style="border: 1px solid black; padding: 2px;">Caldwell County</div> | | | | |
| * b. Employer/Taxpayer Identification Number (EIN/TIN): <div style="border: 1px solid black; padding: 2px;">74-6001631</div> | | * c. Organizational DUNS: <div style="border: 1px solid black; padding: 2px;">6184453240000</div> | | |
| d. Address: | | | | |
| * Street1: <div style="border: 1px solid black; padding: 2px;">110 S Main</div> | | | | |
| Street2: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | | | |
| * City: <div style="border: 1px solid black; padding: 2px;">Lockhart</div> | | | | |
| County/Parish: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | | | |
| * State: <div style="border: 1px solid black; padding: 2px;">TX: Texas</div> | | | | |
| Province: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | | | |
| * Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div> | | | | |
| * Zip / Postal Code: <div style="border: 1px solid black; padding: 2px;">78644-0001</div> | | | | |
| e. Organizational Unit: | | | | |
| Department Name: <div style="border: 1px solid black; padding: 2px;">Caldwell County</div> | | Division Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | |
| f. Name and contact information of person to be contacted on matters involving this application: | | | | |
| Prefix: <div style="border: 1px solid black; padding: 2px;">Ms.</div> | | * First Name: <div style="border: 1px solid black; padding: 2px;">Judy</div> | | |
| Middle Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | | | |
| * Last Name: <div style="border: 1px solid black; padding: 2px;">Langford</div> | | | | |
| Suffix: <div style="border: 1px solid black; height: 15px; width: 100%;"></div> | | | | |
| Title: <div style="border: 1px solid black; padding: 2px;">Grant Administrator</div> | | | | |
| Organizational Affiliation: <div style="border: 1px solid black; padding: 2px;">Grant Administrator for the City/County</div> | | | | |
| * Telephone Number: <div style="border: 1px solid black; padding: 2px;">512-452-0432</div> | | Fax Number: <div style="border: 1px solid black; padding: 2px;">512-452-5380</div> | | |
| * Email: <div style="border: 1px solid black; padding: 2px;">judy@lcmsinc.com</div> | | | | |

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*** Other (specify):**

*** 10. Name of Federal Agency:**

Housing and Urban Development (HUD)

11. Catalog of Federal Domestic Assistance Number:

14227

CFDA Title:

Community Development Block Grant - Disaster Recovery (CDBG-DR)

*** 12. Funding Opportunity Number:**

*** Title:**

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

GLO CDBG-DR Buyout Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant

35

* b. Program/Project

35

Attach an additional list of Program/Project Congressional Districts if needed

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

09/02/2019

* b. End Date:

09/02/2021

18. Estimated Funding (\$):

| | |
|---------------------|--------------|
| * a. Federal | 1,000,000.00 |
| * b. Applicant | 0.00 |
| * c. State | 0.00 |
| * d. Local | 0.00 |
| * e. Other | 0.00 |
| * f. Program Income | 0.00 |
| * g. TOTAL | 1,000,000.00 |

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

Mr.

* First Name:

Hoppy

Middle Name:

* Last Name:

Haden

Suffix:

* Title:

County Judge

* Telephone Number:

(512) 398-1809

Fax Number:

* Email:

hoppy.haden@co.caldwell.tx.us

* Signature of Authorized Representative

TBD

* Date Signed

TBD

Citizen Participation

FOR PUBLIC COMMENT

CALDWELL COUNTY CITIZEN PARTICIPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY

Introduction

Community Development Block Grant – Disaster Recovery (CDBG-DR) applicants and funded entities are required to carry out citizen participation procedures in accordance with the Citizen Participation Plan as required by the Housing and Urban Development agency (HUD) and the Texas General Land Office (GLO).

The County maintains the activities described in this Citizen Participation Plan to include: outreach efforts to invite open and public participation in the submission of the County's application for CDBG-DR funding, public information upon award of funds, any technical assistance the public may require, assistance for Limited English Proficiency (LEP) citizens, and program procedures for addressing citizen complaints.

Participation During Application

Caldwell County will provide for reasonable public notice, appraisal, examination, and comment on the activities proposed for the use of CDBG-DR funds. These outreach efforts shall:

- 1) Provide for and encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas, and areas in which CDBG-DR funds are proposed to be used;
- 2) Ensure that citizens will be notified of public meetings, information, and records relating to the County's proposed and actual use of CDBG-DR funds no less than seventy-two (72) hours in advance;
- 3) Furnish citizens information including, but not limited to:
 - (a) the amount of CDBG-DR funds expected to be made available;
 - (b) the range of activities that may be undertaken with the CDBG-DR funds;
 - (c) the estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
 - (d) if applicable, the proposed CDBG-DR activities likely to result in displacement and the entity's anti-displacement and relocation plan.
- 4) Provide citizens with a 14-day opportunity to comment on proposed activities in an application to the state. For grants already made, The County will provide a reasonable comment period to be determined in collaboration with the GLO for activities which are proposed to be added, deleted, or substantially changed from the County's application to the state. "Substantially changed" means changes made in terms of purpose, scope, location, or beneficiaries as defined by criteria established by the state; and
- 5) Be accomplished through one or more of the following methods:
 - (a) Publication of notice in a local newspaper—a published newspaper article may also be used so long as it provides sufficient information regarding program activities and relevant dates;
 - (b) Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups (where practicable);

CALDWELL COUNTY CITIZEN PARTICIPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY

- (c) Posting of notice on the local entity website (if available);
- (d) Public Hearing; or
- (e) Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
 - Certified mail
 - Electronic mail or fax
 - First-class (regular) mail
 - Personal delivery (e.g., at a Council of Governments meeting)

Along with the application, the County will submit any notices of public hearings that relate to the administration of CDBG-DR funds.

Technical Assistance

When requested, Caldwell County shall provide technical assistance to groups representative of persons of low- and moderate-income in developing proposals for CDBG-DR funds. The level and type of assistance shall be determined by the County based upon the specific needs of the community's residents.

Public Hearing Provisions

For each public hearing scheduled and conducted by a CDBG-DR applicant or recipient, the following public hearing provisions shall be observed:

- 1) Citizens shall be furnished with information including but not limited to:
 - (a) The amount of CDBG-DR funds available per application for the CDBG-DR monies;
 - (b) The range of activities that may be undertaken with the CDBG-DR funds;
 - (c) The estimated amount of the CDBG-DR funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
 - (d) The proposed CDBG-DR activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under 24 CFR 570.488.
- 2) Public notice of any hearing must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice will include the DATE, TIME, LOCATION, and TOPICS to be considered at the hearing. A published newspaper article may also be used to meet this requirement so long as it satisfies all content and timing requirements. Notices will also be prominently posted in public buildings and distributed to local public housing authorities and other interested community groups, where practicable.
- 3) Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings, and the County will make arrangements for individuals who require auxiliary aids or services if contacted at least 2 days prior to each hearing.

CALDWELL COUNTY CITIZEN PARTICIPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY

- 4) When a considerable number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.

Caldwell County may conduct a public hearing via webinar if they adhere to the provisions of this section. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available, to ensure that those individuals without the necessary technology are able to participate.

Citizen Participation Once Awarded

The following citizen participation requirements will be met in the event that Caldwell County receives funding from the CDBG-DR program:

- The County reserves the option to hold a public hearing any time a substantial change in use of CDBG-DR funds from one eligible activity to another is proposed. The County will consult GLO-CDR in determining when a change is substantial.
- Upon completion of the community development program activities, the County reserves the option to hold a public hearing and review its program performance, including the actual use of CDBG-DR funds.
- The County will retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds. The County follows HUD regulations which generally require a community to retain all its grant-related documentation for 3 years from the date HUD closes its related disaster grant to the state of Texas. Such records will be made available to the public in accordance with Chapter 552, Government Code.

Equal Access for Limited English Proficiency Citizens

The County complies with Title VI of the Civil Rights Act of 1964 which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who are LEP can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

In the instance that 5% or more of the resident population is known to speak a common foreign language, the County will provide written translation of vital program documents that are critical for ensuring meaningful access to major activities and program benefits.

When providing assistance to LEP citizens, the County will identify the language and communication needs of persons with LEP as needed to ensure effective communication. If necessary, staff may use a language identification card (or "I speak" cards – which are available at www.lep.gov) or posters to determine the preferred language of the applicant and provide translation services as soon as possible, no more than three business days after a request.

CALDWELL COUNTY CITIZEN PARTICIPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY

Citizen Complaint Procedures

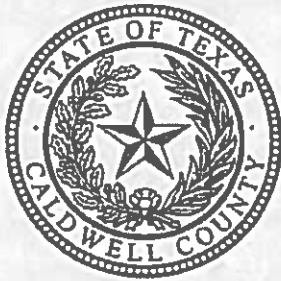
Citizens with complaints concerning the program or suspected instances of discrimination are encouraged to inform the County of their complaint(s) directly in writing. Caldwell County takes all citizen complaints seriously and will respond to written citizen complaints within 15 working days of receiving the complaint.

Citizens may submit complaints in writing to:

ATTN: CDBG-DR Grant Program
Caldwell County
110 S. Main St.,
Lockhart, TX, 78644

The County shall implement the following steps to receive and resolve all complaints:

- All complaints should include a description of the matter causing the grievance along with the submitting citizen's contact information including name, phone number and mailing address.
- The County will respond with a letter acknowledging receipt of the complaint to the person submitting it at the address provided and will include a timeline for the County's response.
- Upon receipt of a written complaint, the County will review the matter and bring it to the Commissioners Court for resolution when necessary. The County will review the circumstances, conduct an investigation, and prepare a written report within fifteen (15) working days of receipt. The report shall include:
 - a. A summary of the issues/list of relevant facts
 - b. All documents provided by the aggrieved person
 - c. Any summary response from the program/project staff
 - d. Any documents available supporting relevant facts
 - e. All other pertinent file documents as required
- A determination to include any findings and response, completed by the County will be rendered within thirty (30) working days of receipt of the complaint. A copy of the County's determination shall be provided to the citizen submitting the complaint at the address provided.
- If the citizen(s) filing the complaint are not satisfied with the determination, a written appeal may be filed within fifteen (15) days after the date of the mailing of the determination to aggrieved citizen(s).
- The written decision of the County will be made within thirty (30) days.
- Person(s) who believe they are victims of discrimination in housing or other services may also contact the U.S. Department of Housing and Urban Development (HUD) to file a complaint, without first filing a grievance under this procedure, by filing a form here online: <https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>.



Resolution 16-2019

A RESOLUTION OF THE COMMISSIONERS COURT OF CALDWELL, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT & REVITALIZATION HURRICANE HARVEY HOUSING APPLICATION TO THE GENERAL LAND OFFICE; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT & REVITALIZATION PROGRAM.

WHEREAS, the Commissioners Court of Caldwell County desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of Caldwell County to apply for funding under the Community Development & Revitalization Grant Program;

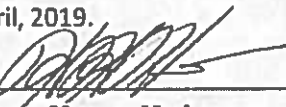
NOW THEREFORE, BE IT RESOLVED;


Section 1. That a Community Development & Revitalization Grant Program application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development & Revitalization Grant Program; and

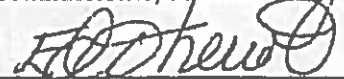
Section 2. That the application be for the Hurricane Harvey General Land Office allocated grant funds to Caldwell County through the Method of Distribution to carry out Housing Activities; and

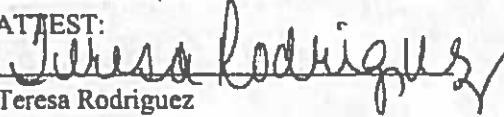
Section 3. That the Commissioners Court directs and designates the County Judge as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the Community Development & Revitalization Grant Program.

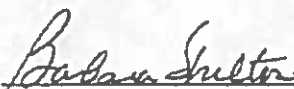
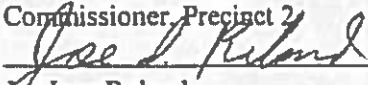
Passed and approved this 22nd day of April, 2019.

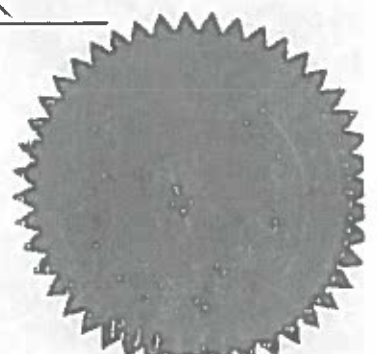

Hoppy Haden
County Judge


B. J. Westmoreland
Commissioner, Precinct 1


Edward "Ed" Theriot
Commissioner, Precinct 3

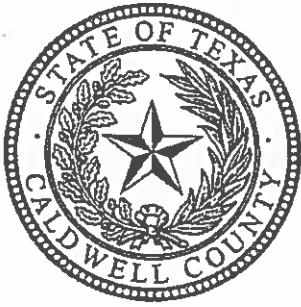
ATTEST:

Teresa Rodriguez
County Clerk


Barbara Shelton
Commissioner, Precinct 2

Joe Ivan Roland
Commissioner, Precinct 4



Hurricane Harvey Impact

FOR PUBLIC COMMENT



Caldwell County

Office of Homeland Security and Emergency Management

1403 Blackjack Street, Suite E • Lockhart Texas 78644

512-398-1822 • 512-398-2819 Fax

Ken Schawe, County Judge – Emergency Management Director
Martin Ritchey, Chief – Emergency Management Coordinator

WHEREAS, Caldwell County on the 24th day of August 2017, has been added to the National Weather Service warning area for Tropical Storm Harvey and is anticipated to suffer widespread or severe damage, injury, or loss of life or property resulting from flooding and high winds, and

WHEREAS, Ken Schawe County Judge of Caldwell County has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

NOW, THEREFORE, BE IT PROCLAIMED BY JUDGE KEN SCHAWA OF CALDWELL COUNTY:

That a local state of disaster is hereby declared for CALDWELL COUNTY pursuant to §418.108(a) of the Texas Government Code.

Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Commissioners Court of Caldwell County.

Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

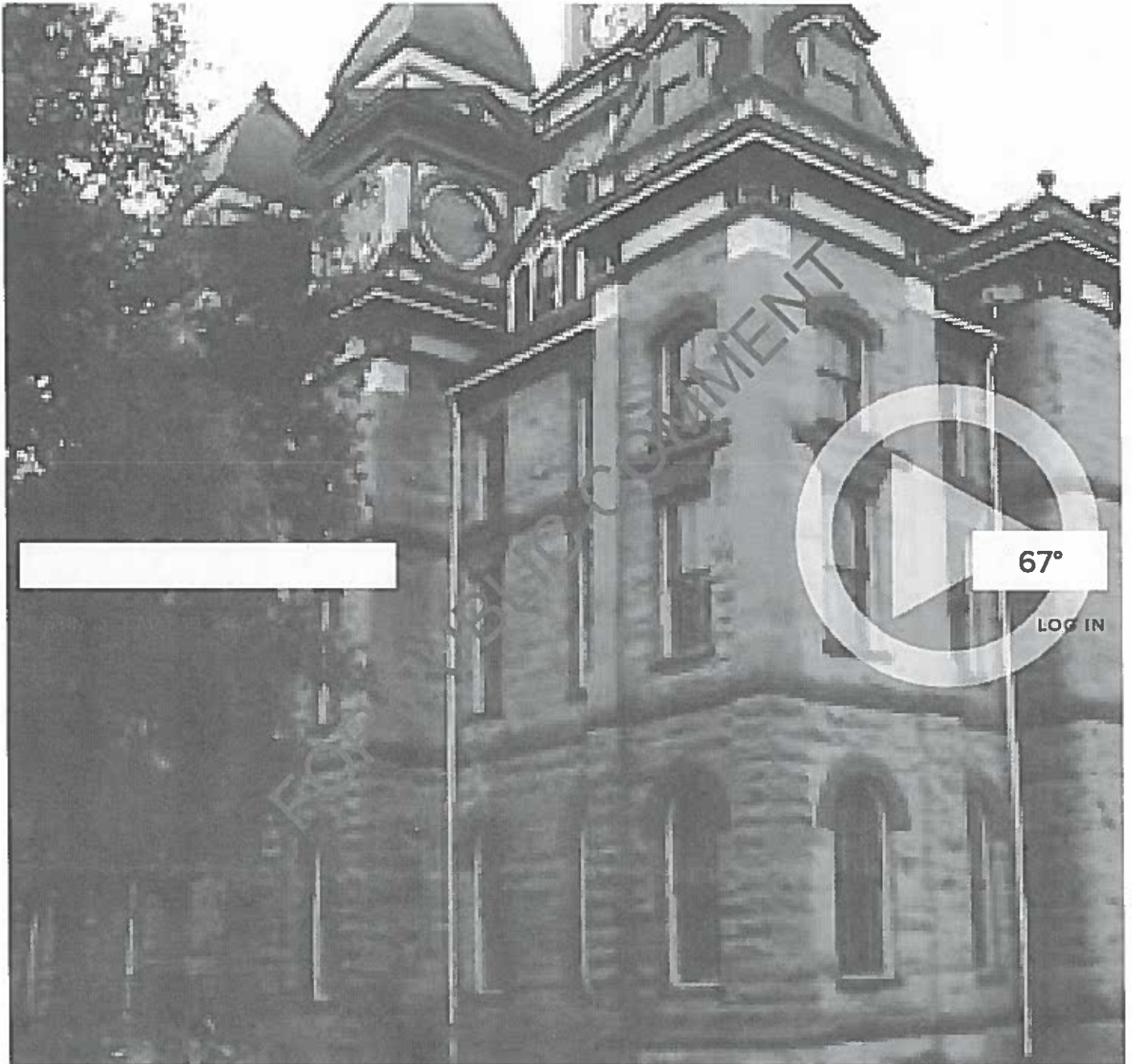
Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Caldwell County emergency management plan.

Pursuant to § 418.108 (f) I hereby order persons to vacate low lying areas as indicated by Emergency Management and direct the Sheriff's Office to make every effort to remove those persons.

That this proclamation shall take effect immediately from and after its issuance.

ORDERED this 24th day August 2017


Ken Schawe, County Judge



Caldwell County takes a beating from Tropical Storm Harvey

BY LAUREN VERNON | CALDWELL COUNTY

Full Coverage: Tracking Harvey

The Plum Creek River continues to rise as the rain from Harvey pours down on the city of Luling.

Signs marking road closures are meant put up to keep people out of flooded area, and more importantly out of potential danger. But take a ride inside the city of Lockhart and one of the most damaged areas is right in front of the courthouse.

A massive tree uprooted, taking out another tree as it went down.

Bob Bush, an employee of the courthouse, told Spectrum News that he had to see the damage for himself when he heard what happened.

"Kind of hurt me -- those trees don't just grow overnight and fall over like that. That's what's to be expected when we have a catastrophe like we've had these last sh.

67°

Both the county buildings and schools in Caldwell County are expected to be closed on Monday. LOG IN

The Caldwell County Office of Emergency Management said initial surveys show the road network in the area suffered more damage than the Halloween Flood of 2013, Memorial Day Flood of 2015, All Saints Day Flood of 2015 and the June flood of 2016 combined.

Caldwell County Judge Ken Shawe declared the county a disaster prior to the storm making landfall and Gov. Greg Abbott followed suit by including Caldwell in his disaster declaration for the State of Texas.

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FOR PUBLIC COMMENT



Statesman

LOCAL IMPACT: Gov. Abbott declares Caldwell County a disaster area

By Katie Hall By Philip Jankowski By Taylor Goldenstein By Tom Labinski

Posted Aug 27, 2017 at 12:01 AM

Updated Sep 22, 2018 at 12:37 AM



Officials at the Emergency Command Center at Texas Department of Public Safety headquarters i... ▲

See the latest updates on the storm

3:30 a.m. update: Governor Greg Abbott has declared Caldwell County a disaster area, according to officials with the Caldwell County office of emergency management.

"This declaration will be forwarded to FEMA for a Presidential Declaration," the county office said in a statement. "The process will include inspection of damaged areas in the coming weeks."



Service is reporting.



At 2 a.m., waters in the creek had risen to 18.3 feet, and the flood stage is 17 feet. The water is expected to rise to nearly 23.6 feet.

1:32 a.m. update: A flash flood warning is in effect for Travis County, central Hays County and northwestern Bastrop County until 5 a.m.

A band of heavy rain is rotating into eastern Travis County and northeastern Hays County, and people in those areas should expect to see 1 to 2 inches of rain from that band alone.

Up to 8 inches of rain have already fallen.



"Runoff will be rapid, and renewed flash flooding is expected to begin shortly," the National Weather Service said in a statement.

In Smithville, firefighters assisted several people from their homes due to flood concerns, said police, who declined to share what street this was. No one was injured.

1 a.m. update: Power outages have been widespread throughout the Austin metro area, as Tropical Storm Harvey continues to pelt the region.

Currently, 12,500 Austin Energy customers are without power throughout the city.

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Move in soon
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OF AUSTIN



The Bluebonnet Electric Cooperative reported 1,757 have lost power.

The Pedernales Electric Cooperative reported 1,229 of their customers are without power.

In Williamson County, an estimated 1,813 customers who get their electricity through Oncor have lost power.

Midnight update: Several of the Plum Creek dams' spillways have begun to overflow directly into the creeks downstream of them, according to Caldwell County officials.

FOR PUBLIC COMMENT



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 Tech Ridge Oaks
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at 107005



floods.

The Plum Creek Conservation District has more information about the creek on its website.

Experts are discouraging people from driving in Caldwell, Bastrop, southeastern Hays, northeastern Guadalupe, Lee and Fayette counties. There is a flash flood warning in effect for these areas until 4:45 a.m.

"Rainfall rates were increasing in the line of heavy rains," the National Weather Service said in a recent alert. "Rivers and streams are running high. ... This heavy rain will aggravate the flooding overnight, especially in Bastrop and Caldwell counties where numerous recent or ongoing water rescues have occurred."



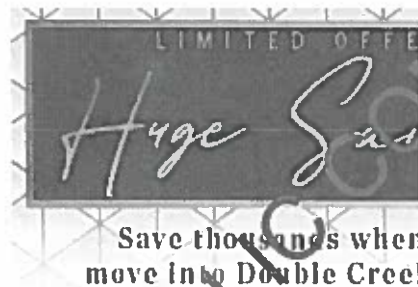
Caldwell County officials rescued 12 people due to flood waters on Saturday — eight from homes and six from vehicles. At 9:52 p.m., crews rescued eight people and three pets by boat from several homes on Old Colony Line Road. At least one of the homes



10:20 p.m. update: Austin Fire Department is reporting that it's had a busy night.

The latest numbers, tweeted out by the agency: 112 wires down or arcing; 68 fire alarm activations and 32 public assists; most of which involved downed trees.

It also responded to 6 fire calls, including the Franklin Barbecue blaze. Four of the calls involved no fires, but only electrical issues.



DOUBLE CREEK
ASSISTED LIVING AND MEMORY CARE

Lea

Facility ID # Pending

9:50 p.m. update: Two rescues from the high water swirling through Caldwell County have been resolved without injuries, Caldwell County Emergency Management Coordinator Martin Ritchey said.

The first, at a low-water crossing near Lytton Springs, ended when a person stuck in a car was able to get himself out of danger, Ritchey said.



Transportation barricade blocking the crossing had blown over.

Ritchey said 92 low water crossings were closed across Caldwell County, and advised drivers to avoid driving during the night if possible.

Ad

FOR PUBLIC COMMENT

9:15 p.m. update: The National Weather Service has issued a flash flood warning for several counties south and east of Austin, and reported two active water rescues in process in Caldwell County.

Parts of Bastrop, Caldwell, Fayette, Guadalupe, Hays and Lee counties were placed under a flood warning, said Yvette Benavides, a meteorologist with the weather service. Nearly all of Bastrop and Caldwell counties were placed in the warning area. She said the designation means flooding is already occurring in those areas.

Although the warning is set to expire at 4:45 a.m. Sunday, Benavides said the area remains under a flood watch through Thursday, and that additional warnings could be issued.



other north of Luling. She said she had no other details of the incidents.

Ad

The forecast calls for Austin to receive another 8-15 inches of rain over the next few days, with accumulations of up to 20 inches in communities east of Interstate 35, she said.

While winds are expected to diminish from gusts that reached as high as 48 mph on Saturday, they were still predicted to remain up to 30 or 40 mph on Sunday, Benavides said.

9 p.m. update: Austin emergency responders reported a large number of fallen trees and power outages Saturday evening, as the outer edges of Hurricane Harvey gusted across the city.

"It's pretty much all over town," said Austin Fire Department Battalion Chief Thayer Smith. "I don't have a total number, but it's a lot."



Ad

He said the department had been responding to a steady stream of about 10 to 15 calls an hour. Although none was serious, many involved fallen trees and branches pulling down power lines, he said.

By Saturday night, Austin Energy was reporting 124 active outages across the city, with 8,700 customers affected.

Austin police reported a half-dozen roadways temporarily closed or narrowed throughout the day due to fallen trees or limbs.

The National Weather Service said wind gusts reached upwards of 50 miles per hour at the airport, but were expected to steadily diminish in intensity overnight Saturday into Sunday.



Ad

8:30 p.m. update: DeTar Hospital Navarro in Victoria is transferring 18 patients to Seton Medical Center Austin. The Victoria hospital has no water and the patients will be arriving around midnight, said Seton spokeswoman Shahreen Abedin.

6:30 p.m. update: Fire Chief Rhoda Mae Kerr has banned all boating and recreational uses of all waterways within the city of Austin, effective immediately.

The affected waterways include all Austin creeks, including Barton Creek, Bull Creek, Lady Bird Lake, the entirety of Lake Austin from Mansfield Dam to Tom Miller Dam, and the Colorado River downstream of Longhorn Dam.

The ban remains in effect until 6 p.m. Thursday.

Ad



5:30 p.m. update: The National Weather Service said that Tropical Storm Harvey should remain stalled near Cuero in DeWitt County overnight. Sustained winds measured at 65 mph are still being felt near the storm's center.

Forecasters believe Harvey will loop through the southern end of Central Texas through Wednesday. During that time, forecasters expect 8 to 12 inches of rain to fall in Austin, according to the latest update from the weather service.

Travis and Williamson counties remain under a flash flood watch. Hays County is under a tropical storm warning. Several flood warnings have also been issued for areas near rivers and creeks. Onion Creek in Travis County is under flood warning, the weather service said.

4:30 p.m. update: Travis County and Austin emergency responders said Saturday afternoon they're closely monitoring local streams and rivers as rain continues to fall.

Ad



Travis County Judge Sarah Eckhardt said that no plans have been made for evacuations, but that could change suddenly if Tropical Storm Harvey takes a turn for the worst and flash flooding begins occurring. A flood warning remains in effect for Onion Creek, but no flooding has occurred.

Travis County and Austin officials briefed the media Saturday afternoon. They said they are prepared for multiple days of drenching rain that could create flash floods as Tropical Storm Harvey remains in the area. The center of the storm remained just northwest of Cuero at 3:40 p.m.

Austin Homeland Security and Emergency Management Director Juan Ortiz said fewer than 200 people are in the only shelter opened so far in the city, the Delco Center. Ortiz said more shelters would be opened if the state requests it.

Ortiz said it is impossible at this time to gauge how many evacuees were in Austin because most are likely staying in hotels or at friends and family members' homes. Ortiz said he has family from Corpus Christi who are staying in his home over the weekend.

Ad



"I'm running my own shelter with residents and pets at my house," Ortiz said.

Top officials from the Travis County sheriff's office, county Transportation and Natural Resources Department, Austin Fire Department and others were on hand to let residents know that their departments stand at the ready. Mayor Steve Adler renewed calls for people to donate to the Red Cross and the county judge urged residents to "stay home."

"Read a book, watch a movie," Eckhardt said. "Stay safe."

2:45 p.m. update: Meteorologists at the National Weather Service's office in New Braunfels said that Tropical Storm Harvey might soon transition from a "wind event" to a "rain event."

FOR PUBLIC COMMENT

Ad



Areas closer the the Gulf Coast could face-flood related devastation. Models are showing major flooding along the San Marcos, Brazos, Guadalupe, Colorado and Brazos rivers, the weather service said.

"As we lose the wind, we gain the rain," meteorologist Paul Yura said.

One person has been confirmed killed in the storm that Yura said is truly unique for its intensity yet slow movement.

"I, in my career, have never worked an event that has had this threat of flooding for so long," Yura said.

FOR PUBLIC COMMENT

Ad

Tropical storm force winds are still occurring near the center of Harvey, which is near Cuero. But Yura, in a briefing to the media and emergency management officials, said the outer bands of the storm are creating some concerns.



of Mexico, Yura said.

Yura also said they are worried about overnight rains. Systems like Harvey have more intense rainfalls after sundown.

"We are really going to have to be on alert for a night-time core event," Yura said.

"That is our fear right now. I hope it doesn't happen, but history shows that it happens often."

FOR PUBLIC COMMENT

Ad

1:15 p.m. update: There have been no confirmed fatalities so far from Hurricane Harvey, Gov. Greg Abbott said in a briefing to reporters Saturday.

Abbott has asked the federal government to add 20 more Texas counties to the federal disaster area declared because of Hurricane Harvey.

The storm has been downgraded to a tropical storm.



Ad

Abbott said he recently learned that the county judge in Fort Bend County has issued a mandatory evacuation for areas near the San Bernard River and voluntary evacuations for areas near the Brazos River.

"This is one of the foremost regions in state of Texas that already has flooding and I anticipate the flooding to get worse," Abbott said.

12:55 p.m. update: Hurricane Harvey is now Tropical Storm Harvey.

The National Weather Service has downgraded the storm as it continues to weaken as it moves inland.



Ad

12:40 p.m. update: Parts of Guadalupe County are under a voluntary evacuation as continued rains threaten to push the Guadalupe and San Marcos rivers into flood stage.

Guadalupe County Judge Kyle Kutscher issued voluntary evacuations for homes and campgrounds along the two rivers as well as Cibolo Creek and Geronimo Creek, according to the county's office of emergency management.

The National Weather Service has projected that both rivers will face major flooding as Hurricane Harvey continues to drench Texas.

RELATED: List of weather cancellations in Austin and Central Texas this weekend

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Meanwhile in Austin, where 3.26 inches of rain has fallen in the past 24 hours near downtown, city officials announced that they will close Barton Springs pool at 4 p.m. Officials have prepared the pool for possible flooding.

According to Austin Energy, the city's electrical grid is seeing 91 power outages affecting 1,800 customers. The utility has 13 crews working Saturday with the possibility of adding more, if needed, officials said.

11:30 a.m. update: The center of Hurricane Harvey is now positioned over DeWitt County and the storm continues to slow in its trek inland.

Sustained winds in the storm have been measured at about 75 mph, which is classified as a Category 1 hurricane, according to the latest update from the National Weather Service.

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Heavier bands of the storm are expected to wrap into the Austin area and the Hill Country on Saturday, bringing with them threats of heavy rainfall and tornadoes. Wind could gust between 30 and 50 mph are expected, the weather service said.

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Over the next few hours, Harvey should move into Gonzales County. It will continue to slow and its winds should weaken in its center, the weather service said.

The greatest danger in the storm remains east of Interstate 35 and Interstate 37.

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Rain bands should cause alternating periods of light and heavy rain, creating flooding potential, said meteorologist Cory Van Pelt.

The effects of Hurricane Harvey on Austin will depend on where it travels, Van Pelt said. Right now, the hurricane is just entering DeWitt County near the Gulf Coast.

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"It'll just wander around for a couple days, exactly where it wanders to we're not positive yet," Van Pelt said.

MORE: Harvey downgraded to Category 1

So far, the lower Colorado River basin and south of it have received the highest rainfall totals, according to the Lower Colorado River Authority's Hydromet database.

The Colorado River at Bastrop gauge has recorded 2.78 inches in the past six hours. A La Grange gauge has recorded 4.51 inches in the past six hours.



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Rainfall totals in the Austin area and northwest are much lower. A Barton Creek at Loop 360 gauge registered 1.43 inches in the past six hours, and a Lake Austin at Bunny Run Farm gauge registered 1.25 inches, according to LCRA.

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Earlier: As Hurricane Harvey weakens and slows near the Gulf Coast, the Austin area could see between 5 to 15 inches of rain through Wednesday, forecasters say, with parts of Central Texas east of Interstate 35 possibly seeing up to 20 inches.

Isolated higher totals of more than 30 inches are possible near and south of the Interstate 10 corridor.



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Rain bands from Harvey reached the Austin area around 4 a.m. Saturday.

Forecasters warn that small shifts in the forecast track of Harvey and where it stalls this weekend into early next week will result in very large differences in rainfall totals.

The five-county Central Texas region, including Travis, Hays, Bastrop, Williamson and Caldwell counties, is under a flash flood watch through Tuesday night.

Damaging winds leading to power and communications outages are possible east of I-35 and south of I-10.

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The National Weather Service has issued a wind advisory for counties just outside the Tropical Storm Warning area, including Austin, for winds between 25 to 39 mph.

In Austin, 20 to 30 mph winds with gusts over 35 miles per hour are expected in rain bands.

The area now under a tropical storm warning, including the San Marcos, New Braunfels and San Antonio areas, will see even faster winds of 35 to 50 mph per hour in rain bands. Damage to trees and power lines are possible, which could cause scattered power outages.

An urban and small stream flood advisory has been issued until 9:30 a.m. for Travis, Bastrop, Hays, Caldwell and Guadalupe counties.

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Forecasters say it's likely that catastrophic main stem river flooding will last throughout next week east of I-35 and I-37 in the Colorado, Guadalupe and San Antonio river basins.

There is also a low risk of brief tornadoes east of I-35 and I-37. The weather service has issued a tornado watch for Fayette, Lavaca and Lee counties until 1 p.m. Saturday afternoon.

Hurricane Harvey is expected to stall or move very slowly over eastern parts of South Central Texas before swinging back south toward the Gulf Coast on Sunday into early next week, according to the service.

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FOR PUBLIC COMMENT

Statesman

NWS extends flash flood warnings for Bastrop, Fayette counties

By Andy Sevilla

By Mary Huber

Posted Aug 28, 2017 at 12:01 AM

Updated Sep 22, 2018 at 4:07 AM

11:45 p.m. update: The National Weather Service has extended the flash flood warnings for Bastrop, Caldwell, Lee and Fayette counties until 5:45 a.m. Monday as Harvey's rains continue to soak the already-saturated region.

The weather service is reporting that up to an inch of rain is falling each hour in Fayette County, and some light rain persists in other areas. The counties east and south of Austin have already received significant rainfall, including as much as 22 inches at the Colorado River in Smithville and 16 inches in Bastrop, according to Lower Colorado River Authority hydromet data.

The Colorado River at Bastrop, Smithville and La Grange are all above flood stage.

Additional 4 to 8 inches of rain is possible in the warning areas, the weather service said, with higher totals in isolated spots. Areas that could be impacted by flooding include Lockhart, Elgin, Bastrop, Giddings, La Grange, Smithville and Cedar Creek.

8:30 p.m. update: Bastrop County officials have asked residents on Kahana Lane in the Tahitian Village subdivision to voluntarily evacuate as the Colorado River exceeds flood stage.

County commissioner Mel Hamner said there are about 11 homes on the street, and they likely won't take in water, but adjacent Riverside Drive — which is the only way into and out of the neighborhood — will flood.

"Riverside will be flooded until the river comes down and that will be a couple days," Hamner said. "We are asking people if they have enough food and supplies to wait it out, but if they don't think they can to evacuate."

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According to the Bastrop County Office of Emergency Management, when the river rises to 26.7 feet, residents will not be able to get into and out of their homes. The Colorado River at Bastrop is currently at 23.9 feet, according to the Lower Colorado River Authority, which is now above flood stage, which is 23 feet.

The Colorado River in Smithville reached flood stage at 5:25 a.m. Saturday. Flood stage is recorded at 20 feet and the river's level was at 29.3 feet at 8:40 p.m. Sunday, according to LCRA data.

Emergency shelters are open at the Smithville recreation center at 106 Gazely St., the First United Methodist Church at 1201 Main St. in Bastrop and Sacred Heart Catholic Church at 302 W. 11th St. in Elgin.

**RELATED COVERAGE: State disaster declaration expanded to 54
counties, including Bastrop**

6:00 p.m. update: Flash flood warnings for Bastrop, Caldwell, Fayette and Lee counties continue to be extended — this time until 11:45 p.m. Sunday, according to the National Weather Service.

About a half inch of rain continues to fall in these areas each hour, pouring on top of the already-saturated ground, which has received upwards of 20 inches in some spots since Friday, forecasters said.

Storms could increase in intensity overnight, as they did on Saturday evening, the weather service said, which would mean more exacerbated flooding for areas east of Austin.

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app for custom weather alerts in the Apple iTunes and Google Play stores**

4:30 p.m. update: The National Weather Service has canceled the tropical storm warning for Bastrop and Fayette counties on Sunday but says the threat of dangerous winds is still imminent.

Winds are forecast between 25 and 35 mph with some gusts as strong as 40 mph, prompting the weather service to issue a wind advisory through 1 a.m. Monday, which could make driving difficult.

"Now is the time to hide from the wind," the weather service said. "Remain sheltered until the hazardous wind subsides."

Forecasters are still warning of life threatening flooding east of Interstate 35, where more than a foot of rain has fallen in the past 48 hours. Another 8 to 12 inches of rainfall, and as much as 15 inches in isolated areas, is forecasted through Wednesday, the service said. Half of that rain is expected in the next 24 hours, meteorologists said.

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4 p.m. update: The Bastrop County Long-Term Recovery Team is accepting donations to help residents who have been affected by severe flooding from Tropical Storm Harvey. Those wishing to contribute can log onto the organization's website at www.bcltrt.org.

The recovery team will be helping residents with cleanup efforts once the storm subsides, Executive Director Sheila Lowe said. Anyone with home damage that needs assistance can reach out to the nonprofit at 512-521-3001 ext. 3.

SMITHVILLE: At least 30 homes reported flooded

2:45 p.m. update: The flash flood warnings for Bastrop, Caldwell, Lee and Fayette counties have been extended to 5:45 p.m. Sunday as heavy rain continues to fall across the region, the National Weather Service said.

The outer rainbands of Tropical Storm Harvey have been bearing down on areas east of Austin much of the weekend. Widespread flooding is already occurring and could get worse as the storm threatens to intensify, the weather service said.

Some areas have already received between 9 and 16 inches of rainfall in the past 48 hours, with up to 20 inches in isolated areas, forecasters said.

Lower Colorado River Authority gauges at the Colorado River at Smithville have measured 19.16 inches of rain, Cedar Creek 18.01 inches and Lake Bastrop 17.23 inches. And more rain is expected, forecasters said.

Areas that could experience flooding include Lockhart, Elgin, Bastrop, Luling, Giddings, La Grange, Smithville, Cedar Creek and Rosanky, among others, the weather service said. Officials have advised drivers not to drive down flooded roads. Residents should move to higher ground, and those living along creeks and streams should take extra caution, officials said.

Noon update: Flash flood warnings have been issued for Bastrop, Caldwell, Lee and Fayette counties east of Austin until 2:45 p.m. Sunday as the outer bands of Tropical Storm Harvey continue to bear down on Central Texas.

National Weather Service radar shows that a half inch of rain is continuing to fall in these areas each hour, on top of the 8 to 15 inches — and as much as 20 in some areas — that has dropped in the past 36 hours.

Forecasters say widespread flooding is ongoing, prompting several water rescues in the area Sunday morning.

More intense rainbands could be moving into the region, the weather service said, which could exacerbate flood conditions. Areas that could be impacted include Lockhart, Elgin, Bastrop, Luling, Giddings, Smithville, Fayetteville and Cedar Creek, among others, the weather service said. Drivers are encouraged to stay off the roadways.

According to the weather service, Tropical Storm Harvey is now centered near Cuero moving southeast through DeWitt County. It is expected to emerge offshore the middle Texas coast on Monday night, after which it will spin back toward southeast Texas again Tuesday into Wednesday, forecasters said.

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Tropical storm force winds measuring 30 to 40 mph in the tropical storm warning area near Cuero and La Grange are expected to weaken by Sunday afternoon, meteorologists said, yet the rain will persist.

Forecasters say the rainfall east of Interstate 35 will be "life threatening" and warned that dangerous river flooding, particularly in the Colorado and Guadalupe river basins, could continue for several days.

Recent weather service data shows that as much as 18.93 inches of rain has fallen so far on gauges in Cedar Creek, 18.89 inches in Gonzales, 17.59 inches in Smithville, 16.38 inches in Bastrop and 15.6 inches in La Grange. Another 10 to 15 inches of rain is forecast east of I-35 through Wednesday, with 20 inches in some spots.

11:15 update: All school districts in Bastrop County as well as the cities of Bastrop and Smithville will be closed Monday as Tropical Storm Harvey has dropped 18 inches of rain in parts of the county, causing widespread flooding and damage.

"We're asking all of our citizens and everyone else – every other responsible citizen – to stay off the public roads, stay home, shelter at home," Bastrop County Judge Paul Pape said at a press conference Sunday. "Let the first responders and others who must be out – utility providers and others – have the right of way and please stay off the roads."

Pape said Bastrop County is facing a "very serious situation" and "lives are at stake."

Emergency Operations Center Coordinator James Gabriel said one mandatory and four voluntary evacuations orders were issued. Two homes along the 500 block of Texas 95 north of Bastrop were under mandatory evacuation and those residents have left safely, Gabriel said. Voluntary evacuation orders were issued for residents along 2 Mile Lane from FM 535 to Texas 71; the entire Ponderosa Road south of the 200 block, including Brody Blvd., Baily Blvd., Peyton Place, Guinn Road and Nut Lane; Crafts Prairie Road from Mesa Pinto Drive to Ponderosa Road; and Pecan Shores in Smithville.

The emergency shelter in Smithville, 106 Gazely St., is housing 73 residents, county spokeswoman Randi Fishbeck said. The shelter can hold between 125-150 residents.

An emergency shelter has opened in Bastrop at First United Methodist Church, 1201 Main St., and a third shelter is expected to open in Elgin this afternoon at Sacred Heart Catholic Church, 302 W. 11th St.

The county has received numerous calls for assistance, including 11 water rescues since Saturday, all of which were resolved without injury, Fishbeck said. More than 50 county roads are closed though officials said many more are likely damaged and have not yet been evaluated.

"We've got hundreds of miles of county roads that we don't know what kind of condition they're in. We can't get out there to look and see," Pape said. "So, rather than assuming that they're open, let's assume that they're all closed, and only if you must travel should you get out on our public right of ways here in the county."

In the past 48 hours, 18.44 inches of rain has fallen in Smithville with most of that falling in the past 24 hours, according to LCRA hydromet data. Nearly 17 inches have fallen near Lake Bastrop, 14.77 inches in Bastrop and 17.33 near Rockne.

The Colorado River in Smithville reached flood stage at 5:25 a.m. Flood stage is recorded at 20 feet and the river's level was at 25.01 feet at 11:10 a.m., according to LCRA data.

The river in Bastrop had surpassed the bank's full stage but had not yet reached flood status. The river's flood stage in Bastrop is recorded at 23 feet. As of 11:10 a.m. its level was at 18.37 feet.

"We've been through this before and experience is a good teacher," Pape said. "We know what we're doing, we know what to look for, we know where the troubles spots are. We're just asking our public to please be safe. Don't try to do anything today and tomorrow because we just got to let this storm get behind us."

9:20 a.m. update: Smithville Independent School District has canceled school on Monday due to torrential rains and gust winds.

8:10 a.m. update: The Bastrop County sheriff's office is taking stock of the flooding across the county as the sun comes up Sunday, a spokeswoman said. Low-water crossings have flooded county-wide, she said, and small bridges such as the Watterson Bridge are experiencing flooding.

The morning is currently quiet, officials said, with no water rescues taking place.

The website atxfloods.com is showing more than 50 road closures across Bastrop County.

3:25 a.m. update: As Tropical Storm Harvey has dropped more than a foot of rain in several parts of Bastrop County over the past 24 hours, officials have issued mandatory and voluntary evacuations.

Two homes along the 500 block of Texas 95 north of Bastrop are under mandatory evacuation, according to Bastrop County officials.

Officials have also issued voluntary evacuation orders to residents along 2 Mile Lane from FM 535 to Texas 71; the entire Ponderosa Road south of the 200 block, including Brody Blvd., Baily Blvd., Peyton Place, Guinn Road and Nut Lane; and Crafts Prairie Road from Mesa Pinto Drive to Ponderosa Road.

Smithville Mayor Scott Saunders has said at least 25 homes have flooded in the city and multiple water rescues were ongoing. At least 16 inches of rain has fallen in Smithville in the past 24 hours.

Smithville City Manager Robert Tamble said 45 people were sheltered in the Smithville Recreation Center at 106 Gazely St., which was activated as an emergency shelter Friday night. He said at least 15 more people were expected to arrive as residents left their homes under voluntary evacuations and first responders conducted water rescues.

Colorado River flood warning

The Colorado River in Bastrop has reached its bank's full stage, according to [LCRA hydromet data](#).

The water level in the river in Bastrop was 14.13 feet at 2:55 a.m. Sunday. Its full stage is 14 feet, data show.

The river in Bastrop is considered to have reached flood stage at 23 feet. The National Weather Service has forecasted the river will reach 28.6 feet in Bastrop by Monday morning, prompting the weather service to issue a flood warning for the river.

In Smithville, the Colorado River reached its bank's full stage at 11:10 p.m., when the water level exceeded 10 feet. The river's flood stage in Smithville is 20 feet. At 2:55 a.m., its level was 17.20 feet.

The weather service forecasted the river to crest in Smithville at 28.5 feet by Monday afternoon, also prompting it to issue a flood warning for the river there.

The weather service said when the Colorado River reaches 28 feet in Smithville, major flooding inundates homes five miles upstream in Hidden Valley Estates, three miles upstream in Doty River Estates and one mile upstream in Pecan Shores Estates as well as in Kirtley.

Smithville City Manager Robert Tamble said high water has already accumulated in those flood-prone areas.

2:50 a.m. update: At least 25 homes were flooded in Smithville, emergency personnel were conducting multiple water rescues and 45 people were seeking shelter at the city's recreation center early Sunday morning as Tropical Storm Harvey dropped more than 16 inches of rain in the city in past 24 hours, according to city officials.

Smithville Mayor Scott Saunders said at least 25 homes were flooded in Smithville, many of them along Seventh Street, despite the city's effort to pump water from the flood-prone street.

The city has staged three water pumps along Seventh Street to pipe water into a half-built detention pond nearby. Saunders said the pond is full and water has flooded about 80 to 90 percent of the homes on Seventh Street.

"There are people having water get around their house that aren't able to get away," Saunders said, adding that "It's absolutely devastated the town. The whole town. Every bit of it."

Smithville City Manager Robert Tamble said firefighters and emergency personnel are conducting multiple water rescues across Smithville as residents are trapped in their homes.

Tamble said there were at least six ongoing water rescues at 2:15 a.m., though possibly more may be underway as several parts of the city that have never flood before were taking in high water.

"If this is something that is drawn out, we will definitely need some more resources," Saunders said. "All the roads into Smithville are shut down and no one can get to us. Keep us in your thoughts and prayers."

In the past 48 hours, Smithville has received 16.25 inches of rain, with 15.33 of them coming in the last 24 hours as Tropical Storm Harvey moves north from Cuero into South Central Texas at 1 mph.

Tamble said 45 residents were being sheltered at the Smithville Recreation Center at 106 Gazely St., which was opened as an emergency shelter for local residents Friday night. He said the shelter was expecting at least 15 more residents who were being rescued or voluntarily leaving their homes.

Bastrop County officials said several water high rescues have been conducted throughout the county and no injuries have been reported. At least four voluntary and mandatory evacuations have been ordered, officials said.

The National Weather Service has issued a flash flood warning for Bastrop County until 4:45 a.m. as rain capable of dropping 1-2 inches of rain per hour is pounding the area.

Over 12 inches of rain has fallen over Bastrop in the past 24 hours and 14.66 inches near Lake Bastrop during the same time period, according to LCRA hydromet data.

LCRA initiated flood operations at Lake Bastrop Dam at 8 p.m. Saturday to release water ahead of expected torrential rains overnight.

Many roads in Bastrop County have been closed due to high water, including the eastbound lanes of Texas 71 in Smithville. Officials are urging residents to not travel on roadways due to "extremely hazardous life-threatening conditions."

Bastrop County Commissioner Mel Hamner said crews from Precinct 2 and 3 have been pulled off the road for their own safety.

“Only emergency personnel should be on the roads at this time,” as heavy rain is expected to continue Sunday, he said.

Anyone interested in volunteering at the Smithville emergency shelter should call the Smithville Chamber of Commerce at 512-360-7397.

11:55 p.m. update: The eastbound lanes of Texas 71 are closed in Smithville due to high water, the National Weather Service is reporting.

The National Weather Service is reporting a “very dangerous situation” in Bastrop County as torrential rains have caused many road closures and multiple water rescues.

Smithville City Manager Robert Tamble said a woman who was trapped in her home in the 500 block of Lueders Lane due to high water was recently rescued and is now safe. Tamble said this was the second water rescue in the city and there were no injuries.

Bastrop County officials were working a separate swift water rescue near Cedar Creek around 10 p.m.

More than 14 inches of rain has fallen in Smithville since midnight Saturday and nearly 10 inches in Bastrop, according to LCRA hydromet data.

Homes are beginning to flood on Seventh Street in Smithville despite city efforts to pump water out of the downtown street.

“We really fought this thing hard on Seventh Street but to no avail,” Tamble said. “We did better than we ever had but there’s too much water.”

The city had set up three pumps along Seventh Street to pipe water into a half-built detention pond nearby.

Tamble said eight evacuees from Bastrop, Elgin and Smithville have sought shelter at the Smithville Recreation Center at 106 Gazely St., which was opened Friday night as an emergency shelter.

Bastrop County officials are urging residents to not travel on roadways due to “extremely hazardous life-threatening conditions,” the Office of Emergency Management said.

Tamble said many roads are impassable and are too dangerous to drive on.

The weather service has issued a flash flood warning for Bastrop County until 4:45 a.m. Sunday as 2-6 inches of rain may fall in the warned area.

10 p.m. update: The National Weather Service is reporting a swift water rescue in western Bastrop County near Cedar Creek.

The rescue was reported at 9:38 p.m. near FM 812 and High View Ranch Drive.

It was not immediately known how many people were involved and if any injuries were reported.

Many roads in Bastrop County have been closed due to high water. Bastrop County officials are urging residents not to travel on roadways due to “extremely hazardous life-threatening conditions,” the Office of Emergency Management said.

For a list of road closures, visit atxfloods.com.

This is a developing story; check back for details.

9 p.m. update: The National Weather Service has issued a flash flood warning for Bastrop County as heavy rain capable of dropping 1 to 2 inches of rain per hour is moving into the area.

The weather service said Doppler radar indicated heavy rain across areas east of I-35 from San Marcos to Elgin to Tanglewood. Bastrop, Smithville, San Marcos, Kyle, Lockhart, Luling, Giddings, La Grange, Lexington, Shelby, Martindale, Uhland, Mustang Ridge, Niederwald, Staples, Fayetteville, Round Top, Fedor, Muldoon and Tanglewood are likely to experience flooding, the weather service said.

The warning is in effect until 4:45 a.m. Sunday as 2 to 6 inches of rain may fall in the warned area. Up to 10 inches of rain have already fallen. As of 8:55 p.m., 8.35 inches of rain had fallen in Bastrop since midnight and 9.14 inches in Smithville,

according to LCRA hydromet data.

A flash flood warning means that flooding is imminent or occurring. Residents living along streams and creeks should take immediate precautions to protect life and property, the weather service said.

Bastrop County's Office of Emergency Management has asked residents who live in properties prone to flooding to voluntarily evacuate. The Smithville Recreation Center is serving as an emergency shelter for local residents at 106 Gazely St.

A tropical storm warning is in effect for Bastrop County, which could bring 10 to 20 inches of rain through Wednesday with isolated pockets seeing as many as 30 inches. Winds between 40 to 50 mph with some gusting to 60 mph can also be expected through tonight.

The National Weather Service has said Tropical Storm Harvey is transitioning from a wind event to a heavy rainfall and flooding event until Wednesday. Heavy rainfall is expected overnight, forecasters said.

Tropical Storm Harvey has stalled just west of Cuero and will move slowly across South Central Texas through Wednesday, the weather service has said.

8 p.m. update: The Lower Colorado River Authority is opening one gate at its dam by one foot on Lake Bastrop to lower the lake's level ahead of expected rainfall tonight and overnight.

John Hofmann, LCRA executive vice president of water, said the authority noticed an increase in the lake's water level and wanted to release water slowly as Tropical Storm Harvey moves north into South Central Texas. Lake Bastrop doesn't have a flood water reservoir and therefore water is released into Spicer Creek, which flows into Piney Creek before heading into the Colorado River, Hofmann said.

He said the water release should not pose a risk to communities downstream from the Colorado River as it's not near flood stages for now.

The National Weather Service has issued flood warnings for the Colorado River at Bastrop and Smithville as the river is expected to top 28 feet at both locations. The weather service said the river will top out at 28.6 feet in Bastrop by Monday morning and crest at 28.5 feet in Smithville by early Monday afternoon. The river's flood stage in Bastrop is 23 feet and 20 feet in Smithville.

A tropical storm warning is in effect for Bastrop County, which could bring 10 to 20 inches of rain through Wednesday with isolated pockets seeing as many as 30 inches. Winds between 40 to 50 mph with some gusting to 60 mph can also be expected through tonight.

The National Weather Service has said Tropical Storm Harvey is transitioning from a wind event to a heavy rainfall and flooding event until Wednesday. Heavy rainfall is expected overnight, forecasters said.

Tropical Storm Harvey has stalled just west of Cuernavaca and will move slowly across South Central Texas through Wednesday, the weather service said at a 5 p.m. news briefing.

The county's Office of Emergency Management is asking residents who live in properties prone to flooding to voluntarily evacuate. The Smithville Recreation Center is serving as an emergency shelter for local residents at 106 Gazely St.

Bastrop County Judge Paul Pape issued a disaster declaration for the county about 5:30 p.m. Saturday as 8 inches of rain had fallen in parts of Bastrop County since midnight. As of 7:55 p.m., 7.80 inches of rain had fallen in the Colorado River at Bastrop since midnight and 8.77 inches at Smithville, according to LCRA hydromet data.

Bluebonnet Electric is reporting 21 outages in Bastrop County leaving 795 customers without power as heavy rain and winds from Tropical Storm Harvey continue pummeling the area.

The largest outage has left 553 customers without power in an area along FM 1209, FM 969 and Texas 71 west of Bastrop.

Bluebonnet spokesman Will Holford said utility crews had made good progress on restoring power outages throughout the day but continuous heavy rainfall and strong winds have caused continuous outages throughout the utility's service

area.

In total, Bluebonnet has 46 outages affecting 1,266 members throughout its 14-county service area, mostly in Bastrop and Caldwell counties. Holford said the utility has 13 internal crews made up of 30 linemen working to restore power tonight and overnight, as well as 12 contractor restoration crews and 15 contractor tree-removal crews available overnight should they be needed.

"Working at night, especially in high winds and heavy rain, is much more difficult and therefore slower than during the day," Holford said. "However, our crews will continue to work as quickly and safely as possible as long as we have members without power."

6:30 p.m. update: Bastrop County Judge Paul Pape has issued a disaster declaration as more than 8 inches of rain have fallen over parts of the county and more precipitation is expected overnight and in the coming days.

Pape said rainfall and winds caused by now-Tropical Storm Harvey have caused widespread damage in the county and the disaster declaration was made to "alleviate human suffering and protect property."

"This declaration will allow Bastrop county to participate in additional state and federal assistance. It also provides for mandatory evacuations if that should become necessary."

The county's Office of Emergency Management is asking residents who live in properties prone to flooding to voluntarily evacuate. The Smithville Recreation Center is serving as an emergency shelter for local residents at 106 Gazely St.

The judge's disaster declaration is effective for seven days unless the Commissioners Court ratifies and extends the order.

Pape issued the declaration at 5:30 p.m. when LCRA rain gauges showed Bastrop had received 6.12 inches of rain since midnight and Smithville had taken on 7.64 inches. Homeowners in other parts of Bastrop County, like KC Estates and Camp Swift, have reported receiving 8 inches of rain.

The National Weather Service has said Tropical Storm Harvey is transitioning from a wind event to a heavy rainfall and flooding event until Wednesday. Heavy rainfall is expected overnight, forecasters said.

Tropical Storm Harvey has stalled just west of Cuero and will move slowly across South Central Texas through Wednesday, the weather service said at a 5 p.m. news briefing.

A tropical storm warning is in effect for Bastrop County, which could bring 10 to 20 inches of rain through Wednesday with isolated pockets seeing as many as 30 inches. Winds between 40 to 50 mph with some gusting to 60 mph can also be expected through tonight.

The National Weather Service has issued flood warnings for the Colorado River at Bastrop and Smithville as the river is expected to top 28 feet at both locations. The weather service said the river will top out at 28.5 feet in Bastrop by Monday morning and crest at 28.5 feet in Smithville by early Monday afternoon. The river's flood stage in Bastrop is 23 feet and 20 feet in Smithville.

Earlier today, Gov. Greg Abbott added 20 counties to his original 30-county disaster declaration in response to then-Hurricane Harvey. Bastrop County was not included in that disaster declaration.

"The addition of these counties to the state disaster declaration will continue to allow Texas to quickly deploy all available resources to those affected by this devastating storm," Abbott said. "Hurricane Harvey has had a catastrophic impact on Texans and their property, and this declaration will help them rebuild and recover. The state will continue to provide as much aid as possible to these communities that have already lost so much."

Bluebonnet Electric, which provides power to most unincorporated areas of Bastrop County, was reporting 23 outages, mostly concentrated around Bastrop and Bastrop State Park, at 6:30 p.m.

More than two dozen roads and low water crossings were reported closed throughout the county as of 6:30 p.m. Officials warn more road closures are possible as more rainfall is expected. To view what roadways have been closed due to high water, visit atxfloods.com.

3:45 p.m. update: Bluebonnet Electric is reporting 15 outages in Bastrop County leaving 459 customers without power Saturday afternoon as strong winds and constant rain pound the county as Tropical Storm Harvey makes its way into southern Central Texas.

The utility's largest outage is reported along Texas 304 south of Bastrop where 325 customers are without power. Bluebonnet provides power to most unincorporated areas in Bastrop County.

As of 3:45 p.m., Bluebonnet was reporting 42 total outages across its 14-county service area affecting 742 customers.

Since midnight, Smithville has seen 6.56 inches of rain and Bastrop has seen 5.16 inches, according to LCRA hydromet data.

A tropical storm warning is in effect for Bastrop County which could bring flooding rain and winds between 30 to 50 mph with some gusting to 60 mph. The National Weather Service has forecasted between 10 to 20 inches of rain could fall in Bastrop County through Tuesday as Tropical Storm Harvey moves north.

The National Weather Service has issued flood warnings for the Colorado River at Bastrop and Smithville as the river is expected to top 28 feet at both locations. The weather service said the river will top out at 28.6 feet in Bastrop by Monday morning and crest at 28.5 feet in Smithville by early Monday afternoon. The river's flood stage in Bastrop is 23 feet and 20 feet in Smithville.

The Smithville Recreation Center was opened as an emergency shelter Thursday night for local residents wanting to voluntarily evacuate from areas that have historically flooded.

The county activated its Emergency Operations Center at 9 p.m. Friday to monitor and respond to severe weather events.

12:30 p.m. update: There are 15 reported power outages in Bastrop County, including one affecting nearly 500 customers in Tahitian Village, south of Bastrop, according to Bluebonnet Electric Cooperative.

The utility, which provides electricity to unincorporated areas of Bastrop County, keeps track of its power outages in its 14-county service area, where 51 total outages affecting 1,576 customers have been reported.

A major outage near Cedar Creek affecting 282 customers has been restored, the utility said. Most outages in Bastrop County are affecting between 1 to 50 customers, with one along Texas 304 south of Bastrop affecting 106.

In the last 12 hours, 4.07 inches of rain have fallen in Bastrop and 4.76 in Smithville, according to LCRA hydromet data.

A tropical storm warning is in effect for Bastrop County, which could bring flooding rain and winds between 30 to 50 mph with some gusting to 60 mph. The National Weather Service has forecasted between 10 to 20 inches of rain could fall in Bastrop County over through Tuesday as Hurricane Harvey and its remnants remain churning over Texas.

Earlier: Bluebonnet Electric Cooperative is reporting two outages in Bastrop County affecting 764 customers due to downed powerlines caused by heavy rain and winds Hurricane Harvey is producing in Texas, officials said.

An outage in Tahitian Village, south of Bastrop, is affecting 482 customers after a tree fell on powerlines about 9 a.m. Saturday, officials said. A second outage in Cedar Creek has left 282 customers without power due to a powerline down in a creek bed, Bluebonnet is reporting.

Since midnight, 3.61 inches of rain has fallen in Bastrop and 3.86 inches in Smithville, according to the Lower Colorado River Authority hydromet data. The National Weather Service has forecasted between 10 to 20 inches of rain could fall in Bastrop County over through Tuesday as Hurricane Harvey and its remnants remain churning over Texas.

Hurricane Harvey has been downgraded to a Category 1 and was about 100 miles south-southeast of Austin about 11 a.m. and is moving north at 2 mph, the weather service reported. Harvey made landfall overnight near Rockport as a Category 4 hurricane.

A tropical storm warning is in effect for Bastrop County, which could bring flooding rain and winds between 30 to 50 mph with some gusting to 60 mph.

The Smithville Recreation Center was opened as an emergency shelter Thursday night for local residents wanting to voluntarily evacuate from areas that have historically flooded. At a press conference Saturday at 10 a.m., county spokeswoman Randi Fishbeck said no residents had checked in at the shelter.

The county activated its Emergency Operations Center at 9 p.m. Friday to monitor and respond to severe weather events.

"The county stands with our municipal partners – the cities of Bastrop, Elgin and Smithville – to meet the challenges of this event," Emergency Operations Manager James Gabriel said at the press conference. "So far we haven't had a great deal of impact to our county but we know we have some more weather coming."

Northeastern Bastrop County was under a tornado warning briefly Saturday morning but the weather service allowed it to expire at 7:30 a.m.

As of 11 a.m. there were two road closures reported in northeastern Bastrop County – 1600 block of Gotier Trace Road south of Paige and a crossing at 292 Block Longhorn Trail north of Paige.

FOR PUBLIC COMMENT

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Forgot account?



Caldwell County Office of Emergency Management

August 24, 2017

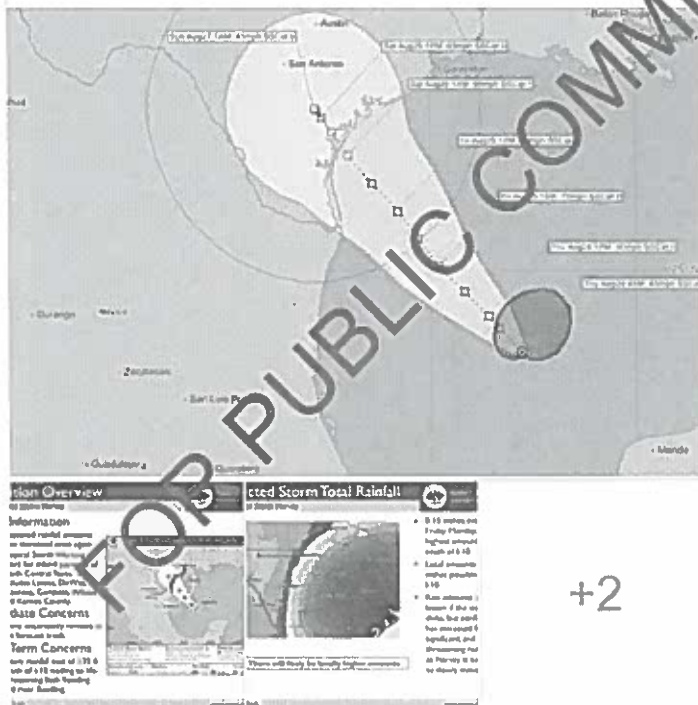
Tropical Storm Harvey has formed in the Southern Gulf of Mexico and expected to move to the Northwest towards the Texas Coast. Tropical Storm and Hurricane Warnings are now in effect. The storm should impact South Central Texas Friday into the Weekend.

Precipitation forecast for our area is up to 12 inches. It is important to note that these values will continue to change, and are highly dependent on the final track of the system. Due to the forecast slower speeds of Harvey the amounts of rainfall has increased. Caldwell County is under a Flash Flood Watch until Sunday.

Expect many county and state roads to flood. Turn around and Don't Drown! Driving around flood barricades is a misdemeanor offense.

Tropical Storm Harvey will bring with it high winds. Wind speeds are expected to be 40-50 mph with gusts exceeding 60 mph. These winds can break off tree limbs and power outages are a concern.

We recommend you register your cell phone for emergency alerts at WarnCentralTexas.org



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Emergency Management
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from 5/9/2019 8:42 PM to 5/11/... See More

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Financial Interest Report(s)

FOR PUBLIC COMMENT



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
FINANCIAL INTEREST REPORT

| | |
|-------------------------------|----------------------------|
| Subrecipient: Caldwell County | Contract Number: no number |
|-------------------------------|----------------------------|

Reset Form

Contact Information

| | | | |
|---------------------|--|------------|-------------------|
| Name of Company | Langford Community Management Services, L+ | | |
| Name of Owner | Judy Langford | | |
| Point of Contact | Judy Langford | | |
| Phone | +1 (512) 452-0432 | Fax Number | +1 (512) 452-5380 |
| Email | judy@lcmsinc.com | | |
| Mailing Address | 2901 County Road 175, Leander, Tx 78641 | | |
| Type of Procurement | Competitive Proposals | | |
| Trade | 2 Professional Services | | |
| Service Provided | 5 Management / Administration | | |

Clearances

| | |
|---|-----|
| Environmental Clearance Date (for activity) | TBD |
| Excluded Party List System Clearance Date (Contractor Verification/Clearance) | |
| Contract Executed Date | |

Financial Interest Disclosure Report

| CDBG-DR Funds | Other Funds | Total Dollars |
|---------------|-------------|---------------|
| \$120,000.00 | \$0.00 | \$120,000.00 |

☒ Prime Contractor ☐ Subcontractor

If a sub-contractor, list Prime

| |
|--|
| |
|--|

Section 3 Report

- ☐ The company reported qualifies as a Section 3 Business concern.
- ☒ The contract reported is for \$100,000 or more. (Company is subject to Section 3 reporting requirements if checked).

Minority Business Enterprise Report

| | |
|---|--------------|
| <input checked="" type="checkbox"/> The company reported is a business with a contract for at least \$10,000. (Report MBE info below if checked.) | |
| Race of Owner | 1 White |
| Ethnicity of Owner | Non Hispanic |
| Gender of Owner | Female |

Describe the work to be completed:
(if more than one business will be procured for similar work, indicate the specific work included in this contract)

Grant management activities for GLO CDBG-DR 2017 housing buyout program.

This form must be submitted to GLO-CDR for all contracts of \$2,000 or more. For Prime Contractors, form is due within 30 days of executing the construction contract. For Subcontractors, this Financial Interest Report (FIR) is due before the final draw.

Revised form effective June 2, 2018.

**Project Detail
Disaster Risk Reduction
Area (DRRA)**

FOR PUBLIC COMMENT

Environmental

FOR PUBLIC COMMENT



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Environmental Review
for Activity/Project that is Exempt or
Categorically Excluded Not Subject to Section 58.5
Pursuant to 24 CFR Part 58.34(a) and 58.35(b)**

Project Information

Project Name: Caldwell County Buyout

Responsible Entity: Caldwell County

Grant Recipient (if different than Responsible Entity): N/A

State/Local Identifier: Texas

Preparer: Langford Community Management Services, Inc. (LCMS)

Certifying Officer Name and Title:

Consultant (if applicable): LCMS

Project Location: City of Martindale, Caldwell County

Description of the Proposed Project [24 CFR 58.32; 40 CFR 1508.25]:

- (1) Environmental and other studies, resource identification and the development of plans and strategies;
- (2) Information and financial services;
- (3) Administrative and management activities;
- (4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
- (5) Inspections and testing of properties for hazards or defects;
- (6) Purchase of insurance;
- (7) Purchase of tools;
- (8) Engineering or design costs;
- (9) Technical assistance and training;
- (10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
- (11) Payment of principal and interest on loans made or obligations guaranteed by HUD;

Project Name

Project Locality and State

HEROS Number

- (12) Any of the categorical exclusions listed in §58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5.

Level of Environmental Review Determination:

☒ Activity/Project is Exempt per 24 CFR 58.34(a): _____

☐ Activity/Project is Categorically Excluded Not Subject To §58.5 per 24 CFR 58.35(b): _____

Funding Information

| Grant Number | HUD Program | Funding Amount |
|-----------------|-------------|----------------|
| B-17-DM-48-0001 | CDBG-DR | \$1,000,000 |
| | | |

Estimated Total HUD Funded Amount: \$1,000,000

This project anticipates the use of funds or assistance from another Federal agency in addition to HUD in the form of (if applicable): None

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$1,000,000

Compliance with 24 CFR §58.4 and §58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

| | | |
|--|---|--|
| Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4 and 58.6 | Are formal compliance steps or mitigation required? | Compliance determinations |
| STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.6 | | |
| Airport Runway Clear Zones and Accident Potential Zones 24 CFR Part 51 Subpart D | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | All activities Exempt per 24 CFR 58.34 |

Project Name

Project Locality and State

HEROS Number

| | | |
|---|---|--|
| Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | All activities Exempt per 24 CFR 58.34 |
| Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] | Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> | All activities Exempt per 24 CFR 58.34 |

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

| Law, Authority, or Factor | Mitigation Measure |
|---------------------------|--------------------|
| | |
| | |
| | |
| | |

Preparer Signature: _____ Date: _____

 Name/Title/Organization: Judy Langford, President, LCMS

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: _____

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Key Program Staff

FOR PUBLIC COMMENT

Caldwell County
CDBG-DR Program Key Staff

EXECUTIVE OFFICER OF THE PROGRAM

NAME: Hoppy Haden
TITLE: County Judge

Phone: (512) 398-1808
Email: hoppy.haden@co.caldwell.tx.us

DESCRIPTION OF ROLE: The County Judge in the role of Executive Office ensures that grant activities align to the County's general directives, strategic policy decisions and prioritization. The Executive Officer also ensures proper and adequate evaluations of programs, provides for financial solvency and security; preserves independence and enhances the public image among all constituencies. The County Judge functions in the accountable role of Chief Executive Office and signatory.

GRANTS ADMINISTRATOR

NAME: Dennis Engelke
TITLE: Grants Administrator

Phone: (512) 359-4686
Email: dennis.engelke@co.caldwell.tx.us

DESCRIPTION OF ROLE: The Grants Administrator provides administrative leadership in areas of compliance, project management, regulations, policies and procedures. The Grants Administrator is responsible for managing both the grant and contracts for project services; monitors compliance with contractual provisions, and performs managerial professional duties in accounting, budgeting or finance.

COUNTY AUDITOR

NAME: Barbara A. Gonzales
TITLE: County Auditor

Phone: (512) 398-1801
Email: barbara.gonzales@co.caldwell.tx.us

DESCRIPTION OF ROLE: The County Auditor perform audits or oversees audits of financial records, electronic data processing systems and program activities and operations to ascertain financial status, accuracy of data, efficiency or compliance with laws and regulations.

PURCHASING AGENT

NAME: Danielle Blake
TITLE: Purchasing Agent

Phone: (512) 359-4685
Email: danielle.blake@co.caldwell.tx.us

DESCRIPTION OF ROLE: The County Purchasing Agent oversees all aspects of the procurement and coordinates with Finance and Accounting divisions of the County. This position is responsible for directing the development and establishment of policies and procedures as it pertains to procurement and contacting.

Caldwell County
CDBG-DR Program Key Staff

GRANT ADMINISTRATION CONSULTANT

JUDY LANGFORD
GRANT ADMINISTRATOR

Phone: (512) 452.0432
Email: judy@lcmsinc.com

DESCRIPTION OF ROLE: The Grant Administration (GA) Consultant provides technical support and leadership on general direction, overarching policies, and prioritization of recovery efforts. The GA consultant directs, implements, coordinates, and advocates disaster recovery goals, objectives, and outcomes set by the GLO in alignment with the County.

FOR PUBLIC COMMENT

Procurement Policies & Procedures

FOR PUBLIC COMMENT

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

Caldwell County generally follows State of Texas procurement law and guidance in the purchasing and contract management of goods and services. Additional policy guidance below addresses federal purchasing requirements as required by 2 CFR 200 pertaining to the expenditure of federal grant funds.

A. Purchase Methods When Using Federal Funds

Five Methods for Procuring with Federal Funds

2 CFR § 200.320 provides for five methods that must be used when making purchases with Federal funds. In some cases, these Federal methods are more restrictive than State requirements; in other cases, the State requirements are more restrictive than these Federal methods. In all cases, the County affirms the more restrictive requirements or methods must be followed when making purchases with Federal funds.

The type of purchase method and procedures required depends on the cost (and type, in some cases) of the item(s) or services being purchased.

- Micro-purchases
- Small purchase procedures
- Sealed bids
- Competitive proposals
- Noncompetitive proposals (sole source)

Micro-Purchases (Purchases up to \$3,000.00)

Federal methods provide for procurement by *micro-purchase*. *Micro-purchase* is defined in 2 CFR § 200.320(a) as a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed \$3,000.00. The micro-purchase method is used in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost.

The County utilizes the micro-purchases method for acquiring supplies or services that do not exceed an aggregate amount of \$3,000.00 if the price is reasonable. The program manager responsible for the Federal award determines if the price is reasonable.

Quotes are not required but encouraged. If quotes are obtained for items under \$3,500.00, they should be kept in the department and attached to the requisition.

Small Purchase Procedures (Purchases between \$3,000.01 and \$149,999.99 in the Aggregate)

The Federal threshold for small purchase procedures is \$150,000. 2 CFR § 200.320(b).

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

Small purchase procedures (as defined in 2 CFR § 200.320[b]) may be used in those relatively simple and informal procurement methods for securing non-personal contracted services, supplies, or other property that do not cost more than \$149,999.99.

For purchases funded from local funds, to obtain the most competitive price, the County, may, at its option, obtain price quotes for items costing less than \$150,000. Unlike the mandatory competitive procurement described for purchases over \$150,000, if an item to be paid from local funds costs less than \$150,000, the County may utilize price quotations or competitive procurement process (purchasing cooperatives, sole source, an existing RFP/bid or a new RFP/bid) to stimulate competition and to attempt to receive the most favorable pricing.

However, if using State or Federal funds to purchase goods or services, *price or rate quotations must be obtained* from an adequate number of qualified sources for all purchases between \$3,000.01 and \$49,999.99 or use the competitive procurement process. The County must obtain more than one price or rate quote unless using a purchasing cooperative, existing Bid/RFP or sole source vendor, in which case, the prices have already been awarded. If purchasing from a purchasing cooperative or existing Bid/RFP, the departments can elect to obtain only one quote to purchase the goods or services although it is recommended to obtain more than one quote. Such price or rate quotations may be obtained orally and/or documented in writing, and the County must demonstrate that price or rate quotations were obtained from an adequate number of qualified sources.

Purchases \$150,000 or More in the Aggregate

According to Texas law, one of the following competitive methods must be used for purchases of \$150,000 or more in the aggregate:

- (1) competitive bidding for services other than construction services;
- (2) competitive sealed proposals, for services other than construction services;
- (3) a request for proposals, for services other than construction services;
- (4) an interlocal contract;
- (5) a method provided by Chapter 2269, Government Code, for construction services;
- (6) the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
- (7) the formation of a political subdivision corporation under Section 304.001, Local Government Code.

In addition, one of the three following methods must be used, depending on the circumstance described below, when purchasing with Federal funds: sealed bids (formal advertising); competitive proposals; or noncompetitive proposals (sole source).

Sealed Bids (Formal Advertising)

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

Bids are publicly solicited and a *firm fixed-price contract* (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the following conditions apply:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids. The invitation for bids must be publicly advertised.
- The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond.
- All bids will be opened at the time and place prescribed in the invitation for bids. The bids must be opened publicly.
- A firm fixed-price contract award must be made in writing to the lowest responsive and responsible bidder.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

Competitive Proposals

A competitive proposal is normally used with more than one source submitting an offer, and either a *fixed price* or a *cost-reimbursement* type contract is awarded. (A *cost reimbursement contract* reimburses the contractor for actual costs incurred to carry out the contract.) Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- Requests for proposals must be publicized and must identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

- Proposals must be solicited from an adequate number of qualified sources.
- The County must have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
- Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

When using Federal funds, the County may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used when using Federal funds only when one or more of the following circumstances apply:

- The item is available only from a single source and an equivalent cannot be substituted. This must be documented.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- After solicitation of a number of sources, competition is determined inadequate.

Additionally, *State* requirements related to sole source purchasing are, in some ways, more restrictive. In addition to the Federal requirements above, sole source purchases must meet established criteria:

- Identification and confirmation that competition in providing the item or product to be purchased is precluded by the existence of a patent, copyright, secret process or monopoly;
- A film, manuscript, or book;
- A utility service, including electricity, gas, or water; and
- A captive replacement part or component for equipment.

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

According to State requirements, sole source does not apply to mainframe data-processing equipment and peripheral attachments with a single item purchase price in excess of \$15,000.

In this case, the County must document why only this product can meet their needs and that it is not available from any other vendor. In all cases, the County will obtain and retain documentation from the vendor which clearly delineates the reasons which qualify the purchase to be made on a sole source basis.

Cost/Price Analysis for Federal Procurements in Excess of \$150,000

In accordance with the requirements in 2 CFR § 200.323, the County will make independent estimates of the goods or services being procured before receiving bids or proposals to get an estimate of how much the goods and services are valued in the current market.

To accomplish this, before bids and proposals are received, the County conducts either a price analysis or a cost analysis, depending on the type of contract, in connection with every procurement with Federal funds in excess of \$150,000. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the County will come to an independent estimate prior to receiving bids or proposals, 2 CFR § 200.323(a).

Accordingly, the County performs a cost or price analysis in connection with every Federal procurement action in excess of \$150,000, including contract modifications, as follows:

Cost Analysis → Non-competitive Contracts: A cost analysis involves a review of proposed costs by expense category, and the Federal cost principles apply, which includes an analysis of whether the costs are allowable, allocable, reasonable, and necessary to carry out the contracted services. In general,

- A cost analysis must be used for all non-competitive contracts, including sole source contracts.
- The Federal cost principles apply.
- All *non-competitive contracts* must also be awarded and paid on a *cost-reimbursement basis*, and not on a fixed-price basis.
- In a cost-reimbursement contract, the contractor is reimbursed for reasonable actual costs incurred to carry out the contract.
- Profit must be negotiated as a separate element of the price in all cases where there is no competition.

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

When performing a *cost analysis*, the County negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work, 2 CFR § 200.323(b).

Price Analysis → Competitive Contracts: A *price analysis* determines if the lump sum price is fair and reasonable based on current market value for comparable products or services. In general,

- A price analysis can only be used with *competitive* contracts and is usually used with fixed-price contracts. It cannot be used with non-competitive contracts.
- Compliance with the Federal cost principles is not required for fixed-price contracts, but total costs must be reasonable in comparison to current market value for comparable products or services.
- A competitive contract may be awarded on a fixed-price basis or on a cost-reimbursement basis. If awarded on a cost-reimbursement basis, the Federal cost principles apply and costs are approved by expense category, and not a lump sum.

Costs or prices based on *estimated* costs for contracts are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable costs under the Federal cost principles.

B. Contract Administration

The County maintains the following oversights to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders, 2 CFR § 200.318(b). The program manager/director of the Federal award is responsible for monitoring contractor performance. The manager/director will compare actual performance of contract against projected performance and have the contractor explain any differences. They may also compare fees paid to date to contractor versus how far along the contractor is in performing the contractual duties. The manager/director may establish surveys of those directly benefitted by the contractor's work for feedback purposes.

To ensure proper administration of contracts and any subgrants that may be awarded by the County, the County uses the following guidelines to determine whether each agreement it makes for the disbursement of Federal funds is a *contract*, whereby funds are awarded to a *contractor*,

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

or a *subaward*, whereby funds are awarded to a *subrecipient*. The substance of the relationship is more important than the form of the written agreement, 2 CFR § 200.330.

Subawards/Subgrants

A *subaward/subgrant* is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. The County determines who is eligible to receive what Federal assistance, and a *subrecipient/subgrantee*:

- Has its performance measured in relation to whether objectives of a Federal program are met
- Has responsibility for programmatic decision making
- Is responsible for adhering to applicable Federal program requirements, and
- In accordance with the subgrant agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the County.

Contracts

A *contract* is for the purpose of obtaining goods or services for the County's own use and creates a procurement relationship with the contractor.

A *contractor*:

- Provides goods and services within normal business operations
- Provides similar goods or services to many different purchasers
- Normally operates in a competitive environment
- Provides goods or services that are ancillary to the operation of the Federal program, and
- Is not subject to compliance requirements of the Federal program as a result of the contract, though similar requirements may apply for other reasons

Documentation for Contracts

The County maintains the following written documentation, at a minimum, for each contract paid with Federal funds:

1. A copy of the written, signed contract/agreement for services to be performed
2. The rationale or procedure for selecting a particular contractor
3. Evidence the contract was made only to a contractor or consultant possessing the ability to perform successfully under the terms and conditions of the contract or procurement

CALDWELL COUNTY FEDERAL GRANT PROCUREMENT POLICY

4. Records on the services performed – date of service, purpose of service – ensuring that services are consistent and satisfactorily performed as described in the signed contract or purchase order
5. Documentation that the contractor was not paid before services were performed, and
6. Records of all payments made (such as a spreadsheet or report generated from the general ledger), including the total amount paid to the contractor

Payment Only After Services Are Performed

For both State and Federally funded contracts, it is not permissible under Texas law to pay a contractor or consultant in *advance* of performing services. Advance payment to contractors is considered “lending credit” to the contractor and is prohibited under the *Texas Constitution*, Article 3, §§ 50 and 52. For ongoing services that occur monthly, payment can be made at the end of every month (based on a proper invoice submitted by the contractor and verification of work performed) for services performed during the month, or some other similar arrangement.

Consultants and contractors will not be paid without having a properly signed and dated contract or other written agreement in place which clearly defines the scope of work to be performed, the beginning and ending dates of the contract, and the agreed-upon price. The contract should also include a description of the payment procedures.

Upon performance of services (at contract milestones or upon completion of services), the contractor is required to submit an *invoice* to the County that contains at a minimum the following:

- a clear identification of the contractor/consultant, including name and mailing address
- a corresponding contract (or written agreement) number, if applicable
- the dates (beginning and ending date) during which the services were performed (i.e., billing period)
- a description of the services/activities completed during the billing period
- the total amount due to the contractor for the billing period

By submitting a properly-prepared invoice, the contractor is certifying that it is true and correct.

Verification of Receipt of Goods and Services Provided by Contractors

If the purpose of the contract or purchase order is to deliver goods, the County will designate the appropriate staff to verify that the quantity and quality of goods were as specified in the

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contract/purchase order. The receiving report and procedures used in all other State/local purchases will be used for all Federal purchases.

If the purpose of the contract is to purchase services, the contract manager along with the County Judge will verify that the quality and scope of services were received as specified in the contract.

Prompt Payment to Vendors/Contractors

The County pays all vendors/contractors within thirty (30) days of receipt of a proper invoice and the receipt of the goods or services in accordance with the Texas Prompt Payment Act, *Government Code, Chapter 2251, Subchapter A, for all contractors, and Property Code, Chapter 28 for Construction Contractors.*

FOR PUBLIC COMMENT