

**Attachment 1 - COG MOD Summary Form**

**Texas General Land Office**State of Texas CDBG-Mitigation Regional Mitigation Program  
MIT COG MOD Summary

Delivered to the GLO:

Approved by the GLO:

**Council of Governments:** Houston-Galveston Area Council**Allocation Calculation Sheet Packet Page Number:** 14**HUD MID and State MID Allocations**

HUD MID Total	<b>\$445,466,000</b> (91.1% of total)
State MID Total	<b>\$43,296,000</b> (8.9% of total)
<b>Grand Total COG Allocation</b>	<b>488,762,000</b>

Table 1

**Funding Limits**

Minimum Amount Waiver Requested	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Minimum Amount	<b>\$900,000</b> (see Attachment 4a for Minimum Amount Threshold Waiver approval)	
Maximum Amount	<b>NA</b>	

Table 2

**Regional Risk Mitigation**

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

As a populous, low-lying coastal area transected by several major river basins and encompassing thousands of miles of streams and bayous, the 13-county Houston-Galveston region is highly vulnerable to flooding resulting from hurricanes, tropical depressions, and other storm events. The Houston-Galveston Area Council (H-GAC) has developed a consistent, understandable Method of Distribution (MOD) that reflects mitigation needs across the H-GAC region and its diverse communities. H-GAC staff conducted thorough research on potential objective factors and explored many scenarios involving different formulas and funding options with the H-GAC Board of Directors Water Resources Committee. Public comments and input from the Public Planning Meetings held on February 3, 2022, also resulted in revisions to the formula (reducing the date range of storms considered and increasing the weight of Low-to-Moderate Income population).

After this careful consideration, the following four factors were selected:

1. Households Impacted by historic disasters (2015-2019)
2. Real and Personal Property Damage (2015-2019)

3. Low-to-Moderate Income (LMI) Population
4. Population in the Floodplain

These factors draw from publicly available datasets and can be used to identify mitigation needs at the lowest level of Census geography (Block Group). Together, they provide an indicator of local mitigation needs based on past storm impact (people and property), social vulnerability (LMI population), and future risk (floodplain population).

Each of the factors was given equal weight (25%) in the allocation formula. The formula was used to allocate funding to cities and counties in the H-GAC region, with the exception of Harris County and cities (or portions of cities) located within Harris County. The reasoning behind this decision was that Harris County has been allocated \$750 million by GLO in its State Action Plan Amendment 1 and will develop its own Method of Distribution to serve its communities.

Allocations for cities that received less than the \$900,000 minimum threshold in combined HUD and State MID allocations were rolled back up into the county totals. Some State MID counties and cities with HUD MID zip codes received both State and HUD MID allocations. Amounts from their HUD MID allocation can only be applied to projects benefitting the HUD MID areas, and their State MID allocation can only be used for projects benefitting their State MID area. For those cities and counties whose combined HUD and State MID allocations are greater in total than \$900,000, but whose allocation in either the individual State or HUD MID allocation is less than \$900,000, the allocation for the ineligible category was added to their eligible category.

An additional base allocation of \$6 million is made to each HUD MID County, excluding Harris County, and \$4 million is made to each State MID County to promote and enhance counties' role in coordination and regional efforts in their jurisdictions.

An allocation of \$62,000,200 is made to H-GAC for regional priority projects. This allocation was proposed and approved by H-GAC's Board of Directors, of member governments representing both HUD MID and State MID areas, to emphasize regional efforts and priorities, and multi-jurisdictional approaches. The allocation is based on a value of \$6 million for each HUD MID county (except Harris County) and \$4 million for each State MID county in the region. The State MID valuation is further split between HUD MID zip code areas within the State MID counties and areas outside the HUD MID zip codes using the LMI population shares. However, the derivation of the value for the regional allocation is not indicative of how the allocation will be split between the HUD MID and State MID areas. \$11,300,200 of the \$62,000,200 will be set aside for projects benefitting State MID areas, and \$50,700,000 will be set aside for projects benefitting HUD MID areas (including HUD MID zip codes in State MID counties.) Project selection for this regional allocation will ensure that the overall allocation totals for HUD MID and State MID are met. These regional projects may include multi-jurisdictional partnerships addressing regional mitigation needs, regional projects from individual project sponsors, or local projects identified as serving regional priorities by mitigating severe and immediate community-wide risks for which there is no reasonable alternative and for which costs exceed the level of city-level allocations. H-GAC staff and the member governments of the H-GAC Board will identify, prioritize, and select projects based on their readiness, eligibility, and adherence to LMI and HUD MID and State MID funding thresholds. H-GAC, as a subrecipient of the GLO of mitigation funds for regional priority projects, will oversee the project proposal process, implementation of approved projects, and reporting to GLO. H-GAC will sign an interlocal agreement with subgrantees, who will be responsible as project sponsors for developing their

individual project proposals, adhering to all applicable requirements, managing all other aspects of implementing the projects, and working with H-GAC to provide information for reporting needs.

The H-GAC MOD **will reduce regional risks**, such as flooding and storm surge, by providing a base allocation to each county and rolling up the amounts allocated to cities of less than \$900,000 to the county where the city is located. This will provide a critical mass of funding at the county level to implement impactful larger scale projects individually or in partnership with other jurisdictions and agencies.

The H-GAC MOD also **encourages the prioritization of regional investments with regional impacts in risk reduction for hurricanes, tropical storms and depressions, and flooding in the HUD-identified and State-identified most impacted and distressed areas** through an allocation to H-GAC for regional priority projects.

### Reallocating Declined Funds

To account for the possibility that some local governments may decline to accept and utilize funds allocated through the GLO-conditionally-approved MOD, the following reallocation process will be used. Any funds not accepted in the initial funding acknowledgement process will be reallocated using H-GAC's MOD formula to 1) cities (or portions thereof) located in Harris County; and 2) general law cities in the region. Funds reallocated to these cities will be subject to the \$900,000 minimum threshold. Allocations to cities of less than \$900,000 will be redistributed to cities receiving a reallocation of more than \$900,000, based on their reallocation shares (unless the city received an allocation above that threshold in the initial MOD formula). Any city receiving a reallocation through this process will be asked to submit an acknowledgement letter for the new or revised amount. Harris County cities receiving an allocation through this process may expend that allocation within Harris County.

The H-GAC MOD **will foster long-term community resilience that is forward-looking** by allocating funding to individual cities based on four objective factors that identify local mitigation needs by past storm impacts to people and property, LMI population, and population within the floodplain. The floodplain factor, in particular, will help foster long-term community resilience since it accounts for populations that may not have had prior storm damage but are still at risk from future flooding events. Additionally, the H-GAC MOD will allow for the full range of eligible projects permitted under Community Development Block Grant-Mitigation funds to allow the flexibility necessary to meet the mitigation needs of H-GAC's diverse communities. H-GAC will also encourage counties to coordinate or plan projects with their cities that did not receive a direct allocation.

Table 3

## Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Households Impacted	25%	FEMA Individual Assistance Housing Registrants Census Block-level Disaster Data (2015-2019)	The data provides information on population impacted by recent disasters.

Personal and Real Property Damage	25%	FEMA Individual Assistance Housing Registrants Census Block Level Disaster Data (2015-2019)	The data provides information on real and personal property damage related to recent disasters.
Low-to-Moderate Income Population	25%	HUD FY 2021 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data at Census Block group level	The data identifies the low-to-moderate income individuals in the region. H-GAC calculated LMI for cities by applying HUD's block group level LMI data to the Census 2020 city boundaries.
Population within Floodplain ( <i>floodway, 100-year floodplain, and 500-year floodplain</i> )	25%	FEMA National Flood Hazard data, 2020  2015-2019 US Census American Community Survey Data on household population and residential building points and from County Appraisal Districts	The data provides information on populations residing in the floodplain that could be impacted by future flooding.

Table 4

\*Add more rows if needed

## Threshold Factors

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

Threshold Factor	Documentation Source	Explanation of Factor Selection
\$900,000 minimum allocation for cities	State of Texas CDBG-MIT Action Plan	Any eligible city that does not receive a minimum of within \$900,000 based on the distribution factors, will not receive an allocation. The amount that would have been their allocation is rolled up to their respective county total.
No allocation for Harris County, or cities within Harris County	NA	This MOD excludes Harris County and cities (or portions thereof) within since Harris County has received a separate allocation of \$750,000,000 from GLO <sup>1</sup> for which it must develop its own MOD. Cities within Harris County whose boundaries extend into other counties receive an allocation based on the proportion of the city falling outside of

<sup>1</sup> As detailed in the Action Plan Amendment 1, approved 3/18/22, available online at <https://recovery.texas.gov/documents/action-plans/mitigation/mitigation-sap-amend-1.pdf>.

		Harris County (if that allocation exceeds the established minimum threshold). However, any initial allocations generated for cities in Harris County based on their presence in other counties cannot be used for projects in Harris County. Any funds designated for these cities as part of the re-allocation of declined funds are not subject to this restriction.
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Table 5

## Eligible Activities

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

The COG has addressed prioritization of eligible activities as follows:

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

Table 6

## Ineligible Activities

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

## Covered Projects

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

Will the Method of Distribution include a Covered Project?

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

**If yes, please provide the following information:**

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

Table 8

## Low-and Moderate-Income Requirements

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

This MOD will meet the minimum LMI requirement based on the strategic plan outlined below, which accounts for prior acknowledgement from recipients of LMI requirements, requirements of individual jurisdictions to adhere to the LMI requirement to ensure the aggregate LMI is met and plans for reallocating funds either not accepted or unused to ensure revised allocations continue to support the aggregate LMI requirement.

### Acknowledgement of Adherence to LMI Requirement

H-GAC will collect a formal acknowledgement from all entities receiving an allocation that they will

- Accept their funding allocation;
- Expend their allocation for eligible activities, as approved by GLO;
- Acknowledge that 50% of their allocation must be committed to be spent on projects benefitting populations that meet the HUD LMI national objective;
- Not expend funds on Covered Projects; and
- Otherwise adhere to all applicable requirements of this MOD, the GLO, and HUD requirements for the use, management and accounting of allocated funds.

Requiring each entity receiving an allocation to formally acknowledge that they will individually meet the LMI requirement for their allocation will ensure the aggregate LMI requirement for the MOD is met. H-GAC will also certify that the LMI requirement will be met in the aggregate of all regional priority projects funded through its allocation.

Table 9

## Public Hearing Information

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

Meeting Type	Public Planning Meeting	MOD Public Hearing
Date(s):	<ul style="list-style-type: none"><li>• 2/3/2022, 10 AM</li><li>• 2/3/2022, 2 PM</li><li>• 2/3/2022, 6 PM</li></ul>	<ul style="list-style-type: none"><li>• TBD pending GLO conditional approval of preliminary MOD</li></ul>
Location(s):	Virtual (Zoom meetings)	In-Person Meeting at H-GAC offices and Virtual (Zoom meeting)
Total Attendance:	189	

Table 10



**Direct Notice.** As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

<b>Method</b>		<b>Public Planning Meeting</b>	<b>MOD Public Hearing</b>
		Date(s) Sent	Date(s) Sent
<input checked="" type="checkbox"/>	Email	1-26-2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
<input type="checkbox"/>	Fax		
<input type="checkbox"/>	Hand Delivery		
<input type="checkbox"/>	Certified Mail		

Table 11

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

<b>Website Notice</b>	<b>Public Planning Meeting</b>	<b>MOD Public Hearing</b>
Date(s)	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>

Table 12

**Published Notice.** As required, notice of the public hearing was published in at least one regional newspaper at least **three (3)** days in advance. Notice of the public hearings were published in the following regional newspaper(s):

<b>Newspaper Name</b>	<b>Public Planning Meeting</b>	<b>MOD Public Hearing</b>
	Date Published	Date Published
The Sealy News	1/27/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The (Brazoria County) Facts	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Anahuac Progress	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Colorado County Citizen	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
Fort Bend Herald	1/27/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Galveston Daily News	1/23/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
Houston Chronicle	1/28/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Vindicator Liberty County	1/27/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
Bay City Tribune	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Courier of Montgomery County	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Huntsville Item	1/25/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>

The Waller Times	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
The Wharton Journal-Spectator	1/22/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
Forward Times	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
La Informacion (Spanish)	1/27/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
Vietnam Moi News (Vietnamese)	1/26/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>
Southern News Group (Chinese)	1/30/2022	<i>TBD pending GLO conditional approval of preliminary MOD</i>

Table 13

## Public Comment Period

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

Start Date:	<i>TBD pending GLO conditional approval of preliminary MOD</i>	End Date:	<i>TBD pending GLO conditional approval of preliminary MOD</i>		No. of Days: 30	
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Table 14

## Citizen Participation

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

Beyond the minimum requirements that the GLO has outlined in the contract, H-GAC implemented the additional tactics listed below to increase overall public participation:

- Distributed electronic flyers and asked community organizations to share information with their audiences (i.e., United Way, faith-based organizations, etc.).
  - H-GAC sent a one-page flyer that contains all the information about the meetings to identified stakeholders so they could either forward the information to their membership or print off the material to post on a bulletin board or high-traffic area at their location.
- Purchased legal ads in English, Spanish, Vietnamese, and Mandarin newspapers across the 13-county region.
- Purchased public meeting notice ads on H-GAC's social media channels (i.e., Facebook, Twitter, Instagram, and LinkedIn).

- Sent direct emails to identified stakeholders (i.e., elected officials and staff, fair housing groups, long term recovery groups etc.)
  - In addition to direct emails to elected officials and staff representing jurisdictions across the 13-county region, H-GAC also invited the following groups to attend the meetings and/or provide comment as part of the planning process: State and Federal Elected Officials, Office of Emergency Management Staff, Regional Flood Management Committee Members, and Soil and Water Conservation staff.
  - To gain additional perspective on fair housing and civil rights issues in the region, H-GAC also invited the following groups to attend a specific meeting (Feb. 3, 2 p.m.) or any of the public meetings and provide comment as part of the planning process: Community Development Directors and Staff, Faith-based Organizations, Neighborhood and Community Improvement Organizations, Long-Term Recovery Groups, Housing Authorities, Housing Advocacy Groups, Homeless Services Organizations, Food Banks, County Health Districts, and other non-profit organizations, including MMHR, NAACP, United Way, Habitat for Humanity, Area Agency on Aging, Meals on Wheels, LULAC, Houston Hispanic Chamber of Commerce, Greater Houston Asian Chamber of Commerce, Tri-County Black Chamber of Commerce, and Boys and Girls Clubs. The listed groups received an initial invitation on 1-26-2022 and a reminder invitation on 2-2-2-22.
- Promoted public hearings through H-GAC's external newsletter, the *Community and Environmental Planning Update*.
- Promoted public hearings by posting to community calendars and newsletters.
- Promoted public hearings on H-GAC's and Secretary of State's calendars and websites.
- Promoted public hearings via social media ads (i.e., Facebook, LinkedIn, Instagram, and Twitter).

Table 15

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

The Americans with Disabilities Act (ADA) stipulates that meetings involving the public must be accessible to individuals with disabilities. Meetings must comply with all applicable ADA accessibility requirements and should also be conducted in such a way that all participants can participate in an equal and meaningful way. H-GAC fully complies with these requirements through its internal policies and procedures. H-GAC facilitates public participation for individuals with disabilities using the following guidelines:

- Meetings, public hearings, and formal events are held in facilities accessible by persons with disabilities.
- American Sign Language interpreters are provided.
- All slides and images used throughout presentations are compliant for those with visual impairments.
- Public notices of meetings and events include a notice of accommodations for individuals who are disabled. Such accommodations will be provided by request with a minimum 24-hour notice.

Understanding that COVID-19 was still active, and to also provide consistency throughout this process, all public hearings were held online so participants could safely participate. H-GAC used the Zoom platform to host all public hearings where participants could join via desktop, mobile phone, or dial-in should they have limited internet connectivity.

All public outreach efforts attempted to solicit as much feedback as possible by making meeting times and locations accessible and by working with organizations that provide public-focused services. Additionally, H-GAC provided multiple methods in which stakeholders could provide feedback including not only verbally and in chat, but also via email and voicemail until 5 p.m. on the day following the Public Planning Meetings.

Recognizing that the 13-county region is diverse, and using current census data, H-GAC provided Spanish, Vietnamese, and Mandarin interpreters at all Public Planning Meetings so participants could actively listen, ask questions, or engage in dialogue with H-GAC staff. American Sign Language interpreters were also present throughout all the Public Planning Meetings. The availability of interpreters was advertised in all outreach materials regarding the Public Planning Meetings. Any additional languages could be requested 48 hours in advance by calling 1-832-681-2583 or emailing [Robyn.Egbert@h-gac.com](mailto:Robyn.Egbert@h-gac.com).

Table 16

## Affirmatively Furthering Fair Housing (AFFH) Statement

All subrecipients will certify that they will affirmatively further fair housing (“AFFH”) in their grant agreements and will receive GLO training and technical assistance in meeting their AFFH obligations. Additionally, all project applications will undergo AFFH review by GLO before approval of projects. Such review will include assessment of a proposed project’s area demography, socioeconomic characteristics, housing configuration and needs, educational, transportation, and health care opportunities, environmental hazards or concerns, and all other factors material to the AFFH determination. Applications should show that projects are likely to lessen area racial, ethnic, and low-income concentrations, and/or promote affordable housing in low-poverty, nonminority areas in response to natural hazard related impacts.


## COG Principal Contact Information

Contact Name:	Chuck Wemple
Title:	Executive Director

Table 17

## Contact and Signatory Authority

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

  
[Charles Wemple \(Jun 14, 2022 13:03 EDT\)](#)

Signature

06/14/2022

Date

Charles Wemple  
Printed Name

Executive Director  
Title

Charles.wemple@h-gac.com  
Email Address

713-993-4514  
Telephone Number