

FILED
AT 11:10 O'CLOCK A. M.
MAY 21 2021
BY [Signature] DEPUTY

RESOLUTION REGARDING CIVIL RIGHTS

Whereas, County of Hidalgo, Texas, (hereinafter referred to as "the County") has been awarded funding through a Texas Community Development Block Grant (TxCDBG) program from the Texas Department of Agriculture (TDA) under Contract Number 7219133;

Whereas, the County, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the County, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the County, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

Whereas, the County, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the County, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, the County, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing;

Whereas, the County, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONER'S COURT OF HIDALGO COUNTY, TEXAS, that the COUNTY OF HIDALGO ADOPTS/REAFFIRMS THE FOLLOWING:

1. Section 3 Policy;
2. Excessive Force Policy;
3. Section 504 Policy and Grievance Procedures;
4. Fair Housing Policy;
5. Citizen Participation Plan with Complaint Procedure; and
6. Designation for a Civil Rights Officer

PASSED AND APPROVED BY COMMISSIONER'S COURT OF THE COUNTY OF HIDALGO, TEXAS on May 18, 2021.

APPROVED BY
COMMISSIONERS COURT
ON: 5/18/21

[Signature]

Richard F. Cortez, County Judge
Hidalgo County, Texas

Attest:

[Signature]

Arturo Guajardo, Jr., County Clerk
Hidalgo County, Texas



Section 3 Policy

In accordance with 12 U.S.C. 1701u the Hidalgo County agrees to implement the following steps, which, to *the greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of the federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of Hidalgo County, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Dick & Lu Re
Signature

Hidalgo County Judge
Title

5/18/21
Date

09/01/2020

APPROVED BY
COMMISSIONERS COURT
ON: 5/18/21

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the Hidalgo County hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of Hidalgo County Urban County Program (UCP) (Grant Recipient) to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of Hidalgo County Urban County Program (UCP) (Grant Recipient) to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. Hidalgo County Urban County Program (UCP) (Grant Recipient) will introduce and pass a resolution adopting this policy.

As officers and representatives of Hidalgo County, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Richard J. Lewis
Signature

Hidalgo County Judge
Title

5/18/21
Date

APPROVED BY
COMMISSIONERS COURT
ON: 5/18/21 

Section 504 Policy Against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), Hidalgo County Urban County Program (UCP) (*Grant Recipient that employs fifteen or more persons*) hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. Hidalgo County Urban County Program (UCP) (*Grant Recipient*) does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. Hidalgo County Urban County Program (UCP)'s (*Grant Recipient*) recruitment materials or publications shall include a statement of this policy in 1. above.
4. Hidalgo County Urban County Program (UCP) (*Grant Recipient*) shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, Hidalgo County Urban County Program (UCP) (*Grant Recipient*) shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for Hidalgo County Urban County Program (UCP) (*Grant Recipient*) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to: **Patricio R. Avila, UCP Director, 1916 Tesoro St., Pharr TX 78577**, who has been designated to coordinate Section 504 compliance efforts.

Fair Housing Policy

In accordance with Fair Housing Act, the Hidalgo County hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. Hidalgo County Urban County Program (UCP) *agrees to* affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. Hidalgo County Urban County Program (UCP) *agrees to* plan at least one activity during the contract term to affirmatively further fair housing.
3. Hidalgo County Urban County Program (UCP) will introduce and pass a resolution adopting this policy.

As officers and representatives of Hidalgo County Urban County Program (UCP), we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Richard J. Lora
Signature

Hidalgo County Judge
Title

5/18/21
Date

APPROVED BY
COMMISSIONERS COURT
ON: 5/18/21 *me*

**HIDALGO COUNTY URBAN COUNTY PROGRAM (UCP)
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the County of Hidalgo, 1916 Tesoro St., Pharr, TX 78577 (Mailing Address), (956) 787-8127, (Phone) during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the Urban County Program (UCP), at 1916 Tesoro St., Pharr, TX 78577 (Mailing Address) or may call (956) 787-8127 (Phone).
2. A copy of the complaint or grievance shall be transmitted by the applicant/citizen to the entity that is the subject of the complaint or grievance and to the City/County Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The applicant/citizen shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the Hidalgo County shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The Hidalgo County, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the Hidalgo County, the following public hearing provisions shall be observed:

1. Public notice of all hearings 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 must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
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 City/County must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The Hidalgo County shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City/County shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
2. The City/County shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

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

The Hidalgo County will comply with the following citizen participation requirements in the event that the City/County receives funds from the TxCDBG program:

1. The City/County shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City/County shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City/County shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Richard F. Cortez

Richard F. Cortez, Hidalgo County Judge

5/18/21

Date

APPROVED BY
COMMISSIONERS COURT
ON: *5/18/21* *mk*

PROGRAMA URBANO DEL CONDADO DE HIDALGO (UCP)
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE SUBVENCIONES EN BLOQUES PARA EL DESARROLLO COMUNITARIO

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG . Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés. Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Programa de Subvenciones De Bloque Para El Desarrollo Comunitario (TxCDBG) del Departamento de Agricultura de Texas y Requisitos Del Gobierno Local que se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en el Condado de Hidalgo, 1916 Tesoro Street Pharr, TX 78577 (Dirección postal), (956) 787-8127, (teléfono) en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto de TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito al Programa Urbano del Condado de Hidalgo (UCP), a 1916 Tesoro Street, Pharr, TX 78577 (Dirección postal) o puede llamar al (956) 787-8127 (Teléfono).
2. Una copia de la queja o reclamación se transmitirá por el aplicante/ciudadano a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad/Condado dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El aplicante/ciudadano deberá cumplir una investigación de la queja o reclamación, si es posible, y dará una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y se especificará cuando se deberá completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a TxCDBG para su posterior revisión y comentarios.

6. Se proporcionara copias de los procedimientos de queja y las respuestas a las quejas, tanto en inglés y español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, el Condado de Hidalgo proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. El Condado de Hidalgo, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, determinara el nivel y tipo de asistencia.

DISPOSICIONES DE AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por el Condado de Hidalgo, se observarán las siguientes disposiciones de audiencias públicas:

1. Aviso público de todas las audiencias deberán publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público deberá incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deberán ser colocados en lugares prominentes en los edificios públicos y ser distribuidos en las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés y sean parte de la zona de servicio potencial del proyecto de TxCDBG, documentos vitales como los avisos públicos deberán ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en el tiempo y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y el Condado de Hidalgo deberá hacer los arreglos para las personas que requieren ayuda o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud de TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

El Condado de Hidalgo deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad/Condado deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad/Condado conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), minutas de la audiencia, y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado. Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código del Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de la aplicación de TxCDBG, pero no se limita al desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa de TxCDBG y los últimos usos de fondos de los contratos de TxCDBG. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de zonas de suburbios deterioradas, se les animará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete deberá estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

El Condado de Hidalgo deberá cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad/Condado reciba fondos del programa de TxCDBG:

1. La Ciudad/Condado celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, la propuesta que se hará con el uso de fondos TxCDBG de una actividad elegible a otra utilizando de nuevo los requisitos de notificación.
2. Una vez finalizado el proyecto TxCDBG, la Ciudad/Condado celebrará una audiencia pública y revisará el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se pueda anticipar razonablemente para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, se publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionará un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad/Condado conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), minutas de la audiencia, y cualquier otro registro concerniente al uso real de los fondos por un período de tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código del Gobierno de Texas.

Richard F. Cortez

Richard F. Cortez, Juez del Condado de Hidalgo

5/18/21

Fecha

APPROVED BY
COMMISSIONERS COURT
ON: *5/18/21*



Designation Form for Civil Rights Officer

A1008



City/County: Hidalgo County

TxCDBG Contract # 7219133

Address: 1916 Tesoro St.

Pharr, TX 78577

Telephone Number: (956) 787-8127

I, Richard F. Cortez, do hereby appoint Patricio R. Avila,
(Chief Elected Official) (Name and Title)

as the Civil Rights Officer for the City/County of Hidalgo County.

The Civil Rights Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the City/County of Hidalgo, as required by the Texas Community Development Block Grant Program Contract No. 7219133.

The Civil Rights Officer is responsible for being familiar with and adhering to all civil rights laws and regulations pertaining to the Texas Community Development Block Grant Program, including those described in the TxCDBG Implementation Manual and those listed in the TxCDBG contract.

Civil Rights Officer: 
(Signature)

Appointed by: 
(Signature)

Date: 5/18/21

APPROVED BY
COMMISSIONERS COURT
ON: 5/18/21