

**URBAN COUNTY  
PROGRAM**  
Hidalgo County Commissioners' Court  
Agenda Request Form

No. 98397  
**Gabriel Gonzalez**

Date: February 11, 2025 Meeting Date Request: February 18, 2025

Deadline for Action: ASAP Contact Person: \_\_\_\_\_

Department: Urban County Program Phone: (956) 787-8127 Fax: (956) 318-2988

**Joel Rivera, Ph.D., UCP Director** *JR*

**Caption:**

- A.) Urban County Program is requesting County Commissioner's Court approval of the following Civil Rights requirements for the Texas Community Development Block Grant (TxCDBG) 2019 Disasters Infrastructure Competitions Grant under the Texas General Land Office's Disaster Recovery Program Infrastructure Projects, 2019 Disasters Infrastructure Competitions Contract No. 24-067-022-E209.
  - 1.) Excessive Force Policy;
  - 2.) Section 504 Policy Against Discrimination based on Handicap and Grievance Procedures;
  - 3.) Fair Housing Policy.
  
- B.) Consideration and approval of Resolution regarding Civil Rights for the (TxCDBG) 2019 Disasters Infrastructure Competitions Grant, Contract No. 24-067-022-E209.
  
- C.) Consideration and approval to authorize the County Judge to sign any and all contractual documents associated with the aforementioned policies/procedures/resolution as required by the GLO.

**Background:**

The Texas General Land Office (GLO) requires resolutions, ordinances, and policies regarding civil rights, equal opportunity, and citizen participation be in effect throughout the contract period. Grant Subrecipients are required to submit a copy of the policies to the GLO, adopted or reaffirmed throughout the duration of the grant.

Deputy Director: *AG* Finance: *MG*

Please initial for approval:

Legal Counsel \_\_\_\_\_ Budget \_\_\_\_\_ Human Resources \_\_\_\_\_

Dept./Fund No. \_\_\_\_\_ Amt. Expended: \$ \_\_\_\_\_ Funds/Staffing Budgeted: Yes: \_\_\_\_\_ No: \_\_\_\_\_  
Account Code: \_\_\_\_\_ Impact on Future Budget: Yes \_\_\_\_\_ No \_\_\_\_\_

**Comments:**

**Action taken by Commissioner's Court:**

Approved \_\_\_\_\_ Tabled \_\_\_\_\_ Denied \_\_\_\_\_ Motion made by \_\_\_\_\_ Seconded \_\_\_\_\_ Vote \_\_\_\_\_

**APPROVED**  
County Commissioners' Court  
DATE: 2/18/25 *JR*

## Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), **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** 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** 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** 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 F. Cortez*

Richard F. Cortez  
Hidalgo County Judge

*2/18/25*

Date

APPROVED BY  
COMMISSIONERS COURT  
ON: *2/18/25*

## 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 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 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 recruitment materials or publications shall include a statement of this policy in 1. above.
4. Hidalgo County 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 Texas General Land Office (GLO) grant program, Hidalgo County shall ensure that they are provided with the information necessary to understand and participate in the Texas General Land Office (GLO) grant 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 to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to: **Urban County Program Director, 1916 Tesoro Street, Pharr, TX 78577 at (956) 787-8127**, who has been designated to coordinate Section 504 compliance efforts.
  - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by **Urban County Program Director**. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by **Urban County Program Director**, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
- g. The Section 504 coordinator shall maintain the files and records of the Hidalgo County relating to the complaints files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the Hidalgo County within ten (10) working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the Hidalgo County complies with Section 504 and HUD regulations.

*Richard F. Cortez*

Richard F. Cortez  
Hidalgo County Judge

*2/18/25*

Date

APPROVED BY  
COMMISSIONERS COURT  
ON: *2/18/25*

## Hidalgo County Fair Housing Policy

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

1. **Hidalgo County** 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** agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. **Hidalgo County** 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 F. Cortez

Hidalgo County Judge



Date

APPROVED BY  
COMMISSIONERS COURT  
ON: 2/18/25 

AT 9:30 FILED O'CLOCK A. M.  
FEB 27 2025  
ARTURO GUAJARDO, JR., COUNTY CLERK  
HIDALGO CO., TEXAS  
BY \_\_\_\_\_ DEPUTY

**RESOLUTION  
REGARDING CIVIL RIGHTS**

WHEREAS, THE 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 GENERAL LAND OFFICE AS ADMINISTERED BY THEIR COMMUNITY DEVELOPMENT AND REVITALIZATION (GLO-CDR) DIVISION FOR THE **2019 DISASTERS INFRASTRUCTURE COMPETITIONS GRANT CONTRACT NUMBER 24-067-022-E209**;

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 (as outlined in Hidalgo County Urban County Program's Citizen Participation Plan dated February 2, 2021);

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 (as further detailed in Hidalgo County Urban County Program's Section 3 Policy dated October 1, 2021);

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 Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project (as outlined in Hidalgo County's Limited English Proficiency Plan located within the Title VI/Nondiscrimination Plan dated April 16, 2019);

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.

1. Excessive Force Policy;
2. Section 504 Policy and Grievance Procedures; and
3. Fair Housing Policy.

PASSED AND APPROVED BY COMMISSIONER'S COURT OF THE COUNTY OF HIDALGO, TEXAS ON February 18, 2025.



Attest:

Arturo Guajardo, Jr.  
ARTURO GUAJARDO, JR., COUNTY CLERK  
HIDALGO COUNTY, TEXAS

Richard F. Cortez

RICHARD F. CORTEZ, COUNTY JUDGE  
HIDALGO COUNTY, TEXAS

APPROVED BY  
COMMISSIONERS COURT  
ON: 2/18/25