

## **RESOLUTION R-2023-\_\_\_\_\_**

### **A RESOLUTION OF THE CITY COUNCIL OF CITY OF BAY CITY, TEXAS, AUTHORIZING THE SUBMISSION OF A 2023/2024 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.**

**WHEREAS**, the City Council of the City of Bay City desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

**WHEREAS**, it is necessary and in the best interests of the City of Bay City to apply for funding under the Texas Community Development Block Grant Program; and

**WHEREAS**, the City of Bay City in consideration for the receipt and acceptance of federal funding if awarded, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections as follows:

- 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, to 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;
- in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 75, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the Section 3 Service Area;
- 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), to adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;
- in accordance with Executive Order 13166, to 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;
- in accordance with Section 504 of the Rehabilitation Act of 1973, to 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
- 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, to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing; and

**WHEREAS**, the City of Bay City, 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 CITY COUNCIL OF THE CITY OF BAY CITY, STATE OF TEXAS:**

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Community Development Fund.
3. That the application be for up to \$500,000.00 of grant funds to provide Water / Wastewater System Improvements and all necessary appurtenances.
4. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
5. That it further be stated that the City of Bay City is committing at minimum \$75,000.00 from its General Fund as a cash contribution toward the administration, engineering, and/or construction activities of this Water / Wastewater System Improvements and all necessary appurtenances project.
6. The City of Bay City adopts the following policies:
  - a. Citizen Participation Plan and Grievance Procedures (Form A1013);
  - b. Excessive Force Policy (Form A1003);
  - c. Fair Housing Policy (Form A1015);
  - d. Section 504 Policy and Grievance Procedures (Form A1004); and
  - e. Code of Conduct Policy (Form A1002).
7. The City of Bay City affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following:
  - a. Section 3 economic opportunity;
  - b. Limited English Proficiency; and
  - c. Activity to affirmatively Further Fair Housing choice.

PASSED AND APPROVED on first and final reading this \_\_\_\_\_ day of February 2023.

**CITY OF BAY CITY, TEXAS**

\_\_\_\_\_  
**Robert K. Nelson, Mayor**

**ATTEST:**

**APPROVED as to FORM:**

\_\_\_\_\_  
 Jeanna Thompson, City Secretary

\_\_\_\_\_  
 City Attorney