



**AGENDA ITEM REQUEST FORM  
CITY OF JOHNSON CITY, TEXAS  
CITY COUNCIL**

**ITEM NOS. 9 & 10**

**MEETING DATE:** January 4, 2022

**AGENDA PLACEMENT:**

- Ceremonial
- Consent
- Individual
- Closed Session

**CAPTION:**

Approval of an Omnibus Resolution regarding civil rights and other funding requirements under the American Rescue Plan Act for the City of Johnson City, Texas; CSLFRF Contract 167-TX8005 (TX1747). (GDS)

Approval of an Omnibus Resolution regarding civil rights and other funding requirements for the City of Johnson City, Texas. (GDS)

**STRATEGIC WORK PLAN:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Not Applicable               | <input type="checkbox"/> Goal 5: Improve Fire Safety                             |
| <input type="checkbox"/> Goal 1: Increase Housing Diversity      | <input type="checkbox"/> Goal 6: Improve Streets                                 |
| <input type="checkbox"/> Goal 2: Expand Quality Lodging          | <input type="checkbox"/> Goal 7: Increase Publicity & Promotion of the Community |
| <input type="checkbox"/> Goal 3: Improve Code Enforcement        | <input type="checkbox"/> Goal 8: Increase Economic Development Activities        |
| <input type="checkbox"/> Goal 4: Improve Streetscaping & Signage |  |

**EXECUTIVE SUMMARY:**

Per Grant Development Services, the purpose of each Omnibus Resolution is as follows:

1. To have a resolution that can be used in the future for any new grant; and
2. To have a resolution that specifically addresses the CSLFRF grant.

**FINANCIAL:** N/a

**ATTACHMENTS:** Proposed Omnibus Resolutions

**SUGGESTED ACTION:**

Motion to approve:

- an Omnibus Resolution regarding civil rights and other funding requirements under the American Rescue Plan Act for the City of Johnson City, Texas; CSLFRF Contract 167-TX8005 (TX1747); and
- an Omnibus Resolution regarding civil rights and other funding requirements for the City of Johnson City, Texas.

**PREPARED BY:** City Staff

**DATE SUBMITTED:** 12/31/21

**OMNIBUS RESOLUTION No. R21-077**  
**Regarding Civil Rights and**  
**Other Funding Requirements**  
**The City of Johnson City, Texas**

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**Whereas**, the City of Johnson City, Texas, (hereinafter referred to as “City of Johnson City”) has made applications for grants to be funded to State of Texas agencies and U. S. federal government agencies;

**Whereas**, City of Johnson City, in consideration of the receipt and acceptance of state and/or federal funds, hereby affirms its intention to comply with all state and/or federal rules, regulations and laws applicable to any grant made to City of Johnson City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS, THAT THE CITY OF JOHNSON CITY REAFFIRMS THE FOLLOWING:**

1. 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, agrees to take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the grant activity, on the basis of race, color, religion, sex, national origin, age, or disability;
2. Agrees to ensure that all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections are in place;
3. 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, agrees to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the project area;
4. 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), agrees to adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;
5. In accordance with Executive Order 13166, agrees to take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and have an LEP plan in place specific to the locality and beneficiaries for each project;
6. In accordance with Section 504 of the Rehabilitation Act of 1973, asserts it 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;

7. 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 any contract, to affirmatively further fair housing;
8. 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, previously adopted by City of Johnson City;
9. Agrees to comply with Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601, known as the Fair Housing Act;
10. Agrees to establish a Code of Conduct, which includes standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts and consistent with 2 CFR Sec. 200.318(c);
11. Agrees to comply with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200;
12. Agrees to comply with the Civil Rights Restoration Act of 1987;
13. Agrees to comply with Civil Rights Act of 1964, Title VI, 42 U.S.C. §§ 2000d et seq.), and US Treasury Reg 31 C.F.R. Part 22;
14. Agrees to comply with Age Discrimination Act of 1975 (42 U.S.C. 6101-6107)
15. Agrees to comply with ADA: Americans with Disabilities Act of 1990, Title II as amended (42 U.S.C. §§ 12101 et seq.;
16. Agrees to comply with the Hatch Act, 5 U.S.C. § 1501-1508 and 7324-7328
17. Agrees to comply with the Whistleblowers Act, 41 U.S.C. § 4712;
18. Agrees to comply with Executive Order 13043, 62 FR 19217 ( pr. 18, 1997) regarding Seat Belt Use and Increasing Seat Belt Use in the United States;
19. Agrees to Reduce Text Messaging while Driving, Pursuant to Executive Order 13513, 74 FR 51225 (Oct 6, 2009);
20. Will include necessary and required contract language for certain federally funded projects for Prime Subcontractors;
21. Agrees to comply with the Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25;
22. Agrees to comply with Subaward Reporting 2 C.F.R. Part 170;
23. Agrees to comply with Debarment & Suspension OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, 2 C.F.R. Part 180, subpart B, 2 C.F.R. Part 180, and US Treasury Reg 31 C.F.R. Part 19;
24. Agrees to comply with Recipient Integrity and Performance Matters, 2 C.F.R. Part 200, Appendix XII to Part 200;
25. Agrees to comply with Drug-Free Workplace requirements set out at 31 C.F.R. Part 20;
26. Agrees to comply with Lobbying restrictions set out at 31 C.F.R. Part 21;

27. Agrees to comply with Acquisition requirements in the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 set out at 42 U.S. C. §§ 4601-4655; and
28. For each American Recovery Act funded contract or sub-contract, will assure that each sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of or otherwise discriminating against a person on the basis of race, color, or national origin (42 U S C.§ 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 USC § 20 0d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 2 , and herein incorporated by reference and made a part of this contract or agreement.

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS, THAT THE CITY OF JOHNSON CITY REAFFIRMS THE FOLLOWING WITH RESPECT TO ALL COMMUNITY DEVELOPMENT BLOCK GRANTS:**

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Code of Conduct Policy (Sample Form Appendix C);
6. Fair Housing Policy (Exhibit 1015).
7. Limited English Proficiency Policy (Form A1010)

**Passed and approved this 4th day of January, 2022.**

\_\_\_\_\_  
Signature of Elected Official  
Mayor Rhonda Stell

\_\_\_\_\_  
Whitney Walston  
City Secretary

Date: \_\_\_\_\_