



Special Called City Council Meeting  
Held virtually on Zoom  
August 21, 2020 ☐ 10:00 am

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## Invocation, Pledge, and Roll Call

__ Richard Boyett, Mayor	__ City Manager
__ Carolyn McWaters, Position 1 Mayor Pro-Tem	__ Assistant City Manager/Finance Director
__ Marilyn Clay, Position 2	__ City Secretary
__ Fred Terrell, Position 3	__ City Attorney
__ Jennifer Bergman, Position 4	
__ Danny Lee, Position 5	

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Notice is hereby given of a special called City Council Meeting to be held on **August 21, 2020, at 10:00 am virtually** due to the need of social distancing and protection of council and the public. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization of Title 5, Chapter 551 of the Texas Government Code.

Due to the COVID 19 disaster and CDC's recommendation regarding social distancing measures. The public will not be allowed to be physically present at this meeting, but the meeting will be available to members of the public and allow for two-way communications for those desiring to participate.

**The City will be using a telephone/video conferencing tool called ZOOM to make the meeting available to the public. You have several options to participate.**

- 1) Phone in at 346-248-7799 US (Houston) and enter Meeting ID 890 8608 4825**
- 2) Use the link - <https://us02web.zoom.us/j/89086084825>**
- 3) Download the ZOOM app on your phone and enter Meeting ID 890 8608 4825 to join**

The agenda packet is accessible to the public as a PDF format at the following link <https://www.clevelandtexas.com/agendacenter> under City Council -Aug 21, 2020. The meeting will also be shown on Facebook Live on the City's Facebook account at [facebook.com/cityofclevelandtx](https://www.facebook.com/cityofclevelandtx).

For more information or questions concerning the teleconference, please contact the City Secretary's office at 281-592-2667.

## Comments

### 1. Public Comments.

Any person with City related business may speak to Council. In compliance with the Texas Open Meetings Act, the City Council may not discuss, or vote on any matter raised in public comments unless it is specifically on the agenda. To speak during a council meeting, you must be recognized by the Presiding Officer. **PUBLIC COMMENT WILL BE LIMITED TO THREE MINUTES.**

### **Zoom Meeting Public Comments Instructions**

*Members of the Cleveland Economic Development Corporation Board (EDC) may be attending and participating. If a quorum of EDC is present, then this meeting of the Cleveland City Council shall also be a meeting of the Cleveland Economic Development Corporation.*

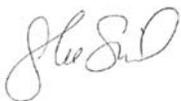
- a. *Today's meeting will allow citizen participation during Public Comments section*
- b. *If you emailed your request for public comment, then the City Secretary will inform the council of your request. Email requests must be received by 9:30 am, 8/21/2020.*
- c. *You can text your public comment request to 281-432-8756 if you are using Facebook Live or you can do \*9 on your phone to "raise your hand" if using the phone line for the Zoom meeting.*
- d. *If you are calling in, when it is public comments time, you will be unmuted for the allowed three minutes and will be muted again after the three minutes is up*
- e. *The Council is not required to reply during public comments.*

### **Discussion and Action**

2. Consider resolution adopting the policies for Citizen Participation Plan and Grievance Procedures, Section 3 Policy, Excessive Force Policy, Section 504 Policy and Grievance Procedures, Limited English Proficiency Plan, Fair Housing Policy and Code of Conduct Policy for participation with Texas Community Development Block Grant Projects (TXCDBG)
3. Consider resolution of the City Council of Cleveland, Texas Authorizing the Submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Texas Capital Fund; and Authorizing the Mayor to Act as the City's Executive Officer and Authorized Representative in all Matters Pertaining to the City's Participation in the Texas Community Development Block Grant Downtown Revitalization and Main Street Program
4. Consider resolution of the City Council of the City of Cleveland, Texas, determining that an area of the city contains conditions which are detrimental to the public health, safety, and welfare of the community and constitutes a slum/blighted area (for CDBG Downtown Grant Phase II)

### **Adjourn**

I certify that the above agenda was posted at City Hall, 907 E. Houston, and the City's website – [www.clevelandtexas.com](http://www.clevelandtexas.com) on August 18, 2020 by 10:00 am.



Angela Smith, TRMC  
City Secretary/HR Manager



**CITY OF  
CLEVELAND**  
Council Memorandum

Item No. 2

To: Mayor and Council

Via: City Manager

Cc: City Secretary

**Agenda Item:** Consider resolution adopting the policies for Citizen Participation Plan and Grievance Procedures, Section 3 Policy, Excessive Force Policy, Section 504 Policy and Grievance Procedures, Limited English Proficiency Plan, Fair Housing Policy and Code of Conduct Policy for participation with Texas Community Development Block Grant Projects (TXCDBG)

**Agenda Date:** August 21, 2020

**Originating Department:** City Manager

**Background Information:** Traylor and Associates as our grant administrator provided this resolution with the standard policies for council to adopt to cover both of our TXCDBG grants that we have been awarded.

**Discussion & Conclusion:** Council adopts these each time we have a CDBG grant as it is part of the grant process. The last time was in 2019.

**Financial:** N/A

**Recommendation:** N/A

**Attachment(s) List:**

**Final Disposition:**

**RESOLUTION No. \_\_\_\_\_ Regarding Civil Rights****The City of Cleveland, Texas**

Whereas, the City of Cleveland, Texas, (hereinafter referred to as "City of Cleveland") is anticipating funding through a TxCDBG funding application grant from the Texas Department of Agriculture (hereinafter referred to as "TDA");

Whereas, the City of Cleveland, 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 City of Cleveland, 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 City of Cleveland, 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 City of Cleveland, 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 City of Cleveland, 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;

Whereas, the City of Cleveland, 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 City of Cleveland, 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 City of Cleveland, 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 CLEVELAND CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS, that the CITY OF CLEVELAND ADOPTS/REAFFIRMS THE FOLLOWING:

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. Limited English Proficiency Plan (Form 1010); and
7. Fair Housing Policy (Exhibit 1015).

**Passed and approved this 21st day of August 2020.**

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Richard Boyett, Mayor  
City of Cleveland

ATTEST:

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Angela Smith  
City Secretary

## Exhibit 1

THE CITY OF CLEVELAND  
CITIZEN PARTICIPATION PLAN  
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

*Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:*

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have ‘meaningful access’ to all aspects of the TxCDBG project. To provide ‘meaningful access’, Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents may include Citizen Participation notices (e.g., complaint procedures, hearings notices), civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see [LEP.gov](http://LEP.gov)

#### 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 City of Cleveland, 907 E. Houston Street, Cleveland, TX 77327, 281-592-2667, 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 City Secretary, Angela Smith, at 907 E. Houston Street, Cleveland, TX 77327 or may call 281-592-2667.
2. A copy of the complaint or grievance shall be transmitted by the City Secretary to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City Secretary 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 City 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 City, 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 City, 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 must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. 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 City 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 shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.

2. The City 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 City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City 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 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 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.

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Richard Boyett, Mayor

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Date

## **Exhibit 2 Section 3 Policy**

In accordance with 12 U.S.C. 1701u the City of Cleveland 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 City of Cleveland, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

\_\_\_\_\_  
Richard Boyett, Mayor

\_\_\_\_\_  
Date

### **Exhibit 3 Excessive Force Policy**

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

1. It is the policy of City of Cleveland 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 City of Cleveland 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. City of Cleveland will introduce and pass a resolution adopting this policy.

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

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Richard Boyett, Mayor

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Date

**Exhibit 4**  
**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), City of Cleveland 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. City of Cleveland 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. City of Cleveland recruitment materials or publications shall include a statement of this policy in 1. above.
4. City of Cleveland 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, City of Cleveland 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 City of Cleveland to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to **Angela Smith, City Secretary, 907 E. Houston Street, Cleveland, TX 77327, 281-592-2667**, 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 **Angela Smith, City Secretary**. 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 **Angela Smith, City Secretary**, 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 City of Cleveland relating to the complaint 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 City of Cleveland within ten 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 City of Cleveland complies with Section 504 and HUD regulations.

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Richard Boyett, Mayor

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Date

## **SAMPLE CODE OF CONDUCT POLICY**

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) & (h), and 2 CFR 200.318.

### **CODE OF CONDUCT**

As a Grant Recipient of a TxCDBG contract, City of Cleveland shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Cleveland shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Cleveland shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the City of Cleveland Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

**Passed and approved this 21st day of August 2020.**

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Richard Boyett, Mayor  
City of Cleveland

ATTEST:

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Angela Smith  
City of Cleveland

## Limited English Proficiency Sample Plan

Exhibit 6

Name Grantee:	City of Cleveland
Community Population:	7,576
LEP population:	944
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 5% of the eligible population or beneficiaries but has less than 50 or less in number; or 3) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries.	12.5%

<b>Program activities to be accessible to LEP persons:</b>	
<input type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input type="checkbox"/>	Publications regarding TxCDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input type="checkbox"/>	Other program documents: _____

<b>Resources available to Grant Recipient:</b>	
<input type="checkbox"/>	Translation services: <u>City will provide as requested by LEP</u> _____
<input type="checkbox"/>	Interpreter services: <u>City will provide as requested by LEP</u> _____
<input type="checkbox"/>	Other resources: _____ _____

<b>Language Assistance to be provided:</b>	
<input type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: <u>As requested by LEP person for hearings including completion of project activities as relates to grant funded activities</u>
<input type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons _____
<input type="checkbox"/>	Public meetings conducted in multiple languages: <u>Will be provided as requested by LEP persons.</u>
<input type="checkbox"/>	Notices to recipients of the availability of LEP services: _____
<input type="checkbox"/>	Other services: The City will continue to monitor needs and make resources available when necessary.

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

\_\_\_\_\_  
Signature - Chief Elected Official or Civil Rights Officer

## **Exhibit 7 Fair Housing Policy**

In accordance with Fair Housing Act, the *City of Cleveland* hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

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

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

\_\_\_\_\_  
Richard Boyett, Mayor

\_\_\_\_\_  
Date



**CITY OF  
CLEVELAND**  
Council Memorandum

Item No 3

To: Mayor and Council

Via: City Manager

Cc: City Secretary

**Agenda Item:** Consider resolution of the City Council of Cleveland, Texas Authorizing the Submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Texas Capital Fund; and Authorizing the Mayor to Act as the City's Executive Officer and Authorized Representative in all Matters Pertaining to the City's Participation in the Texas Community Development Block Grant Downtown Revitalization and Main Street Program

**Agenda Date:** August 21, 2020

**Originating Department:** City Manager

**Background Information:** This is one of the required resolutions for the Downtown Revitalization and Main Street Program application process. Council has already approved applying for this grant; these resolutions are just part of the application process.

**Discussion & Conclusion:** This resolution lists out the pertinent facts of the application; it will be for \$500,000 that will go towards improving sidewalks, ADA compliance, parking and lighting within the designed area; designating Mayor as the authorized representative for this project, states that the City has committed \$75,000 from General Fund as their match.

**Financial:** As listed above

**Recommendation:** Approval of resolution

**Attachment(s) List:** Resolution

**Final Disposition:**

RESOLUTION No. \_\_\_\_\_

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING THROUGH  
THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS CAPITAL FUND

BE IT RESOLVED by the City Council of the City of Cleveland as follows:

SECTION 1.

The City Council has reviewed and hereby authorizes the submission of an application to Texas Department of Agriculture Texas Capital fund for Downtown Revitalization Program grant funds for the elimination of slum and blight conditions.

The City Council has identified and determined infrastructure that is inadequate to meet the needs of the area, including deteriorated sidewalks and absence of ADA accessibility ramps for persons with disabilities to commercial and other public buildings in the downtown area to be designated as blighted as follows:

Boundaries:

On north side of W. Boothe Street from N. San Jacinto Ave. to N. Bonham Ave.; on the east side of N. Bonham Ave. from E. Boothe Street to E. Hanson Street; the south side of E. Hanson Street from S. Bonham Ave. to S. San Jacinto Ave. and mid road on S. San Jacinto Ave. from W. Hanson Street to W. Boothe Street. (See Exhibit A)

SECTION 2.

The City Council has reviewed and hereby agrees to comply with all assurances executed in connection with the application and, if funded, the award.

SECTION 3.

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, civil rights and administrative requirements.

SECTION 4.

The City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program.

SECTION 5.

That the application be for \$500,000.00 of grant funds to provide reconstruction of sidewalks to include ADA compliance features in the Downtown area of the city.

That it further be stated that the City of Cleveland is committing \$75,000.00 from its General Fund as a cash contribution toward the sidewalk activities, engineering, and administrative of this economic development project.

PASSED AND ADOPTED at a special called meeting of the City Council of the City of Cleveland held on the 21st day of August 2020 by the following vote: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
Richard Boyett, Mayor

ATTEST:

\_\_\_\_\_  
City Secretary Angela Smith



**CITY OF  
CLEVELAND**  
Council Memorandum

Item No. 4

To: Mayor and Council

Via: City Manager

Cc: City Secretary

**Agenda Item:** Consider resolution determining that an area of the city contains conditions which are detrimental to the public health.....

**Agenda Date:** August 21, 2020

**Originating Department:** City Manager

**Background Information:** This is one of the required resolutions for the Downtown Revitalization and Main Street Program application process. Council has already approved applying for this grant; these resolutions are just part of the application process.

**Discussion & Conclusion:** This resolution defines the “blighted” area of our Central Business District for purposes of this grant. Staff met with KSA Engineering and Traylor and Associates to review the Central Business District to find the areas that meet the criteria for this grant and the funds available.

**Financial:** Previously mentioned

**Recommendation:** Approval of resolution

**Attachment(s) List:** Resolution

**Final Disposition:**

# Agenda #5

RESOLUTION No. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A SLUM/BLIGHTED AREA.

WHEREAS, the City Council of the City of Cleveland has reviewed and evaluated conditions in the downtown district of the municipality; and

WHEREAS, The City Council has found conditions which are detrimental to the public health, safety, and welfare of the community within the downtown district, as follows:

Sidewalks in the downtown area are extremely deteriorated due to age, including cracks and uneven surfaces, and are non-compliant with current ADA requirements for accessibility. The sidewalk conditions present unsafe walking for persons with and without disabilities and are obsolete due to age. There are numerous tripping hazards and limited access to and from sidewalk areas for wheelchair bound persons. Present conditions have created a safety issue for persons utilizing the walkways.

WHEREAS, the City Council of the City of Cleveland has authorized an application for funding under the Downtown Revitalization program, as follows:

Removal and replacement of deteriorated walkways on both sides of S. Travis Street from E. Houston Street. to E. Hanson Street; thence, along both sides of E. Hanson Street from S. Travis Street to S. Bonham Avenue; thence, along both sides of E. Boothe Street from N. Travis Street to N. Bonham Street. The activities will be at the following locations and include ADA accessible ramps (and handrailing where necessary) and will correct deficiencies creating unsafe conditions within the downtown area of the city.

WHEREAS, the proposed project activities will aid in the elimination of slum/blight in the community by removing cracked and uneven sidewalk and provide ADA accessibility, thus, creating a safe and healthy environment for persons utilizing the walkways. The new walks will remove tripping hazards and provide greater access to businesses especially by persons with disabilities.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEVELAND, TEXAS THAT THE AREA IDENTIFIED BY THE FOLLOWING BOUNDARIES AND OUTLINED ON THE MAP ATTACHED HERETO AS DESIGNATED DOWNTOWN DISTRICT AREA (EXHIBIT A) HAS BEEN DETERMINED TO BE A SLUM/BLIGHTED AREA.

**Boundaries:**

- North: Boothe Street
- South: E. Hanson Street
- East: Bonham Street
- West: San Jacinto Ave.

Passed and approved by the City of Cleveland City Council, the 21<sup>st</sup> day of August 2020.

\_\_\_\_\_  
Richard Boyett, Mayor

ATTEST:

\_\_\_\_\_  
City Secretary Angela Smith

City of Cleveland, Texas

Exhibit A—Blighted Area Designated for Downtown Revitalization Program

