

**RESOLUTION**  
**Regarding Civil Rights**

**The County of Polk, Texas**

**Whereas**, the County of Polk, Texas, has been awarded Disaster Recovery funding through Disaster Recovery Grant 20-065-018-C064 from the Texas General Land Office (hereinafter referred to as "GLO");

**Whereas**, the County of Polk 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 of Polk, 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 of Polk, 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 GLO Disaster Recovery area;

**Whereas**, the County of Polk, 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 of Polk, 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 County of Polk, 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 of Polk, 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 CDBG-DR contract, to affirmatively further fair housing;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF THE COUNTY OF POLK ADOPTS THE FOLLOWING:**

1. Citizen Participation Plan and Grievance Procedures;
2. Section 3 Plan;
3. Excessive Force Policy;
4. Section 504 Policy and Grievance Procedures;
5. Limited English Proficiency Plan; and
6. Fair Housing Policy.

**PASSED AND APPROVED** this 28 day of January, 2020.

  
\_\_\_\_\_  
Sydney Murphy, County Judge  
County of Polk, Texas

**ATTEST:**

  
\_\_\_\_\_  
Schelana Hock, County Clerk  
County of Polk, Texas



**THE COUNTY OF POLK  
CITIZEN PARTICIPATION PLAN  
GLO HURRICANE HARVEY INFRASTRUCTURE/BUY-OUT/ACQUISITION PROGRAM**

**COMPLAINT PROCEDURES**

These complaint procedures comply with the requirements of the GLO's Community Development Block Grant 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 Polk, 101 W. Church Street, Suite 300, Livingston, Texas 77351, 936-327-6813 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the GLO project(s).

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG project, whether it is a proposed, ongoing, or completed CDBG project, may during regular business hours submit such complaint or grievance, in writing to the County Judge, Sydney Murphy, at the address above, or may call 936-327-6813.
2. A copy of the complaint or grievance shall be transmitted by the County Judge to the entity that is the subject of the complaint or grievance and to the County Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The County Judge 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 County shall provide technical assistance to groups that are representative of persons of low and moderate income in developing proposals for the use of disaster funds. The 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 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 disaster 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 County must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing. (There will be a 30-day comment period).
4. A public hearing, if held prior to the submission of an 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.

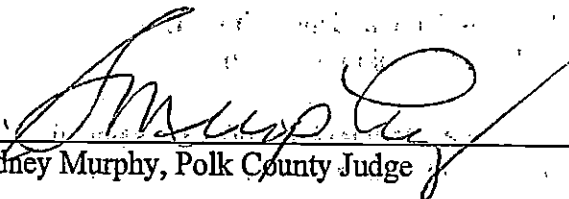
The County shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. The County may hold at least one (1) public hearing to prior to submitting the application to GLO if it deems such hearing to be needed for public comment.
2. The 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. If a public hearing is held, it shall include a discussion with citizens as outlined in the applicable GLO application guide 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 GLO program, and the use of past GLO 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. The County must hold the application for public comment at least 30 days prior to submission.

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 County must comply with the following citizen participation requirements in the event that the County receives funds from the GLO program:

1. The County shall also hold a public hearing concerning any substantial change, as determined by GLO, proposed to be made in the use of GLO funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the GLO project, the County shall hold a public hearing and review its program performance including the actual use of the GLO 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 GLO project or for the closeout of the GLO 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 County shall retain documentation of the GLO 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 five (5) years from closeout of the grant to the state by H.U.D. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

  
\_\_\_\_\_  
Sydney Murphy, Polk County Judge

1/28/2020  
\_\_\_\_\_  
Date

## MUESTRAS

LA CIUDAD / CONDADO DE POLK  
PLAN DE PARTICIPACIÓN CIUDADANA

### PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del El programa general de recuperación de desastres de la Oficina de Tierras y los requisitos del gobierno local se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Condado de Polk , 101 West Church Street, Suite 300, Livingston, Texas 77351, 936-327-6813, 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 CDBG-DR.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto CDBG-DR, o si se trata de una propuesta, en curso o determinado proyecto CDBG-DR, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la juez del condado, a 101 West Church Street, Suite 300, Livingston, Texas 77351 (Dirección postal) o puede llamar a 936-327-6813 (Teléfono).
2. Una copia de la queja o reclamación se transmitirá por el fiscal del condado 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 juez del condado deberá cumplir una investigación de la queja o reclamación, si es posible, y dara 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 sera notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se debera completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la CDBG-DR 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, la Condado 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 CDBG-DR. La Condado, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

## DISPOSICIONES AUDIENCIA PÚBLICA

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

1. Aviso público de todas las audiencias deberá 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 debe 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 deben ser un lugar prominente en los edificios públicos y se distribuyen a 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 serán una parte de la zona de servicio potencial del proyecto CDBG-DR, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento 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 la Condado debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud CDBG-DR 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.

La Condado deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto CDBG-DR:

1. Como mínimo, la Condado deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Condado conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la

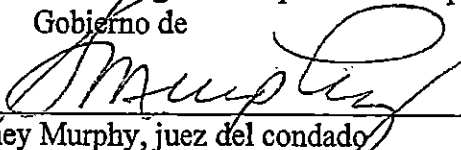
subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación CDBG-DR, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa CDBG-DR y el uso de fondos últimos contratos CDBG-DR, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará 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 debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Condado debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Condado recibe fondos del programa CDBG-DR:

1. La Condado celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por CDBG-DR, se propuso que se hará con el uso de fondos CDBG-DR de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto CDBG-DR, la Condado celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos CDBG-DR.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto CDBG-DR o para la liquidación del proyecto CDBG-DR, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Condado conservará la documentación del proyecto CDBG-DR, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a 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 de Gobierno de

  
Sydney Murphy, juez del condado

1/28/2020

Fecha



# *COUNTY OF POLK, TEXAS*

## *Section 3 Plan*

### **Section 3 Purpose**

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), as amended, requires that the County of Polk, Texas, ensure that training, employment and other economic opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be given to low- and very low- income persons, particularly those who are recipients of governmental assistance for housing, and to businesses that provide economic opportunities for these persons.

### **County of Polk, Texas Responsibilities**

The County will ensure that the contractors and subcontractors performing work on Section 3 funded activities are in compliance with the Section 3 requirements as well as meeting or exceeding the numerical goals as outlined in the HUD Act.

To fulfill this responsibility the County has appointed a Section 3 Coordinator whose responsibilities are compliance and monitoring of all Section 3 activities for CDBG Disaster Recovery Program funded projects.

The initial steps that must be taken by the Coordinator to ensure that the County and its contractors meet or exceed the designated numerical goals will be to complete the following requirements:

- Coordinate and/or conduct outreach opportunities to Section 3 businesses
- Coordinate training for Department staff members semi-annually
- Notify contractors of Section 3 responsibilities
- Certify Section 3 businesses – contractor responsibility
- Certify Section 3 residents – contractor responsibility
- Document Section 3 compliance actions
- Participate in the pre-bid, pre-construction, bid opening and or construction meetings to ensure that Section 3 business concerns are addressed
- Ensure that the Section 3 clause is noted in all contracts with required goals\*
- Prepare, create and/or submit required Section 3 Reports to the GLO

Further discussion of the list requirements are detailed throughout the Plan. The minimum numeric goals are:

- Thirty percent (30%) of total number of new hires as Section 3 Residents (i.e. 1 out of 3 new hires);
- Ten percent (10%) of all awarded construction contracts, awards to Section 3 Business Concerns;
- Three percent (3%) of all awarded non-construction contracts, awards to Section Business Concerns.

All contractors of \$100,000.00 or more are subject to Section 3. All potential contractors must be made aware of, and must agree to meet these requirements when preparing bids. Failure to meet or exceed these goals will result in a non-compliant bid. The only exceptions that will be considered are as follows:

- Contractor does not intend to perform any project specific hiring;
- Contractor does not intend to subcontract any project specific work;
- Local subcontractors, those located within the County in which the project is based, decline the work;
- No qualified subcontractors are located within the County.

Types of economic opportunities available under Section 3:

- Jobs and employment opportunities
- Training and educational opportunities
- Contracts and business opportunities

### **Section 3 Residents**

Types of recipients receiving economic opportunities under Section 3 that should be given priority in hiring for training and employment are those who are:

- Persons in public assisted housing including persons with disabilities
- Persons in the affected project neighborhood
- Participants in HUD Youth-build programs
- Where the Section 3 project is assisted under the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 *et seq.*), homeless persons residing in the service area or neighborhood in which the Section 3 covered project is located.

A resident seeking Section 3 preference shall submit a Section 3 Resident Certification Form to the Section 3 Coordinator or the contractor or subcontractor to verify and approve the certification.

According to HUD, a Self-Certification is an acceptable means for establishing eligibility as a Section 3 Resident. However, recipients may utilize acceptable supporting documentation with the Section 3 Resident Certification Form to include:

- Proof of residency in a public housing development
- Evidence of participation in a HUD Youthbuild program operated in the metropolitan (or non-metropolitan City) where the Section 3 covered assistance is spent
- Copy of Section 8 voucher certificate or voucher
- Evidence of eligibility or participation in a federally-assisted program for low- and very- low- income persons
- Evidence that the individual resides in the Section 3 area and is a low or very-low income person, as defined in Section 3(b)(2) of the U.S. Housing Act of 1937

### **Section 3 Business Concern**

All Section 3 covered contractors shall provide information to the County to determine if a business qualifies for Section 3 designation by performing a Section 3

## **Business Concern Certification.**

A Section 3 Business Concern is one that is:

- Ownership of fifty one percent (51%) or more by Section 3 Residents; or
- Employs at least thirty percent (30%) of employees who qualify as Section 3 Residents (or within 3 years of the date of first employment with the business concern were Section 3 Residents); or
- Commits to subcontract in excess of twenty five percent (25%) of the dollar award of all subcontracts to be awarded to business concerns that meet one of the first two qualifications above.

The County will include the "Contractor Certification of Section 3 Compliance Notice", in all bid packets. Additionally, the County will incorporate the Section 3 Clause into all solicitations and any contracts or subcontracts in excess of \$100,000 (24 CFR Part 135.38)

## **Preference for Section 3 Business Concerns:**

Preference shall be awarded to Section 3 Business Concerns according to the following system:

- Where the Section 3 Covered Contract is to be awarded based upon the lowest price, the contract shall be awarded to the qualified Section 3 Business Concern with the lowest bid. The award shall be made to the source with the lowest bid, but Section 3 goals shall be required for all bidders.

## **Contractor Requirements**

In responding to Bids all contractors and subcontractors are required to comply with the County of Polk, Texas' Section 3 Plan. The contractor and the County will review the Section 3 Plan procedures and applicable forms that the contractor will use to report progress toward Section 3 goals.

## **Direct employment of qualified candidates**

All general contractors and/or sub-contractors shall ensure that thirty percent (30%) of new hires will be Section 3 residents. During the development of the contract, the contractor will negotiate with the County for the number of Section 3-qualified candidates to be employed. The contract will obligate the contractor to achieve no less than the numerical goal established during the negotiation. Additionally, the contractor and/or sub-contractor will provide employed Section 3 residents with applicable training and/or educational opportunities.

## **Guidelines for Direct Employment**

- Contractors should provide job opportunities for skilled and unskilled workers.
- Contractors should maintain employment for candidates throughout the duration of a project (candidates will be employees of the contractor or subcontractor, not the County.)
- All contracts using IHA resident workers and low- and very low- income persons

who live in the County where a HUD assisted project is located under Section 3 are subject to the Davis-Bacon Act Wage Rate and the current HUD Form 52158, Maintenance Wage Rate Determination.

- All Contractors and Subcontractors will be required to post all new hire opportunities with the local Workforce Solutions Center, WorkinTexas.com, and the County's Section 3 Coordinator.

### **Compliance and Monitoring of Section 3**

The Section 3 Coordinator will analyze and evaluate the contractor's compliance with requirements and obligations set forth in the contract. In the event that a review reveals a contractor has not complied with Section 3 requirements, the County will undertake efforts to help the contractor achieve compliance.

In the event the contractor encounters a problem with a Section 3 employee (employee walks off job or quits; termination; job performance; attendance; tardiness; drug or alcohol use), the contractor should fully document the situation and immediately provide the documentation to the County Section 3 Coordinator.

Ongoing failure or refusal to comply with the Section 3 Plan and contract may result in payment being withheld by the County until compliance is achieved or termination of the contract. Debarment or suspension of the contractor or limited denial of participation pursuant to 24 CFR Part 135 may result, when applicable.

### **Reports**

The contractor and or sub-contractor shall submit monthly reports regarding the status of each Section 3 participant. An annual report will also be requested from each contractor and/or subcontractor in connection to the performance of each project. This Annual Report will document the efforts and success of all Section 3 participants and subcontractors working under the general contractor, in reaching the percentage goals for employment and business opportunities established in these polices.

### **Failure to Meet Required Goals**

The contractor will be given 30 days to achieve compliance otherwise thereafter payment from the County will stop. The contract may be terminated after 60 days.

### **Training and/or outreach efforts**

The County will conduct the following trainings:

- Conduct training for Department staff members semi-annually.
- Conduct training for contractors at pre-bid conferences and pre-construction meeting.

## Reporting Requirements

The County will document actions taken to comply with the employment, training, and contracting requirements of Section 3, the results of actions taken, and impediments encountered. Records will include job vacancies, solicitation of bids or proposals, selection materials and contracting documents (including scope of work and contract amount), in accordance with Federal and State procurement laws and regulations.

The County will submit to the GLO:

- Section 3 Monthly Progress Report
- Section 3 Annual Summary Report

Contractors will submit to the County:

- Monthly Employment Utilization Report
- Training and Educational Documentation

## Filing Complaints

Complaints regarding the County's Section 3 Program must be submitted in writing to the Section 3 Coordinator. All complaints must include the complainant's name, address, telephone number, and a brief narrative detailing the complaint, including but not limited to, the date of the alleged violation and the date the alleged violation was discovered. Complaints shall be filed within 30 calendar days after the complainant becomes aware of any alleged violation.

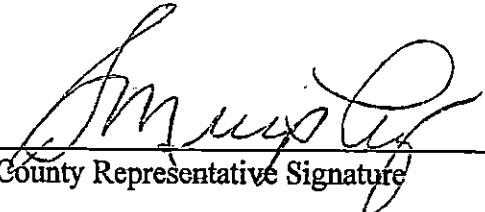
The Section 3 Coordinator will investigate every complaint. All parties involved will have the opportunity to submit testimony and/or evidence as may be available and relevant to the complaint. The Section 3 Coordinator will issue a written determination within 30 days after the filing of the complaint.

Filing a complaint does not terminate a contractor's Section 3 requirements. Contractors remain accountable for fulfilling the agreed upon Section 3 requirements.

All complaints should be submitted to:

The applicant Section 3 Coordinator

Office hours are between 8:00 a.m. and 4:30 p.m. except on posted holidays.

  
\_\_\_\_\_  
County Representative Signature

1/28/2020  
\_\_\_\_\_  
Date

## **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), the County of Polk 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. The County of Polk 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. The County of Polk's recruitment materials or publications shall include a statement of this policy in 1. above.
4. The County of Polk 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 Disaster Recovery program, the County of Polk shall ensure that they are provided with the information necessary to understand and participate in the Disaster Recovery 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 the County of Polk to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to: County Judge, 101 West Church Street, Suite 300, Livingston, Texas 77351, 936-327-6813, 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 the County Judge. 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 the County Judge, 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 County of Polk 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 County of Polk 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 County of Polk complies with Section 504 and HUD regulations.

  
\_\_\_\_\_  
Signature/Title

1/28/2020  
Date

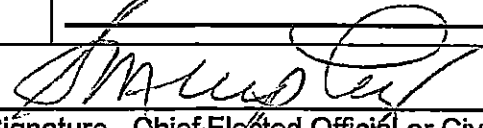
## Limited English Proficiency Plan

Name Grantee:	Polk County
Community Population:	43,456
LEP population:	2,271 (5.1%)
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 1,000 individuals in the eligible population in the market area or among current beneficiaries	Spanish 4.8%

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

<b>Resources available to Grant Recipient:</b>	
<input checked="" type="checkbox"/>	Translation services: County staff is available to provide translation of documents. County will provide a translator upon request.
<input checked="" type="checkbox"/>	Interpreter services: County will provide a professional interpreter for official County business and public hearings upon request.
<input type="checkbox"/>	Other resources: _____

<b>Language Assistance to be provided:</b>	
<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: Public hearings, civil rights notices and policies
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons as requested by LEP persons
<input checked="" type="checkbox"/>	Public meetings conducted in multiple languages if requested by LEP persons prior to the public meeting as per the notice regarding the meeting.
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: included in public notices for hearings, civil rights policies and advertisement of public services
<input type="checkbox"/>	Other services: _____

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

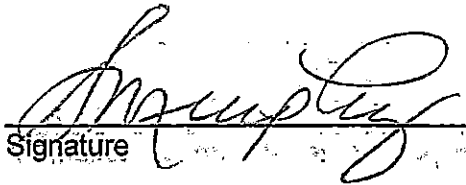


## Fair Housing Policy

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

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

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

  
Signature

County Judge  
Title

1/28/2020  
Date