



**CITY OF FLATONIA  
SPECIAL CITY COUNCIL MEETING  
Council Chambers/City Hall  
125 E. South Main, Flatonia, Texas  
June 21, 2022, AT 6:00 pm**

**AGENDA**

**Opening Agenda**

Call to Order  
Invocation & Pledge  
Citizens' Participation

**Deliberation Agenda**

- DA6.2.2022.1      Consider and take action on adopting the Resolution Regarding the Civil Rights Policies for the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract #22-119-001-D359.
- DA6.2.2022.2      Consider and take action to approve the Resolution Designating Authorized Signatories for Contractual and Financial Documents pertaining to the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract # 22-119-001-D359.
- DA6.2.2022.3      Consider and take appropriate action on Reaffirming the Proclamation declaring April 2022 as the City of Flatonia - Fair Housing Month; Mayor to Sign Proclamation.

DA6.2.2022.4 Consider and take action to approve Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359.

DA6.2.2022.5 Consider and take action to approve Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359.

DA6.2.2022.6 Consider and take appropriate action on adopting Local Procurement Policies & Procedures Addendum pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359.

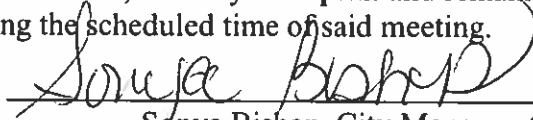
DA6.2.2022.7 Consider and take appropriate action to adopt the Statement of Financial Goals and Policies Amendment #1 pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359.

### **Executive Session**

ES6.1.2022.1 As authorized by Texas Government Code 551.071,

### **Adjournment**

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board outside the front door of the City Hall of the City of Flatonia, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: **June 17, 2022 by 5:00 p.m.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.



Sonya Bishop, City Manager, City of Flatonia

**NOTICE OF ASSISTANCE  
AT THE PUBLIC MEETING**

The Flatonia City Hall is wheelchair accessible. Access to the building is available at the primary entrance facing Main Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print are requested to contact the City Secretary's Office at 361-865-3548 or by FAX 361-865-2817 at least two working days prior to the meeting so that appropriate arrangements can be made.

**EXECUTIVE SESSION STATEMENT**

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations Regarding Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations Regarding Security Devices or Security Audits), 551.086 (Certain Public Power Utilities: Competitive Matters) and 551.087 (Deliberation Regarding Economic Development Negotiations).

**Agenda Removal Notice**

This Public Notice was removed from the official posting board at the Flatonia City Hall on the following date and time:

\_\_\_\_\_

By: \_\_\_\_\_

Tamela Louvier,  
City Secretary, City of Flatonia

**City of Flatonia  
City Council  
Executive Session Certified Agenda  
June 21, 2022**

A. *ANNOUNCEMENT BY MAYOR*

Pursuant to Chapter 551 of the Texas Government Code, the City Council may convene into Executive Session pursuant to any lawful exception including any or all of the topics on this agenda as well as authority:

1. The implementation of security plans in relation to crisis planning and management, and related resources.

B. *DISCUSSION ITEM*

The subject matter of the Executive Session is as follows:

1. The implementation of security plans in relation to crisis planning and management, and related resources.

Record of further action taken:

- No action taken.
- Staff instructed to provide additional information to be presented at a subsequent executive session.
- Staff instructed to place item on open meeting agenda for final action.

C. *ANNOUNCEMENT BY MAYOR*

The City Council has completed the Executive Session at \_\_\_\_\_ p.m. on the 21<sup>st</sup> day of June 2022.

D. *CERTIFICATION*

I hereby certify that this Agenda of an Executive Session of the Flatonia City Council is a true and correct record of the proceedings pursuant to those sections of the Texas Government Code under which a description of the discussion is provided above.

WITNESS my hand this 21<sup>st</sup> day of June 2022

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Dennis Geesaman  
Mayor

ATTEST:

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Sonya Bishop  
City Manager

# CITY OF FLATONIA

## Agenda Summary Form

<b>Agenda #</b>  DA6.2.2022.1	<b>Title:</b>  Consider and take action on adopting the Resolution Regarding the Civil Rights Policies for the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract #22-119-001-D359.
<b>Summary:</b> Adopt the Resolution Regarding the Civil Rights Policies for the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract #22-119-001-D359.	
<b>Option(s):</b> <ul style="list-style-type: none"><li><input type="checkbox"/> I move to make the motion to approve the adoption of the Resolution Regarding the Civil Rights Policies for the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract #22-119-001-D359.</li> <li><input type="checkbox"/> If you are opposed to not 2<sup>nd</sup> or make any motion. If a motion is not made, the item is dead.</li></ul>	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____  Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

**"Negative" motions are generally not permitted.** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

**RESOLUTION No. \_\_\_\_\_ Regarding Civil Rights -**

**The City of Flatonia, Texas**

Whereas, the City of Flatonia, Texas, (hereinafter referred to as "City of Flatonia") has been awarded CDBG-MIT SUP funding through a CDBG-MIT SUP grant from the Texas General Land Office (hereinafter referred to as "GLO");

Whereas, the City of Flatonia, 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 Flatonia, 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 Flatonia, 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 CDBG project area;

Whereas, the City of Flatonia, 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 Flatonia, 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 Flatonia, 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 contract, to affirmatively further fair housing;

Whereas, the City of Flatonia, 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 FLATONIA, TEXAS, that the CITY OF FLATONIA ADOPTS/REAFFIRMS THE FOLLOWING:

1. Reaffirm - Citizen Participation Plan and Grievance Procedures;
2. Section 3 Policy;
3. Excessive Force Policy;
4. [If Grant Recipient employs 15 or more employees], Section 504 Policy and Grievance Procedures;
5. Fair Housing Policy.

**Passed and approved this 21st day of June, 2022.**

Dennis Geesaman, Mayor

\_\_\_\_\_  
Signature of Elected Official

\_\_\_\_\_  
Printed Name of Elected Official

City of Flatonia

Date \_\_\_\_\_





**Flatonia City Council**  
**August 25th, 2020 Council Meeting**

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**DELIBERATION**

**8.2-2020.7**

**Agenda Item:** Discuss, consider and possible action to Adopt the Citizen Participation Plan Policy for the GLO Community Development Block Grant Programs.

**Attachments:**

1. Citizen Participation Plan

# **CITIZEN PARTICIPATION PLAN**

## **THE CITY OF FLATONIA**

### **REGARDING THE USE OF GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

This Citizen Participation Plan was prepared in accordance with Section 104(a) of the Housing and Community Development Act of 1974, as amended. The 24 CFR 91.105 federal regulations outline the "citizen participation" requirements.

The plan is to be used to address citizen participation in the Community Development Block Grant (CDBG) Program. With receipt of HOME Investment Partnerships (HOME) Program funds, the program will be included under this Citizen Participation Plan.

The Citizen Participation Plan (CPP) sets forth policies and procedures for citizen participation in the development of project specific applications and substantial amendments to these projects with funding.

### **CERTIFICATION OF COMPLIANCE**

The City of Flatonia, Texas is certifying to the U. S. Department of Housing and Urban Development (HUD) and State Agencies administering HUD programs that they have an approved Citizen Participation Plan, which:

- provides for and encourages citizen participation with emphasis on participation by persons who are residents of slum and blighted areas, by residents in low- and moderate-income neighborhoods, or targeted revitalization areas.
- provides for and encourages citizen participation of residents of public and assisted housing developments, as well as provides information to the public housing authorities within our jurisdiction activities related to these programs.
- provides for and encourages citizen participation of persons with disabilities as well as provides documents in a format accessible to persons with disabilities, upon request.
- provides for and encourages citizen participation of all citizens, including minorities and non-English speaking persons, and identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.
- provides citizens with reasonable and timely notification and access to local meetings, information, and records relating to the County's proposed and actual use of federal Community Development Block Grant funds.
- provides for public hearings and/or public postings to obtain citizen views; to respond to proposals and questions at all stages of the community development program, including at least the development of needs; and the review of proposed activities, and review of program annual performance. If hearings are held, they shall be after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the disabled; and,
- provides for a timely written response to written complaints and grievances where applicable.

### **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 CDBG project, such citizens should have 'meaningful access' to all aspects of the CDBG 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.

### **COMPLAINT PROCEDURES**

These complaint procedures comply with the requirements of HUD's CDBG 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 Flatonia, 125 East South Main Street P.O. Box 329 Flatonia, Texas 78941, (361)865-3548 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG program.

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 City Civil Rights Officer, at 125 East South Main Street P.O. Box 329 Flatonia, Texas 78941, or may call (361)865-3548.
2. A copy of the complaint or grievance shall be transmitted by the Civil Rights Officer to the person/division that is the subject of the complaint or grievance and to the City Manager within five (5) working days after the date of the complaint or grievance was received.
3. The City Manager or their representative 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 fifteen (15) days. The response may be a time extension to further review the complaint or grievance.
4. If the investigation cannot be completed within fifteen (15) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within twenty (20) 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 CDBG Program Manager for their further review and comment.

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 CDBG 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 OUTREACH AND INVOLVEMENT**

Citizens will be provided reasonable advance notice of, and opportunity to comment on proposed activities in an application to the state and for grants already made regarding activities which are proposed to be added, deleted, or substantially changed from the entity's application to the state. The public outreach and notification will be accomplished through one or more of the following methods:

- a) Publication of notice in a local newspaper—a published newspaper article may also be used so long as it provides sufficient information regarding program activities and relevant dates.
- b) Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
- c) Posting of notice on the local entity website (if available).
- d) Public Hearing; or
- e) Individual notice to eligible cities and other entities as applicable using one or more of the following methods: Certified mail, Electronic mail or fax, First class (regular mail), Personal delivery (e.g., at a Council of Governments meeting).

These details will be included in the Public Comment Version of the Application, prior to submission.

Citizens, with 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.

#### **PUBLIC COMMENT PROVISIONS AS REQUIRED BY CERTAIN STATE AGENCIES IN THE ADMINISTRATION OF FEDERAL PROGRAMS**

**When public notice is the sole required notification process for the submission of an application from a State agency, the following provisions shall be observed the City**

A copy of a substantially complete application will be made available to allow for 15 days of local public comment, 15 days of state comment for a total of 30 days and will include, but are not limited to:

1. The amount of CDBG funds expected to be made available for the current fiscal year (including the grant and any anticipated program income).
2. The range of activities that may be undertaken with the CDBG funds.
3. The estimated amount of the CDBG- funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate- income persons.
4. The proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under § 570.488.
5. The development of housing and community development needs

**When a public hearing is required for submission of an application from a State agency, the following provisions shall be observed by the City:**

1. As stated in the COVID-19 Disaster Declaration Proclamation dated March 13th, 2020; public hearings may be held virtually or in person, pursuant to Section 418.017 of the code; "authorization to use all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster." Public notice of all hearings must be posted at least seventy-two (72) hours prior to the scheduled hearing.
2. When a significant number of non-English speaking residents are a part of the potential service area of the CDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens. An interpreter should be present to accommodate the needs of the non-English speaking residents at all public hearing where applicable.
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 plan for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing, when required by a Federal Program, shall be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. If the agency requires a public hearing for submission, then a public notice shall be posted at city hall and the community's website notifying the public of the project selected at least 5 days prior to the submission of the application.

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.



Bryan Milson, Mayor

Date

August 25, 2020

## Excessive Force Policy

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

1. It is the policy of City of Flatonia (Grant Recipient) 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 Flatonia (Grant Recipient) 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. The City of Flatonia (Grant Recipient) will introduce and pass a resolution adopting this policy.

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

**City of Flatonia, Mayor**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

09/01/2019

## **Sample 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 Flatonia (*Grant Recipient that employs fifteen or more persons*) 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 City of Flatonia (*Grant Recipient*) 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 City of Flatonia's (*Grant Recipient*) recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of Flatonia (*Grant Recipient*) 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, the City of Flatonia (*Grant Recipient*) 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 the City of Flatonia (*Grant Recipient*) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - b. Complaints should be addressed to: **Bryan Milson, City of Flatonia – Mayor, 125 South East Main Street, Flatonia, Texas 78941, (361) 865-3548**, 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 **Bryan Milson, City of Flatonia - Mayor**. 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 **Bryan Milson, City of Flatonia - Mayor**, 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 Flatonia (*Grant Recipient*) 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 City of Flatonia (*Grant Recipient*) 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 Flatonia (*Grant Recipient*) complies with Section 504 and HUD regulations.

---

Signature/Title

---

Date



## Sample Section 3 Policy

In accordance with 12 U.S.C. 1701u the City of Flatonia 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 CDBG 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 CDBG 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 GLO to the Grant Recipient.
- G. Submit reports as required by HUD or GLO 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 Flatonia, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

09/01/2019

## Sample Fair Housing Policy

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

1. *City of Flatonia* 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 Flatonia* agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. *City of Flatonia* will introduce and pass a resolution adopting this policy.

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

**City of Flatonia - Mayor**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

09/01/2019

# CITY OF FLATONIA

## Agenda Summary Form

<b>Agenda #</b>  DA6.2.2022.2	<b>Title:</b>  Consider and take action to approve the Resolution Designating Authorized Signatories for Contractual and Financial Documents pertaining to the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract # 22-119-001-D359.
<b>Summary:</b> Approve the Resolution Designating Authorized Signatories for Contractual and Financial Documents pertaining to the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract # 22-119-001-D359.	
<b>Option(s):</b> <input type="checkbox"/> I move to make the motion to approve the Resolution Designating Authorized Signatories for Contractual and Financial Documents pertaining to the 2020 GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Contract # 22-119-001-D359.  <input type="checkbox"/> If you are opposed to not 2 <sup>nd</sup> or make any motion. If a motion is not made, the item is dead.	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____  Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

**"Negative" motions are generally not permitted.** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

## RESOLUTION AUTHORIZING SIGNATORIES

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE GENERAL LAND OFFICE COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION SUPPLEMENTAL PROGRAM (CDBG-MIT-SUP) CONTRACT NUMBER 22-119-001-D359.

WHEREAS, the City of Flatonia, Texas has received a 2020 GLO Community Development Block Grant-Mitigation Supplemental award to provide Infrastructure Improvements, and;

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the General Land Office, and;

WHEREAS, an original signed copy of the CDBG-MIT-SUP *Depository/Authorized Signatories Designation Form* is to be submitted with a copy of this Resolution, and;

WHEREAS, the City of Flatonia, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.), the City must provide GLO with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised CDBG-MIT-SUP *Depository/ Authorized Signatories Designation Form*.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS, AS FOLLOWS:

The Mayor, Mayor Pro-Tem, City Manager be authorized to execute contractual documents between the General Land Office and the City for the 2020 Community Development Block Grant – Mitigation Supplemental Program.

The Mayor, Mayor Pro-Tem, City Manager be authorized to execute the financial documents required for requesting funds approved in the 2020 Community Development Block Grant - Mitigation Supplemental Program.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS on June 21, 2022.

\_\_\_\_\_  
Dennis Geesaman, City of Flatonia - Mayor

Attest:

\_\_\_\_\_  
Tammy Louvier, City of Flatonia – City Secretary



# COMMUNITY DEVELOPMENT & REVITALIZATION

## The Texas General Land Office

### Depository/Authorized Signatories Designation Form

Subrecipient:

City of Flatonia

Contract Number:

22-119-001-D359

The individuals below are designated by resolution as authorized signatories for contractual documents. At least two signatories required.

Dennis Geesaman	Catherine Steinhauser
<b>Name</b>	<b>Name</b>
Mayor	Mayor Pro-Tem
<b>Title</b>	<b>Title</b>
<b>Signature</b>	<b>Signature</b>
Sonia Bishop	
<b>Name</b>	<b>Name</b>
City Manager	
<b>Title</b>	<b>Title</b>
<b>Signature</b>	<b>Signature</b>

The financial lending institution listed here will serve as the depository for the Texas General Land Office-Disaster Recovery Program Community Development Block Grant (CDBG) funds:

<b>Name of Lending Institution</b>	<b>Fund Account Number</b>
<b>Address</b>	<b>City, State, Zip Code</b>

The individuals below are designated by resolution as authorized signatories for financial documents. At least two signatories required.

Dennis Geesaman	Catherine Steinhauser
<b>Name</b>	<b>Name</b>
Mayor	Mayor Pro-Tem
<b>Title</b>	<b>Title</b>
<b>Signature</b>	<b>Signature</b>



# COMMUNITY DEVELOPMENT & REVITALIZATION

The Texas General Land Office

## Depository/Authorized Signatories Designation Form

Sonia Bishop	
Name	Name
City Manager	
Title	Title
Signature	Signature

**NOTE:** A copy of a Resolution passed by the city council or county commissioner's court authorizing the signatories must be submitted along with this form.

*Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.*

# CITY OF FLATONIA

## Agenda Summary Form

<b>Agenda #:</b>  DA6.2.2022.3	<b>Title:</b>  Consider and take appropriate action on Reaffirming the Proclamation declaring April 2022 as the City of Flatonia - Fair Housing Month; Mayor to Sign Proclamation.”
<b>Summary:</b>  Reaffirm the Proclamation declaring April 2022 as the City of Flatonia - Fair Housing Month; Mayor to Sign Proclamation.”	
<b>Option(s):</b> <input type="checkbox"/> I move to make the motion to approve the Reaffirming of the Proclamation declaring April 2022 as the City of Flatonia - Fair Housing Month; Mayor to Sign Proclamation.”  <input type="checkbox"/> If you are opposed to not 2 <sup>nd</sup> or make any motion. If a motion is not made, the item is dead.	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____  Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

**"Negative" motions are generally not permitted.** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

**Reaffirm - Fair Housing Month Proclamation  
Proclamation of April as Fair Housing Month**

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the *City Council* of Flatonia, do proclaim April 2022 as Fair Housing Month in the City of Flatonia and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

IN WITNESS WHEREOF we have affixed our signatures and seal on this the 21st day of June 2022.

---

Title: City of Flatonia – Mayor

Witness:

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Title: City of Flatonia – City Secretary



# CITY OF FLATONIA

## Agenda Summary Form

<b>Agenda #</b>  DA6.2.2022.4	<b>Title:</b>  Consider and take action to approve Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359.
<b>Summary:</b>  Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359.	
<b>Option(s):</b> <ul style="list-style-type: none"><li><input type="checkbox"/> I move to make the motion to approve the Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359.</li> <li><input type="checkbox"/> If you are opposed to not 2<sup>nd</sup> or make any motion. If a motion is not made, the item is dead.</li></ul>	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____	
Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

**"Negative" motions are generally not permitted.** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

# AMENDMENT NO. 1

## City Grant Engineering Services Contract

As pre-procurement required the City to contractually enter into an agreement prior to the establishment of the project; the contract agreement was based on a percentage (%) figure.

Federal Regulations require that with funding; the Grant Engineering Services Contract must be amended to include a dollar figure. The contract amounts are as follows:

- Contract Amount for Non-Housing Project (Infrastructure): \$35,146.50  
Contract # 22-119-001-D359
- Contract Billing Milestones:

<b>Action:</b> Commencement of Engineering Phase <b>Deliverable:</b> Executed engineering service provider contract in pdf provided during start-up phase as applicable.	0-30%
<b>Action:</b> Completion of Design Phase <b>Deliverable:</b> Complete signed and sealed 100% construction plans in pdf*.	30.01-60%
<b>Action:</b> Commencement of Bid Phase	60.01-70%
<b>Action:</b> Commencement of Construction Phase <b>Deliverable:</b> Signed Notice to Proceed (NTP)*	70.01-85%
<b>Action:</b> Completion of Construction Phase <b>Deliverable:</b> Signed and sealed complete as-built plans in pdf; executed COCC accepted by GLO.	85.01%-100%

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Dennis Geesaman  
City of Flatonia - Mayor

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Bradley C. Loehr – Vice President  
BEFCO Engineering, Inc.

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

**CITY OF FLATONIA**  
**Agenda Summary Form**

<b>Agenda #</b>  DA6.2.2022.5	<b>Title:</b>  Consider and take action to approve Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359
<b>Summary:</b>  Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359	
<b>Option(s):</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> I move to make the motion to approve the Amendment #1 for the Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program Contract Number #22-119-001-D359</li>   <li><input type="checkbox"/> If you are opposed to not 2<sup>nd</sup> or make any motion. If a motion is not made, the item is dead.</li> </ul>	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____  Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

**"Negative" motions are generally not permitted.** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.

# AMENDMENT NO. 1

## City Grant Administration & Environmental Services Contract

As pre-procurement required the City to contractually enter into an agreement prior to the establishment of the project; the contract agreement was based on a percentage (%) figure.

Federal Regulations require that with funding; the Grant Administration & Environmental Services Contract must be amended to include a dollar figure. The contract amounts are as follows:

- Contract Amount for Non-Housing Project (Infrastructure): **\$21,556.52**  
Contract # **22-119-001-D359**

\_\_\_\_\_  
Bryan Milson  
City of Flatonia - Mayor

  
\_\_\_\_\_  
Judy Langford  
Langford Community Management Services

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

# CITY OF FLATONIA

## Agenda Summary Form

<b>Agenda #</b>  DA6.2.2022.6	<b>Title:</b>  Consider and take appropriate action on adopting Local Procurement Policies & Procedures Addendum pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359
<b>Summary:</b>  Adopt the Local Procurement Policies & Procedures Addendum pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359	
<b>Option(s):</b>  <input type="checkbox"/> I move to make the motion to approve the adoption of the Local Procurement Policies & Procedures Addendum pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359  <input type="checkbox"/> If you are opposed to not 2 <sup>nd</sup> or make any motion. If a motion is not made, the item is dead.	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____  Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

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# AMENDMENT NO. 1

City of Flatonia  
Statement of Financial Goals and Policies

## 4.4.4 Minimizing the Time Between Draw and Disbursement:

As stated in the Texas General Land Office's Revised Implementation Manual (Updated: November 2021) the City will have 3 business days for disbursement of funding from the date of receipt/deposit of funds, without specific, documented reasons for such a delay in infrequent circumstances. Subrecipients must maintain written procedures for minimizing this time period.

### 4.4.4 Minimizing the Time Between Draw and Disbursement

Subrecipients may submit a draw request for eligible costs as often as is actually needed, subject to limitations in their Subrecipient Agreement and at least quarterly throughout the life of their Subrecipient Agreement. Subrecipients should submit costs to the GLO for draw within 60 days of receipt of invoices to minimize the volume of individual draws that the GLO must review and approve.

Subrecipients must submit final reimbursement requests to the GLO no later than 60 days after the Subrecipient Agreement expires or is terminated. The GLO, in its sole discretion, may deny payment and de-obligate remaining funds from the Subrecipient Agreement 60 days after expiration or termination.

Pursuant to 24 CFR 570.489(c), 2 CFR 200.305(b), and 31 CFR 205, subrecipients utilizing the cash advance method must minimize the time elapsing between the transfer of funds from the GLO and the disbursement by the subrecipient for eligible costs. This period must not exceed 3 business days from the date of receipt/deposit of funds, without specific, documented

City of Flatonia  
Statement of Financial Goals and Policies

Page 13 of 21  
November 2021



reasons for such a delay in very infrequent circumstances. Subrecipients must maintain written procedures for minimizing this time period.

\_\_\_\_\_  
Dennis Geesaman  
City of Flatonia, Mayor

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

# CITY OF FLATONIA

## Agenda Summary Form

<b>Agenda #</b>  DA6.2.2022.7	<b>Title:</b>  Consider and take appropriate action to adopt the Statement of Financial Goals and Policies Amendment #1 pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359.”
<b>Summary:</b>  Adopt the Statement of Financial Goals and Policies Amendment #1 pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359.”	
<b>Option(s):</b>  <input type="checkbox"/> I move to make the motion to approve the adoption of the Statement of Financial Goals and Policies Amendment #1 pertaining to the GLO Community Development Block Grant – Mitigation Supplemental (CDBG-MIT Supplemental) Program, Infrastructure Contract Number #22-119-001-D359.”  <input type="checkbox"/> If you are opposed to not 2 <sup>nd</sup> or make any motion. If a motion is not made, the item is dead.	
Kocian: _____ Eversole: _____ Sears: _____ Seale: _____  Mayor Pro Tem Steinhauser: _____ Mayor Geesaman _____	

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# ADDENDUM NO. 1 TO FLATONIA PURCHASING POLICY CITY FEDERAL PROGRAMS POLICY

City of Flatonia  
Purchasing Policy

**The City of Flatonia follows State of Texas Federal 2 CFR 200.318 – 200.327 and Appendix II to Part 200 procurement law and guidance in the purchasing and contract management of goods and services.**

---

Dennis Geesaman  
City Mayor

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



For Comptroller's Use Only		

# Direct Deposit Authorization

This form may be used by vendors, individual recipients or state employees to receive payments from the state of Texas by direct deposit or to change/cancel existing direct deposit information.

## Transaction Types

SECTION 1	1. Select transaction types:	
	<input checked="" type="checkbox"/> New setup (Sections 2, 3, 5 and 6)	<input type="checkbox"/> Change account type (Sections 2, 3, 4, 5 and 6)
	<input type="checkbox"/> Change financial institution (Sections 2, 3, 4, 5 and 6)	<input type="checkbox"/> Cancellation (Sections 2 and 6 - Sections 7 and 8 for state agency use)
	<input type="checkbox"/> Change account number (Sections 2, 3, 4, 5 and 6)	<input type="checkbox"/> Change custodial agency ( ) ( ) ( ) ( )

## Payee Identification

SECTION 2	2. Payee type		3. Identification number		4. Mail code (If not known, leave blank.)	
	<input type="checkbox"/> State employee	<input type="checkbox"/> Vendor or other recipient	<input type="checkbox"/> Social Security number (SSN)*	<input type="checkbox"/> Texas Identification Number (TIN)	<input type="checkbox"/> Individual Taxpayer Identification Number (ITIN)	
			<input checked="" type="checkbox"/> Employer Identification Number (EIN)	7 4 6 0 0 0 8 4 2		
5. Payee name				6. Phone (Area code and number)		
City of Flatonia				( 361 ) 865 - 3548 ext.		
7. Mailing address (Street, city, state and ZIP code)						
125 East South Main Street		Flatonia		TX		78941

## New Account Information (Setups and Changes) (Completion by financial institution is recommended)

SECTION 3	8. Financial institution name		9. City		10. State	
	11. Routing number (9 digits)		12. Customer account number (maximum 17 characters)		13. Account type	
					<input type="checkbox"/> Checking <input type="checkbox"/> Savings	
	14. Financial representative name (optional)				15. Title (optional)	
16. Financial representative signature (optional)				17. Phone (Area code and number) (optional)		18. Date (optional)
				( ) ext.		

## Existing Account Information (Changes Only)

SEC 4	19. Routing number (9 digits)		20. Customer account number (maximum 17 characters)		21. Account type	
					<input type="checkbox"/> Checking <input type="checkbox"/> Savings	

## International Payments Verification (required)

SEC 5	22. Will these payments be forwarded to a financial institution outside the United States?..... <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
	If "YES," also complete the ACH (Direct Deposit) Payment Destination Confirmation (Form 74-227).					

## Authorization for Setup, Changes or Cancellation (required)

SECTION 6	I authorize the Texas Comptroller of Public Accounts to electronically deposit my payments from the state of Texas to my financial institution. I understand that the Texas Comptroller of Public Accounts will reverse any payments made to my account in error. I further understand that the Texas Comptroller of Public Accounts will comply at all times with the National Automated Clearing House Association's rules. (For further information on these rules, please contact your financial institution.)					
	23. Authorized signature		24. Printed name		25. Date	
	sign here		Sonia Bishop			

## Cancellation by Agency (for state agency use)

SEC 7	26. Reason		27. Date	

## State Agency Contact (for state agency use)

SECTION 8	28. Authorized signature		29. Date	
	sign here			
	30. Phone (Area code and number)		31. Agency number	
	( ) ext.			
32. Agency name				
33. Comments				

34. Please return to the paying agency at the following address:

## Instructions for Direct Deposit Authorization

*You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. To request information for review or to request error correction, use the contact information on this form.*

### Section 1: Transaction Type(s)

1. Select the appropriate **transaction type(s)** and complete the corresponding sections.

**Note:** Requests to change custodial agency number are processed based on Payment Services research and guidelines.

### Section 2: Payee Identification (Required)

2. **Payee type:** Indicate whether the payee is a **state employee** or a **vendor/recipient**.

**Note:** Agencies must complete box 34 with the appropriate agency's return address for the selected payee type.

3. **Identification number:** Indicate the type of identification number and provide the associated 9- or 11-digit number.  
 4. **Mail code:** Enter the 3-digit mail code.  
 5. **Payee name:** Enter the payee's name.  
 6. **Phone:** Enter the payee's area code, phone number (and extension, if applicable).  
 7. **Mailing address:** Enter the payee's mailing address, city, state and ZIP code.

### Section 3: New Account Information (Setups and changes) (Completion by financial institution is recommended)

8. **Financial institution name:** Enter the name of the payee's financial institution.  
 9. **City:** Enter the city of the payee's financial institution.  
 10. **State:** Enter the 2-character abbreviation for state of the payee's financial institution.  
 11. **Routing number:** Enter the 9-digit routing number of the payee's financial institution.  
 12. **Customer account number:** Enter the payee's account number (maximum 17 characters).  
 13. **Type of account:** Indicate whether the payee's account type is a checking account or a savings account.  
 14. **Financial representative name: (optional)** Enter the name of the financial representative.  
 15. **Title: (optional)** Enter the title of the financial institution representative.  
 16. **Financial representative signature: (optional)** Original signature of the financial representative.  
 17. **Phone: (optional)** Enter the area code, phone number (and extension, if applicable) of the financial representative.  
 18. **Date: (optional)** Enter the date the financial representative signed the form.

### Section 4: Existing Account Information (Changes only)

19. **Routing number:** Enter the 9-digit **routing number** currently on file with the Comptroller's office.  
 20. **Customer account number:** Enter the payee's **account number** currently on file with the Comptroller's office.  
 21. **Account type:** Select the payee's **account type** currently on file with the Comptroller's office.

### Section 5: International Payments Verification (Required)

22. **Payment Destination:** Select **YES** or **NO** to indicate if state payments will be forwarded to a financial institution outside the U.S.  
**Note:** If **YES**, the payee must also complete the ACH (Direct Deposit) Payment Destination Confirmation (Form 74-227).

### Section 6: Authorization for Setup, Changes or Cancellation (Required)

23. **Authorized signature:** Original signature of the payee is required.  
 24. **Printed name:** Enter or print the name of the payee or vendor/recipient signing the form.  
 25. **Date:** Enter or print the date the form was signed.

### Section 7: Cancellation by Agency (for state agency use)

26. **Reason:** Enter the reason for cancellation of the payee's direct deposit information.  
 27. **Date:** Enter the date the cancellation was determined.

### Section 8: State Agency Contact (for state agency use)

28. **Authorized signature:** Original signature of the agency's authorized representative is required.  
 29. **Date:** Enter the date the agency's representative signed the form.  
 30. **Phone:** Enter the area code, phone number and extension (if applicable) of the agency's representative.  
 31. **Agency number:** Enter the 3-digit agency number.  
 32. **Agency name:** Enter the agency's name.  
 33. **Comments: (optional)** Enter comments, if needed.  
 34. **Return to Paying State Agency:** This area autopopulates with the name and address of the paying state agency to which this form will be returned.

#### Questions?

<b>State Employees:</b>	Contact your agency's Human Resource department or payroll staff.
<b>Vendors/Recipients:</b>	Contact the paying agency's accounts payable staff.
<b>State Agencies:</b>	Contact Fiscal Management, Payment Services at 512-936-8138.

For Comptroller's use only

# Application for Texas Identification Number

• See instructions on back

1. Is this a new account?  YES  NO  YES  NO  
 Complete Sections 1 - 5      Complete Sections 1, 2 & 5

Section 1  
 2. Texas Identification Number (TIN) - Indicate the type of number you are providing to be used for your TIN

Employer Identification Number (EIN) (9 digits)  
 Social Security number (SSN) (9 digits)  
 Individual Taxpayer Identification Number (ITIN) (9 digits)  
 Comptroller's assigned number (FOR STATE AGENCY USE ONLY) (11 digits)  
 Current Texas Identification Number (FOR STATE AGENCY USE ONLY) (11 digits)

Enter the number indicated **7 4 6 0 0 0 8 4 2**

3. Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax?  YES  NO  
 If "YES," enter Texas Taxpayer Number \_\_\_\_\_

Section 2  
 Payee Information (Please type or print)

4. Name of payee (Individual or business to be paid)  
**City of Flatonia**

5. Mailing address where you want to receive payments  
**125 East South Main Street**

6. (Optional) \_\_\_\_\_  
 7. (Optional) \_\_\_\_\_  
 8. (Optional) \_\_\_\_\_

9. City **Flatonia** State **TX** ZIP code **7 8 9 4 1 - 0 0 0 0**

10. Payee telephone number (Area code and number) **3 6 1 8 6 5 - 3 5 4 8** SIC code \_\_\_\_\_ Security type code (0, 1, 2) \_\_\_\_\_ Zone code \_\_\_\_\_

Section 3  
 11. Ownership Codes - Check only one code by the appropriate ownership type that applies to you or your business.

I - Individual Recipient (not owning a business)  
 S - Sole Ownership (Individual owning a business): If checked, enter the owner's name and Social Security number (SSN)  
 Owner's name \_\_\_\_\_  
 SSN / ITIN (9 digits) \_\_\_\_\_  
 P - Partnership: If checked, enter two partner's names and Social Security numbers (SSN). If a partner is a corporation, use the corporation's Employer Identification Number (EIN).  
 Name \_\_\_\_\_  
 SSN / ITIN / EIN (9 digits) \_\_\_\_\_  
 Name \_\_\_\_\_  
 SSN / ITIN / EIN (9 digits) \_\_\_\_\_  
 N - Other: If checked, explain. \_\_\_\_\_

L - Texas Limited Partnership: If checked, enter the Texas File Number \_\_\_\_\_  
 T - Texas Corporation: If checked, enter the Texas File Number \_\_\_\_\_  
 A - Professional Association: If checked, enter the Texas File Number \_\_\_\_\_  
 C - Professional Corporation: If checked, enter the Texas File Number \_\_\_\_\_  
 O - Out-of-State Corporation  
 G - Governmental Entity  
 U - State agency / University  
 F - Financial Institution  
 R - Foreign (out of U.S.A.)

Section 4  
 12. Payment Assignment?  YES  NO *Note: A copy of the assignment agreement between payees must be attached.*

Assignee name \_\_\_\_\_  
 Assignee TIN \_\_\_\_\_ Assignment date \_\_\_\_\_

Section 5  
 13. Comments \_\_\_\_\_

14. **sign here** Authorized signature (Applicant or authorized agent) \_\_\_\_\_ Date \_\_\_\_\_

15. Agency name **City of Flatonia** Prepared by **Sonia Bishop** Phone (Area code and number) **361-865-3548**



# Application for Texas Identification Number

**GLENN HEGAR**

**TEXAS COMPTROLLER OF PUBLIC ACCOUNTS**

Fiscal Management  
Austin, TX 78774-0100

## Who Must Submit This Application -

This application must be submitted by every person (sole owner, individual recipient, partnership, corporation or other organization) who intends to bill agencies of the state government for goods, services provided, refunds, public assistance, etc. The Texas Identification Number (TIN) will be required on all maintenance submitted by state agencies. The use of this number on all billings will reduce the time required to process billings to the State of Texas.

**Note:** To expedite processing of this application, please return the completed application to the state agency with which you are conducting business. It is not necessary for the payee to sign or complete this form. The state agency representative may complete the form for the payee.

## For Assistance -

For assistance in completing this application, please call the Texas Comptroller's office at 1-800-531-5441, ext. 6-8138, or 512-936-8138.

### Notice to State Agencies -

When this form is used to set up additional mail codes, Sections 1, 2 and 5 must be completed. State agencies may refer to the Texas Identification Number System (TINS) Guide at <https://fm.x.cpa.state.tx.us/fmx/pubs/tinstinsguide> for additional information.

## General Instructions -

- Do not use dashes when entering Social Security, Employer Identification, Individual Taxpayer Identification or Comptroller's assigned numbers.
- Disclosure of your Social Security number is required. This disclosure requirement has been adopted under the Federal Privacy Act of 1974 (5 U.S.C.A. sec. 552a(note)(West 1977), the Tax Reform Act of 1976 (42 U.S.C.A. sec. 405(c)(2)(C) (West 1992), TEX. GOVT. CODE ANN. sec. 403.055 (Vernon 2005) and TEX. GOVT. CODE ANN. sec. 403.056 (Vernon 2005). Your Social Security number will be used to help the Texas Comptroller of Public Accounts administer the state's tax laws and for other purposes. See Op Tex. Att'y Gen. No. H-1255 (1978).

## Specific Instructions -

### Section 1 - Texas Identification Number

**EIN:** For all ownership codes other than Individual Recipient listed in Section 3, enter a 9-digit Employer Identification Number (EIN) issued by the Internal Revenue Service.

**SSN:** For Individual Recipient or Sole Owner without an EIN, enter your 9-digit Social Security number (SSN) issued by the Social Security Administration.

**ITIN:** For Individual Recipient or Sole Owner without an EIN, enter your 9-digit Individual Taxpayer Identification Number (ITIN) issued by the IRS.

**Comptroller Assigned Number - 11 digits:** FOR STATE AGENCY USE ONLY. A Comptroller Assigned Number is an ID number that is given to a state agency that needs to pay either a foreign entity or a foreign individual who does not have an EIN, SSN or ITIN.

**Current Texas Identification Number - 11 digits:** FOR STATE AGENCY USE ONLY.

Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax? If "YES," enter Texas Taxpayer Number.

### Section 2 - Payee Information

Items 4 through 8 - Enter the complete name and mailing address where you want payments to be received. Names of individuals must be entered first name first. Each line cannot exceed 50 characters including spaces. If the name is more than 50 characters, continue the name in Item 5 and begin the address in Item 6.

Item 9 - Enter the city, state and ZIP code.

Item 10 - Enter payee telephone number.

SIC code, Security type code and Zone code: FOR STATE AGENCY USE ONLY.

### Section 3 - Ownership Codes

Item 11 - Check the box next to the appropriate ownership code and enter additional information as requested. Please check only one box in this section. The Secretary of State's office may be contacted at 512-463-5555 for information regarding Texas file numbers.

### Section 4 - Payment Assignment

Item 12 - Use when one payee is assigning payment to another payee. When setting up an assignment payment, fill out this section completely and include a copy of the assignment agreement between the assignee and the assignor.

### Section 5 - Comments and Identification

Item 13 - Enter any additional information that may be helpful in processing this application. Items 14 and 15 are for identification purposes. Always complete the identification section, including comments and authorized signature.

Under Ch. 559, Government Code, you are entitled to review, request and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address or phone numbers listed on this form.



# INITIAL REAL PROPERTY ACQUISITION ESTIMATE

The Texas General Land Office  
Community Development & Revitalization

## 1. GENERAL INFORMATION

Subrecipient:

Contract #:

Is real property acquisition required for this contract? (Yes/No)

>> Complete only section 4 below.

## 2. ACQUISITION ACTIVITIES

List all activities requiring acquisition and provide a brief narrative with the description / details of each.

Activity	Description / Details <i>(e.g., Sewer line easements, water well site, street right of way, etc.)</i>
1b - Sewer Facilities	
3 - Other Public Utilities (Gas)	
5 - Flood and Drainage (F&D) Facilities	
1b - Sewer Facilities	

< Check if condemnation will be pursued for any of the above activities TXGLO-CDR Notification Date:

< Check if Voluntary Acquisition applies / involved for any of the above activities

< Check if Subrecipient has eminent domain authority

If acquisition activity(ies) have occurred, provide the date of the Last / Final Acquisition Activity:

## 3. ACQUISITION ESTIMATE INFORMATION

Acquisition Type	# of Parcels	Total Dollar Amount Paid	
		TXGLO-CDR Funds	Other Funds
Involuntary Acquisition			
Involuntary Acquisition (by donation)			
Voluntary Acquisition (not by donation)			
Voluntary Acquisition (by donation)			
Acquisition through another Public Entity*			
<b>TOTALS:</b>			

## 4. PREPARER SIGNATURE & INFORMATION

Printed Name

Title / Position

Date Signed

Phone Number

Preparer Signature



COMMUNITY DEVELOPMENT & REVITALIZATION  
The Texas General Land Office  
Appointment of Labor Standards Officer

Subrecipient:	City of Flatonia	Contract Number:	22-119-001-13359
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Labor Standards Officer:

I, 

Bryan Milson
--------------

 hereby appoint 

Kelley Bauer
--------------

  
Name of Mayor/County Judge Name of Designated Officer

as the Labor Standards Officer for the aforementioned contract. The appointed Labor Standards Officer is assigned to oversee the labor portion of the contract and will be responsible for assuring compliance with all requirements under Title I of the Housing and Community Development Act of 1974 which requires the payment of Davis-Bacon Act prevailing wage rates (which are determined by the DOL) to all workers on GLO-CDR construction projects exceeding \$2,000 (42 USC & §5310) and all other governing regulations.

The appointed Labor Standards Officer's contact information is:

9017 West State Highway 29, Suite 206, Liberty Hill, Texas 78642	
Address, City, State, and Zip Code	
512-452-0432	Kelley@lcmsinc.com
Phone Number	Email
<i>Kelley Bauer</i>	6/6/2022
Signature of Labor Standards Officer	Date

Appointed **Alternate** Labor Standards Officer for the aforementioned contract. Note that an **Alternate** Labor Standards Officer is optional, but recommended.

The appointed **Alternate** Labor Standards Officer is:

Justin Meyer	
Name of Designated Alternate Officer	
9017 West State Highway 29, Suite 206, Liberty Hill, Texas 78642	
Address, City, State, and Zip Code	
512-452-0432	justin@lcmsinc.com
Phone Number	Email
<i>Justin Meyer</i>	06/06/2022
Signature of Alternate Labor Standards Officer	Date

	Mayor	6/14/2022
Signature of Elected Official	Title:	Date
(Mayor/County Judge)		

*Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.*



**COMMUNITY DEVELOPMENT & REVITALIZATION**  
**The Texas General Land Office**  
*Appointment of Section 3 Coordinator*

*Economic Opportunities for Low and Very Low-Income Persons*

Subrecipient:

Contract Number:

Contract Award Date:

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**Section 3 Coordinator Information**

Appointed Section 3 Coordinator:   
(Printed Name)

I will serve as the Section 3 Coordinator for the aforementioned contract. I understand Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701 u) and the GLO-CDR Section 3 Policy. My contact information is as follows:

Address:

City:

State:

Zip:

Phone Number:

E-mail Address:

Section 3 Coordinator Signature:   
Date:

Authorized Subrecipient Representative:   
(Print Name)

Authorized Subrecipient Representative:   
(Signature) Date:

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**COMMUNITY DEVELOPMENT & REVITALIZATION**  
**The Texas General Land Office**  
*Appointment of Civil Rights Officer*

Subrecipient:	City of Flatonia	Contract Number:	22-119-001-D359
125 East South Main Street, Flatonia, Texas 78941			
Address, City, State, and Zip Code			
(361) 865 - 3548	mayor@ci.flatonia.tx.us		
Phone Number	Email Address		

Civil Rights Officer:

I, Dennis Geesaman do hereby appoint Dennis Geesaman  
 Printed Name of Elected Official Printed Name of Designated Civil Rights Officer

as the Civil Rights Officer for For the City of Flatonia

The appointed Civil Rights Officer shall be responsible for the oversight of and compliance with civil rights laws including fair housing, equal opportunity, and Section 504 as required by the Texas General Land Office (GLO) contract identified above. The Civil Rights Officer is responsible for maintaining familiarity with and adhering to all civil rights laws and regulations pertaining to the U.S. Department of Housing and Urban Development (HUD) CDBG-DR and GLO program funding.

The appointed Civil Rights Officer's contact information is:

(361) 865-3548	mayor@ci.flatonia.tx.us
Phone Number	Email Address

**I acknowledge the appointment and duties of Civil Rights Officer.**

Signature of Civil Rights Officer	Date
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Appointed **Alternate** Civil Rights Officer for the aforementioned contract. Note that an **Alternate** Civil Rights Officer is optional, but recommended. The appointed **Alternate Civil Rights Officer** is:

N/A	
Name of Designated Alternate Officer	
N/A	N/A
Phone Number	Email Address

**I acknowledge the appointment and duties of Civil Rights Officer.**

Signature of Alternate Civil Rights Officer	Date	
Signature of Elected Official	Mayor	Date
	Title: (Mayor / County Judge)	

*Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard*





## **PUBLIC SERVICE ANNOUNCEMENT**

City of Flatonia has received a Community Development Block Grant – Mitigation Supplemental (CDBG-MIT SUP) contract under the Texas General Land Office (GLO). The City will comply with the Civil Rights requirements of Title I of the Housing and Community Development Act and the Fair Housing Law and ensure that equal opportunities are afforded to all persons and that no person shall be excluded or denied program benefits on the basis of race, color, religion, sex, disability, familial status, and national origin. City of Flatonia has established policies, plans and resolutions for the following:

- Equal Opportunity • Section 504 Non-Discrimination Provisions
- Section 3 Policy • Fair Housing
- Affirmative Action • Excessive Force Policy • Citizen Participation Plan



### **PUBLIC SERVICE ANNOUNCEMENT: FAIR HOUSING, IT'S THE LAW**

To promote fair housing practices, City of Flatonia encourages potential homeowners and renters to be aware of their rights under the National Fair Housing Law. Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination against any person on the basis of race, color, religion, sex, disability, familial status or national origin in the sale or rental of units in the housing market. For more information on fair housing or to report possible fair housing discrimination, call the Texas Workforce Commission at (888) 452-4778 or (512) 463-2642 TTY: 512-371-7473.

### **POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY**

City of Flatonia does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its federally assisted programs or activities. Bryan Milson, Mayor of the City of Flatonia, has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development (HUD) regulations implementing Section 504 (24 CFR Part 8. Date June, 1988).

### **CITIZEN PARTICIPATION & GRIEVANCE PROCEDURES NOTICE FOR THE GLO COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION SUPPLEMENTAL PROGRAM**

City of Flatonia has adopted complaint and grievance procedures regarding its Community Development Block Grant Mitigation Supplemental (CDBG-MIT SUP) Program. Citizens may obtain a Copy of these written procedures from the Mayor, Bryan Milson at the City of Flatonia City Hall located at 125 East South Main Street, Flatonia, Texas 78941, or by calling (361) 865-3548, during regular business hours. These procedures outline the steps for a citizen to follow if he/she wishes to file a complaint or grievance about GLO CDBG-MIT SUP activities. A person who has a complaint or grievance about any services or activities with respect to the GLO CDBG-MIT SUP project may, during regular business hours, submit such complaint or grievance, in writing to Bryan Milson at the City of Flatonia City Hall located at 125 East South Main Street, Flatonia, Texas 78941, or by calling (361) 865-3548. City of Flatonia will make every effort to respond fully to such complaints or grievances within fifteen (15) working days where practicable after receipt of the original complaint or grievance.



**COMMUNITY DEVELOPMENT & REVITALIZATION**  
**The Texas General Land Office**  
***Affidavit of Posting a Public Notice***

Subrecipient:

I,  of the City of   
 Printed Name of Elected Official Printed City/County Name

do hereby certify that a Community Development Block Grant - Mitigation Supplemental (CDBG-MIT SUP) civil rights notice was conspicuously posted at

1. City of Flatonia - City Hall (125 East South Main Street, Flatonia, Texas 78941)
  2. City of Flatonia - Website ([http://www.flatoniatx.gov/page/public\\_notices](http://www.flatoniatx.gov/page/public_notices))
  3. \*\*\*3rd LOCATION\*\*\*
- \*\*\* WILL NEED PICTURES AT EACH LOCATION \*\*\***

in a manner plainly visible to the general public beginning on    
 Date Date

*(Date range should include the minimum number of days following the original posting at least one day prior to signing of this affidavit).*

Pursuant to the Texas General Land Office Community Development and Revitalization's Citizen Participation Requirements defined in the application guide, the physical location of the notice is as follows: (EXAMPLE: City Hall at 200 East Main Street, City, Zip in the lower left corner of east window on the front of the building. - or- County Courthouse at 200 East Main Street, City, Zip posted in the center of all entrance doors.)

Attach a photograph of the application as posted on the premises if available.

<input type="text"/>	<input type="text" value="Mayor"/>	<input type="text"/>
Signature of Elected Official	Title (Mayor/County Judge)	Date

*The Texas Workforce Commission ("TWC") is the entity responsible for enforcing the Fair Housing Act in the State of Texas. You have one year after an alleged violation to file a complaint, but you should file it as soon as possible. Go to <https://www.tdhca.state.tx.us/fair-housing/complaint-how-to.htm> to file a complaint.*



COMMUNITY DEVELOPMENT & REVITALIZATION  
The Texas General Land Office  
Special Conditions Checklist

Subrecipient Name	City of Flatonia	Contract Number	22-119-001-D359
Revised Submission of Checklist?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Program	CDBG-MIT
HUD Activity Type	Construction/reconstruction of water/sewer lines or system	Project Title	Sewer Facilities

If applicable to a Project or Activity, Subrecipient must be in compliance with the following Special Conditions and any other State, Federal, or local laws, rules, and regulations as may be applicable, throughout the term of the Contract, prior to the release of any grant funds for the Projects or Activities anticipated.

Please review the following Special Conditions as found in the Attachment E of the Subrecipient Contract. Indicate if the condition applies to the entire contract, or if it applies to the project title referenced above. A Special Conditions Checklist should be submitted for each project referenced in the GLO-CDR application. The appropriate HUD Activity Type can be found on the Attachment A of the Subrecipient Contract.

Special Conditions	Applies to Entire Contract?	Applies to Project Title?	Anticipated Timeline to Accomplish the Special Condition	Date Completed
A.REIMBURSEMENT, GENERALLY	Yes		Throughout Contract	
B.NATIONAL FLOOD INSURANCE PROGRAM COMPLIANCE	Yes		Prior to Construction	
C.PROJECT MAPPING/DESIGN INFORMATION	Yes		Construction Completion	
D.WATER SYSTEM IMPROVEMENTS	Yes		During Construction	
E.SEWER SYSTEM IMPROVEMENTS	Yes		During Construction	
F.WASTEWATER TREATMENT CONSTRUCTION	Yes		During Construction	
G.ON-SITE SEWAGE FACILITIES (OSSF) IMPROVEMENTS	Yes		During Construction	
H.BUILDING CONSTRUCTION	N/A			
I.BRIDGE CONSTRUCTION/REHABILITATION	N/A			
J.DISASTER SHELTERS	N/A			
K.DEBRIS REMOVAL	N/A			
L.USE OF BONDS	N/A			
M.PROGRAM GUIDELINES	N/A			
N.AFFORDABILITY PERIODS FOR SINGLE-FAMILY HOUSING REHABILITATION, RECONSTRUCTION, OR NEW CONSTRUCTION	N/A			
O.UNSECURED FORGIVABLE PROMISSORY NOTE ("NOTE")	N/A			
P.RENTAL HOUSING REHABILITATION, RECONSTRUCTION, OR NEW CONSTRUCTION ASSISTANCE	N/A			
Q.COASTAL MANAGEMENT	N/A			

Is a permit involved with this project?  Yes  No

If yes, please indicate who will be granting the permit, its purpose, and when it will be granted. Note: This box allows six text lines. Please be descriptive but brief

Authorized Representative Name	Dennis Geesaman	Signature	Date	6/21/2022
Title	City of Flatonia - Mayor			

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**GLO-CDR Regulatory Oversight – Revised Policy Memo on Project Re-evaluations**

**Date:** January 7, 2022  
**To:** CDBG-DR/CDBG-MIT Subrecipients/Responsible Entities/Certifying Officers  
**From:** Jill Seed, Director, GLO-CDR Regulatory Oversight  
**Through:** Heather Lagrone, GLO-CDR Senior Deputy Director *HL*  
**Subject:** Responsibilities of Subrecipients/Responsible Entities/Certifying Officers regarding project re-evaluations per 24 CFR 58.47

This memo is a result of directives given to the Texas General Land Office (GLO) by the U.S. Department of Housing and Urban Development (HUD) on December 16, 2021. **The GLO will no longer conduct reviews of subrecipients project re-evaluations, as described below.**

Subgrantees who receive CDBG-DR/CDBG-MIT funds administered by the TXGLO are considered responsible entities (REs), also referred to as subrecipients, and must complete an environmental review compliant with 24 CFR 58 on all project activities before funds are obligated. Under 24 CFR 58, the environmental review can be completed by the REs staff, program partners, or a hired consultant; however, the RE is ultimately responsible for the content of the Environmental Review Record (ERR) and must make an independent evaluation of the environmental issues, take responsibility for the scope and content of the compliance findings, and make the final environmental decision concerning project approval. The RE is also responsible for ensuring any mitigation measures or conditions for approval are implemented and for maintaining the ERR in accordance with HUD requirements.

Each RE must designate a Certifying Officer who is ultimately responsible for signing off on the completeness of environmental reviews as described in 24 CFR 58.13. **The GLO Regulatory Oversight may provide technical assistance on sections of the subrecipients ERRs; however, GLO is not responsible for any inaccuracies and should the ERR fail to meet federal/state requirements, including applicable Federal Register requirements, the RE is financially responsible for the oversight and any corrective action required. Completeness of the REs ERR, including mitigation measures and project-specific conditions, will be verified during GLOs in-depth Environmental Monitoring and Enforcement Program (24 CFR 58.18(a)(2)).**

Anytime there is a change in scope of work, the re-evaluation process in 24 CFR 58.47 must be followed prior to any work being initiated or funded. For brevity, a re-evaluation is required when the project footprint or area of potential effect (APE) changes regardless of the amount of linear feet/area, project activities are added/removed, unexpected conditions arise, or changes are made to the nature, magnitude, or extent of the project. If the original finding is assessed as still valid, the ERR would be updated with a memo to the file, which is commonly referred to as a Letter of Re-evaluation or LRE. If the original finding is assessed as no longer valid the RE may have to prepare a new environmental review and proceed with the approval process, which includes but is not limited to a new environmental review, public notices, public comment and objection periods, and a new Request for Release of Funds (RROF) and AUGF.

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**Memo**  
**COMMUNITY DEVELOPMENT & REVITALIZATION (CDR)**  
**Texas General Land Office**

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If a RE fails to comply with 24 CFR 58.47, a choice limiting action as described in 24 CFR 58.22(a) may have occurred. Per 24 CFR 58.22(a), neither a recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance under a program listed in § 58.1(b) on an activity or project until HUD or the state has approved the recipient's RROF and the related certification from the responsible entity. In addition, until the RROF and environmental certification have been accepted by GLO, neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project under a program listed in § 58.1(b) if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives.

According to 24 CFR 58.72, in cases where the GLO is exercising HUD's responsibilities outlined in 24 CFR 58.18 and has approved an environmental certification and RROF but subsequently learns that the RE violated 58.22(a) or otherwise failed to comply with any applicable environmental authority, the GLO can impose appropriate remedies and sanctions in accordance with the law and regulations for the program under which the violation was found. This may include repayment of federal funds.

The GLO requests acknowledgment of these requirements by each REs Certifying Officer. Please sign and submit to the appropriate GLO Grant Manager.

GLO Contract #: 22-119-001-D359

Responsible Entity Certifying Officer name: Dennis Geesaman, City of Flatonia - Mayor

Responsible Entity Certifying Officer signature and date: \_\_\_\_\_

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**GLO-CDR Regulatory Oversight – Revised Policy Memo on Choice Limiting Actions**

**Date:** January 7, 2022  
**To:** CDBG-DR/CDBG-MIT Subrecipients/Responsible Entities/Certifying Officers  
**From:** Jill Seed, Director, GLO-CDR Regulatory Oversight  
**Through:** Heather Lagrone, GLO-CDR Senior Deputy Director *HL*  
**Subject:** Responsibilities of Subrecipients/Responsible Entities/Certifying Officers regarding Limitations on Activities Pending Clearance (Choice Limiting Actions) 24 CFR 58.22

Subgrantees who receive CDBG-DR/CDBG-MIT funds administered by the TXGLO are considered responsible entities (REs), also referred to as subrecipients, and must complete an environmental review compliant with 24 CFR 58 on all project activities before funds are obligated. Each RE must designate a Certifying Officer who is ultimately responsible for signing off on the completeness of environmental reviews as described in 24 CFR 58.13. The RE/Certifying Officer is also responsible for ensuring that the timing of the environmental review process is consistent with the requirements outlined in 24 CFR 58.22 - Limitations on Activities Pending Clearance, commonly referred to as "choice limiting actions."

Choice limiting activities occur in two commonly observed missteps:

1. Prior to the completion of the environmental review and;
2. After completing the environmental review and receipt of the Authority to Use Grant Funds (AUGF) if the RE fails to adhere to the project re-evaluation process required by 24 CFR 58.47.

HUD's regulations at 24 CFR 58.22 prohibit grant recipients and their partners from committing or spending HUD or non-HUD funds on any activity that could have an adverse environmental impact or limit the choice of reasonable alternatives prior to completion of an environmental review once a project has become "federal." This prohibition on "choice-limiting actions" prohibits physical activity, including acquisition, rehabilitation, and construction, as well as contracting for or committing to any of these actions. Other regulatory requirements are found in the Council of Environmental Quality regulations (NEPA) at 40 CFR 1502.2(f), which require that agencies not commit resources prejudicing selection of alternatives before making a final decision. Per 24 CFR 58.10, Part 58 environmental clearance requires RE's to comply with NEPA.

The restriction on undertaking or committing funds for choice-limiting actions does not apply to undertakings or commitments of non-federal funds before a project participant has decided to apply for HUD funding. A party may begin a project in good faith as a private project and is not precluded from later deciding to apply for federal assistance. However, when the party applies for federal assistance, it will generally need to cease further choice-limiting actions on the project until the environmental review process is complete.

24 CFR 58.22(a) further expands to state that neither a recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance under a program listed in § 58.1(b) on an activity or project until the GLO has accepted the Request for Release of Funds (RROF) and

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**Memo**  
**COMMUNITY DEVELOPMENT & REVITALIZATION (CDR)**  
**Texas General Land Office**

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environmental certification from the RE.

In addition, until the RROF and environmental certification have been approved, neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project under a program listed in § 58.1(b) if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives.

Anytime there is a change in the project's scope of work, regardless of magnitude, the re-evaluation process in 24 CFR 58.47 must be followed prior to any work being initiated or funded. If a RE fails to comply with 24 CFR 58.47, a choice limiting action as described in 24 CFR 58.22(a) may have occurred.

For brevity, a re-evaluation is required when the project footprint or area of potential effect (APE) changes regardless of the amount of linear feet/area, project activities are added/removed, unexpected conditions arise, or changes are made to the nature, magnitude, or extent of the project. If the original finding is assessed as still valid, the environmental review record (ERR) would be updated with a memo to the file, which is commonly referred to as a Letter of Re-evaluation or LRE. If the original finding is assessed as no longer valid, the RE may have to prepare a new environmental review record and proceed with the approval process, which includes but is not limited to a new environmental review record, public notices, public comment and objection periods, and a new Request for Release of Funds (RROF) and AUGF.

According to 24 CFR 58.72, in cases where the GLO is exercising HUD's responsibilities outlined in 24 CFR 58.18 and has approved an environmental certification and RROF but subsequently learns that the RE violated 58.22(a), or otherwise failed to comply with any applicable environmental authority, the GLO can impose appropriate remedies and sanctions in accordance with the law and regulations for the program under which the violation was found. This may include repayment of federal funds.

The GLO requests acknowledgment of these requirements by each RE's Certifying Officer. Please sign and submit to the appropriate GLO Grant Manager.

GLO Contract #: 22-119-001-D359

Responsible Entity Certifying Officer name : Dennis Geesaman, City of Flatonia, Mayor.

Responsible Entity Certifying Officer signature and date: \_\_\_\_\_

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**Memo**

**COMMUNITY DEVELOPMENT & REVITALIZATION (CDR)**

**Texas General Land Office**

**GLO-CDR Regulatory Oversight – Policy Memo on Revised ERR Review Procedures**

**Date:** January 10, 2022  
**To:** CDBG-DR/CDBG-MIT Subrecipients/Responsible Entities/Certifying Officers  
**From:** Jill Seed, Director, GLO-CDR Regulatory Oversight  
**Through:** Heather Lagrone, GLO-CDR Senior Deputy Director *HL*  
**Subject:** Revised GLO Environmental Review Procedures and HUD 7015.15 RROF and Environmental Certification Submissions

This memo is a result of directives given to the Texas General Land Office (GLO) by the U.S. Department of Housing and Urban Development (HUD) on December 16, 2021. **The GLO will no longer conduct reviews of subrecipients environmental review records (ERR), as described below.**

Subrecipients who receive CDBG-DR/CDBG-MIT funds administered by the TXGLO are considered responsible entities (REs) as defined in 24 CFR 58.2 and must complete an environmental review compliant with 24 CFR 58 for all GLO contractually approved activities before federal funds are obligated. Each RE must designate a Certifying Officer who is ultimately responsible for validating the completeness of environmental reviews as described in 24 CFR 58.13. In addition, by signing and submitting HUD 7015.15 Request for Release of Funds and Environmental Certification (RROF), the RE's Certifying Officer is providing a legally binding certification that they have fully carried out their responsibilities for environmental review, decision-making, and action pertaining to the project(s) named.

Effective 12/27/2021, GLO will continue to provide technical assistance, guidance, and training to all subrecipients; however, **submitted environmental documents will not be reviewed for compliance.** Completeness of the REs ERRs, including mitigation measures and project-specific conditions, will be verified during GLOs in-depth **Environmental Monitoring and Enforcement Program** (24 CFR 58.18).

GLO requires subrecipients to upload completed and certified ERRs to the Texas Integrated Grant Reporting (TIGR) system. For projects classified as Categorically Excluded Subject to Section 58.5 (CEST) and Environmental Assessment (EA) per 24 CFR 58.36, submission of the final ERR and HUD 7015.15 RROF and Environmental Certification is required. Projects classified as Exempt (24 CFR 58.34), Categorically Excluded Not Subject to the related laws and authorities (CENST) (24 CFR 58.35(b)), CEST that converts to Exempt (58.34(a)(12)) or site-specific checklist (SSC), do not require a RROF and Environmental Certification; therefore, the RE is required to obtain necessary signatures and upload the ERR into TIGR after which funds can be obligated.

GLO will process HUD 7015.15 RROFs and Environmental Certifications for CEST's and EA's in accordance with federal regulation 24 CFR 58.72, as described below:

The actions which HUD (or a State) may take with respect to a subrecipient's environmental certification and RROF are as follows:

(a) In the absence of any receipt of objection to the contrary, except as provided in paragraph (b) of this section, HUD (or the State) will assume the validity of the certification and RROF and will approve these



**Memo**

COMMUNITY DEVELOPMENT & REVITALIZATION (CDR)

Texas General Land Office

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documents after expiration of the 15-day period prescribed by statute.

(b) HUD (or the State) may disapprove a certification and RROF if it has knowledge that the responsible entity or other participants in the development process have not complied with the items in § 58.75, or that the RROF and certification are inaccurate.

(c) In cases in which HUD (or the State) has approved a certification and RROF but subsequently learns (e.g., through monitoring) that the recipient violated § 58.22 or the recipient or responsible entity otherwise failed to comply with a clearly applicable environmental authority, HUD (or the state) shall impose appropriate remedies and sanctions in accord with the law and regulations for the program under which the violation was found.

Please keep in mind that the RE is responsible for ensuring all project conditions, best management practices (BMPs), and/or mitigation measures are implemented prior to and throughout construction. The RE must maintain documentation of all project conditions, BMPs, and/or mitigation measures in the form of photos, receipts, letters, contracts, and any other evidence that demonstrates compliance. Completeness of the REs ERR will be verified during GLOs Environmental Monitoring and Enforcement Program (24 CFR 58.18(a) (2)). The RE must ensure all ERRs are maintained and current in TIGR, as environmental monitoring will likely occur after the initiation of project work.

As a reminder, anytime there is a change in scope of work, the project re-evaluation process in 24 CFR 58.47 must be followed prior to any work being initiated or funded. If a RE fails to comply with 24 CFR 58.47, a choice limiting action as described in 24 CFR 58.22(a) may have occurred. According to 24 CFR 58.72, in cases where the GLO is exercising HUD's responsibilities outlined in 24 CFR 58.18 and has approved a certification and RROF but subsequently learns that the RE violated 58.22(a) or otherwise failed to comply with any applicable environmental authority, the GLO can impose appropriate remedies and sanctions in accordance with the law and regulations for the program under which the violation was found. This may include repayment of federal funds.

Please note that these procedures are subject to change, and the RE should always contact the Regulatory Oversight team at [env.reviews@recovery.texas.gov](mailto:env.reviews@recovery.texas.gov) for the most recent guidance.

The GLO requests acknowledgment of these process revisions by each REs Certifying Officer. Please sign and submit to the appropriate GLO Grant Manager.

GLO Contract #: 22-119-001-D359

Responsible Entity Certifying Officer name: Dennis Geesaman, City of Flatonia - Mayor

Responsible Entity Certifying Officer signature and date: \_\_\_\_\_

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