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**County of El Paso
Agenda Item Details**

Item Title:	Community Service Department / Community Development / CDBG-CSHC Program / Civil Rights Requirements Program (2024-0604)
Submitted By:	Irene Gutierrez, Executive Director
Department:	Community Services
Department Phone Number:	915-273-3485
Subject:	Approve and authorize the County Judge to sign the Community Development Block Grant-Colonia Self Help Center Program Citizen Participation Plan Resolution Regarding Civil Rights and accompanying forms in compliance with program requirements under the Texas Department of Housing and Community Affairs. Further, approve the designation of the Civil Rights Officer as required. (Contract No. 2024-0604)
Background:	<p>This Resolution and its accompanying forms are required by the Community Development Block Grant Program (CDBG) to remain in compliance with all State and Federal requirements in ensuring the equal opportunity and access to all benefits derived from the CDBG Program.</p> <p>Through this Resolution the County reaffirms the following policies;</p> <ol style="list-style-type: none">1. Citizen Participation Plan and Grievance Procedures;2. Excessive Force Policy;3. Fair Housing Policy;4. Section 504 Policy and Grievance Procedures; and5. Code of Conduct Policy. <p>And commits to take all appropriate action necessary to comply with program requirements for the following:</p> <ol style="list-style-type: none">6. Section 3 economic opportunity;7. Limited Assistance Plan8. Activity to affirmatively Further Fair Housing choice. <p>This includes the designation of the Civil Rights Officer.</p>

**Estimated Time Needed
For This Item:**



Colonia Self Help Center Program CITIZEN PARTICIPATION PLAN

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Housing and Community Affairs (TDHCA) Community Development Block Grant (CDBG) Colonia Self-Help Center (CSHC) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the County of El Paso, Family Youth Service Center located at 6314 Delta, El Paso, TX 79905 or at the Agua Dulce Self-Help Center located at 15371 Kentwood Ave., El Paso, Texas 79928; or call 915-273-3708 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TDHCA-CDBG-Colonia Self-Help Center Program.

1. A person who has a complaint or grievance about any services or activities with respect to the TDHCA-CDBG-Colonia Self Help Center Program shall submit complaint in writing within five (5) of the incident or realization of a dispute, whether it is a proposed, ongoing, or completed Colonia Self-Help Center Program, may during regular business hours submit such complaint or grievance, in writing to the Community Development Program Manager at the Family Youth Service Center, County of El Paso-CSHC Program, 6314 Delta, El Paso, TX 79905 or at the El Paso County, Agua Dulce Self-Help Center, 15371 Kentwood Ave., El Paso, TX 79928; or e-mail dmarroquin@epcounty.com; or call 915-273-3408. Complaints shall contain the name, address, and contact information of the person filing the complaint and a brief description of the complaint and date of incident.
2. A written determination as to the validity of the complaint and description of resolution, if practical, shall be issued by the Program Manager and a copy forwarded to the person filing the complaint no later than ten (10) business days after its filing.
3. If the person filing the complaint is not in agreement with the response from the Program Manager, the person filing the complaint can appeal to the Community Services Department Executive Director in writing within five (5) business days from the date of the response from the Program Manager. The Executive Director shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days. If the investigation cannot be completed within ten (10) working days, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail

when the investigation should be completed. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the County Attorney and/or TDHCA for their further review and comment.

4. Any complaints concerning directly with the Program Manager, may be submitted directly to the Executive Director at Ir.Gutierrez@epcounty.com by following the same process as submitting a complaint to the Program Manager.

If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the County shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TDHCA-CDBG-CSHC Program funds. The County, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the County, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TDCHA-CDBG-CSHC Program, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the County must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TDHCA-CDBG-CSHC Program application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The County shall comply with the following citizen participation requirements for the preparation and submission of an application for a TDHCA-CDBG-CSHC Program:

1. At a minimum, the County shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Housing and Community Affairs.
2. The County shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TDHCA-CDBG-CSHC Program application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TDHCA-CDBG-CSHC Program, and the use of past TDHCA-CDBG-CSHC Program contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The County must comply with the following citizen participation requirements in the event that the County receives funds from the TDHCA-CDBG-CSHC Program:

1. The TDHCA-CDBG-CSHC Program shall also hold a public hearing concerning any substantial change, as determined by TDHCA-CDBG-CSHC Program, proposed to be made in the use of TDHCA-CDBG-CSHC Program funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TDHCA-CDBG-CSHC Program, the County shall hold a public hearing and review its program performance including the actual use of the TDHCA-CDBG-CSHC Program funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TDHCA-CDBG-CSHC Program TxCDBG or for the closeout of the TDHCA-CDBG-CSHC Program, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The County shall retain documentation of the TDHCA-CDBG-CSHC Program, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Ricardo A. Samaniego, County Judge

Date



Colonia Self Help Center Program PLAN DE PARTICIPACIÓN CIUDADANA

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del "Texas Department of Housing and Community Affairs" (TDHCA)-"Community Development Block Grant" (CDBG)-"Colonia Self-Help Center Program" (CSHC) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos con el Condado de El Paso, "Family Youth Service Center" ubicado en 6314 Delta, El Paso, Texas 79905 o en el Centro De Agua Dulce ubicado en 15371 Kentwood Ave., El Paso, Texas 79928; o llame al 915-273-3708 durante horas de trabajo.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del programa de "TDHCA-CDBG-Colonia Self-Help Center".

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el programa de "TDHCA-CDBG-Colonia Self Help Center", o si se trata de una propuesta, en curso o determinado del programa de "Colonia Self Help Center", pueden durante las horas regulares presentar dicha queja o reclamo, por escrito dentro the cinco (5) días al Gerente de Programas de Desarrollo Comunitario a el "Family Youth Service Center" ubicado en 6314 Delta, El Paso, Texas 79905 o al Centro De Agua Dulce ubicado en 15371 Kentwood Ave., El Paso, Texas 79928; o llame al 915-273-3708 durante horas de trabajo; o envíe un correo electrónico a dmarroquin@epcounty.com.
2. La Gerente del Programas emitirá una determinación por escrito sobre la validez de la queja una descripción de la resolución, si es posible, y enviara una copia la persona que presento la queja no mas tardar diez (10) días hábiles después de su presentación.
3. Si la persona que presenta la queja no esta de acuerdo con la respuesta de la Gerente de Programas, la persona que presento la queja puede apelar con la Directora Ejecutiva del Departamento de Servicios Comunitarios por escrito dentro de cinco (5) días hábiles a partir de la fecha dela respuesta de la Gerente de Programas. La Directora Ejecutiva deberá completar una investigación de la queja(s), si es posible, y proporcionar una respuesta en escrito a la persona que presento la queja(s) dentro de diez (10) dias. Si la investigación no se puede completar dentro de los diez (10) se notificara a la persona que presento la queja, por escrito, dentro de los quince (15) dias, cuando sea posible, después de recibir la queja original y se detallara cuando debe concluirse la investigación. Si es necesario, la queja y una copia escrita de

la investigación posterior se enviarán al Abogado de el Condado y/o al “TDHCA” para su revisión y comentarios adicionales.

4. Cualquier queja relacionada directamente con la Gerente de Programas se puede enviar directamente a la Directora Ejecutiva a lr.Gutierrez@epcounty.com siguiendo el mismo proceso.

Si corresponde, proporcione copias de los procedimientos de quejas tanto en Inglés como en Español, u otro idioma apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, el Condado proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos “TDHCA-CDBG-CSHC”. El Condado, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

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

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del programa de “TDCHA-CDBG-CSHC” documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y el Condado debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud de el programa de “TDCHA-CDBG-CSHC” debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

El Condado deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un programa “TDHCA-CDBG-CSHC”:

1. Como mínimo, el Condado deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud a “TDHCA”.
2. El Condado conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado. Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación del “TDHCA-CDBG-CSHC Program, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa “TDHCA-CDBG-CSHC” y el uso de fondos últimos contratos TDHCA-CDBG-CSHC Program, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

El Condado debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad/Condado recibe fondos del programa “TDHCA-CDBG-CSHC”:

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

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

Ricardo A. Samaniego, Juez del Condado

Fecha



Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the County of El Paso, TX hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of County of El Paso, TX 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 County of El Paso, TX 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. County of El Paso, TX will introduce and pass a resolution adopting this policy.

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

Ricardo A. Samaniego
County Judge

Date



**Colonia Self Help Center Program
Regarding Civil Rights**

FAIR HOUSING POLICY

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

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

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

Ricardo A. Samaniego, County Judge

Date



Section 504 Policy Against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), El Paso County, TX 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. County of El Paso, TX 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. El Paso County's recruitment materials or publications shall include a statement of this policy in 1. above.
4. County of El Paso, TX 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, County of El Paso, TX shall ensure that they are provided with the information necessary to understand and participate in the Texas Department of Housing and Community Affairs (TDHCA)-Community Development Block Grant (CDBG)-Colonia Self Help Center (CSHC) 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 El Paso County, TX to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

- b. Complaints should be addressed to:

Community Services Department
Diana Marroquin, Program Manager
6314 Delta, El Paso, TX 79905

Or e-mail at dmarroquin@epcounty.com

who has been designated to coordinate Section 504 compliance efforts.

- c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
- e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Program Manager. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the Program Manager, 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 County of El Paso, TX relating to the complaint's 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 County of El Paso, TX within ten (10) 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 County of El Paso, TX complies with Section 504 and HUD regulations.

Ricardo A. Samaniego, County Judge

Date



Colonia Self Help Center Program Regarding Civil Rights

CODE OF CONDUCT

As a Grant Recipient of a Texas Department of Housing and Community Affairs (TDHCA), Community Development Block Grant (CDBG)-Colonia Self Help Center Program (CDBG Program) contract, the County of El Paso, Texas shall avoid, neutralize, or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TDHCA-CDBG-Colonia Self Help Center Program contract or impact the integrity of the procurement process.

For procurement of goods and services; county employee or officer, or agent of the County of El Paso, TX shall participate in the selection, award, or administration of a contract supported by TDHCA-CDBG-Colonia Self Help Center Program funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer, or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

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

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

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

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

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

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

Passed and approved this ____ day of _____, 2024.

Ricardo A. Samaniego, County Judge



COLONIA SELF HELP CENTER PROGRAM LANGUAGE ASSISTANCE PLAN

INTRODUCTION

The **VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq**, is the federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. **Executive Order 13166**, titled Improving Access to Services for Persons with Limited English Proficiency identifies that the differing treatment based upon a person's language barriers is a type of national origin discrimination. Granting that some U.S. Housing and Urban Development (HUD) funded programs require recipients to document citizenship or eligible immigrant status of beneficiaries, other programs do not. Notwithstanding Title VI-LEP obligations apply to every beneficiary who meets the HUD funded program requirements, regardless of the beneficiary's citizenship status.

POLICY STATEMENT

The County of El Paso-Community Services Department is to take reasonable steps, within the scope of authority, to provide meaningful access to the federally funded U.S. HUD-Texas Department of Housing and Community Affairs (TDHCA)-Community Development Block Grant (CDBG)-Colonia Self Help Center (CSHC) Program services for all persons with Limited English Proficiency (LEP). LEP persons are individuals who do not speak English as their primary language and who have limited ability to read, write, or understand English.

CSHC PROGRAM SERVICE AREA AND COMMUNITY POPULATION

Colonia		Census Tract#	Colonia M#	Estimated Population
Agua Dulce	Unit 1	103.35	M0710005	3,259
Agua Dulce	Unit 5	103.35	M0710009	3,259
Horizon View Estates	Unit 17	103.33	M0710319	4,541
Dairyland	subdivision	103.34	M0710069	3,937
Homestead Meadows South	Unit 5	103.44	M0710123	3,624

U.S. Census Bureau American Community Survey Table S0101 (2022)

PLAN SUMMARY

In meeting the provision of **Title VI of the Civil Rights Act of 1964** and as a recipient of TDHCA-Colonia Self Help Center Program, these language access measures are intended to address limited English provisions by providing guidance while clarifying steps to ensure that discrimination does not take place. This plan applies to the County of El Paso as a recipient of federal funding through this CSHC Program grant.



LEP-FOUR FACTOR ANALYSIS

In order to prepare this plan, the HUD-LEP analysis four-factor approach was used to initiate these measures that identified the limited languages. With this language access measures have been prepared in accordance with HUD-LEP persons guidance. This Plan will help direct each employee involved with the implementation of Colonia Self Help Center Program by developing and identifying reasonable steps to ensure that language assistance is being provided to persons with limited English.

Factor 1: The number or proportion of LEP individuals in the CSHC Program service area population who may be serviced or likely to require services and/or information.

The County of El Paso reviewed the U.S. Census ACS Report and determined that the CSHC Program service (**5 colonias/4 census tracts**) has an estimated population of 15,361 of which 7,861 persons are 18 years or older with an estimated average of 4.8% English ONLY and 75.55% Spanish ONLY.

LIMITED ENGLISH POPULATION AND LANGUAGE SPOKEN

Colonia		Census Tract #	Colonia M#	Population 18 years and older	English ONLY	English speak less than "very well"	Spanish ONLY	Other Indo-European	Asian and Pacific Island	Other Languages
Agua Dulce	Unit 1	103.35	M0710005	1,657	0%	36.2%	71.8%	0%	0%	0%
Agua Dulce	Unit 5	103.35	M0710009	1,657	0%	36.2%	71.8%	0%	0%	0%
Horizon View Estates	Unit 17	103.33	M0710319	2,183	2.8%	50%	71.7%	0%	0%	0%
Dairyland	subdivision	103.34	M0710069	2,188	8.5%	40.4%	91.5%	0%	0.8%	0%
Homestead Meadows South #5	Unit 5	103.44	M0710123	1,833	7.9%	36.6%	67.2%	0.2%	0.1%	0%

U.S. Census Bureau American Community Survey Table S1601 (2022)

- Language-English ONLY: 0%, 2.8%, 8.5% & 7.9%
- Language-English less than "very well": 36.2%, 50%, 40.4% & 36.6%
- Language-Spanish ONLY: 71.8%, 71.7%, 91.5% & 67.2%
- Language-Other Indo-European: 0%, 0%, 0% & 0.2%
- Language-Asian and Pacific Island: 0%, 0%, 0.8% & 0.1%
- Language-Other Languages: 0%, 0%, 0% & 0%

This confirmed that Spanish is the non-English language greatly encountered within the CSHC Program service area; at an average of 75.55% of individuals speaking Spanish ONLY.



Factor 2: Frequency LEP individuals come in contact with staff implementing program services and providing information.

It has been determined that persons speaking Spanish ONLY and no English language ability average 75.5% of the Self-Help Center staff interactions. For those individuals residing within the program's service area that request grant funded services, bilingual staff is on-site to communicate both in Spanish and English as needed. Frequency of contact is daily and for the most part is in person (by appointment or walk-ins) or by phone. Written communication is not necessarily a form of contact for this population with an average of 1 to 3 Spanish language e-mails and/or mail correspondence received within a 12-month period. Individuals on average come in person, to ask questions or participate in center activities or events and/or apply for CSHC Program grant funding.

Factor 3: The nature of importance of the activities or services provided by the HUD-TDHCA-CDBG-Colonia Self Help Center Program to LEP population.

The majority of the service area population speaks Spanish ONLY, at an average of 75.55%. The other language spoken is English at an average of 4.8% English ONLY and English less than "very well" at 40.8%. Any other languages combined average 0.36%. Using this factor, the county has been able to look at its CSHC Program services, activities and vital documents translation and ensure that staff on board are equipped to interpret; English/Spanish. With a focus on the translation of brochures, flyers, forms and any other information and material readily available for LEP individuals to access. Through the Self-Help Center services, area residents can participate by attending activities and/or community events (Such as health fairs, resource fairs, food pantry, etc.) and obtain social services with a focus on providing grant funded CSHC Program housing assistance and public services. This plays a critical role in ensuring that the county provides equal housing opportunities and sustainable community resources to LEP individuals.

Factor 4: Determine resources available to assist LEP individuals.

The County of El Paso-Community Services Department reviewed available resources that could be used in providing LEP assistance and concluded that with 98.8% of the department staff being bilingual English/Spanish. This includes the four (4) employees assigned to implement the CSHC grant funded program and activities. Based on this availability, it was determined that Community Services Department staff having the capacity to conduct oral language assistance and written translation will translate if and/or when the need should arise. These steps are intended to gauge the need of LEP individuals while balancing an undue financial burden to the County of El Paso; in the efforts to provide language assistance and interpretation (English/Spanish).



- Will make every effort to hire bilingual (English/Spanish) staff.
- Provide Spanish language hands-on work (oral/written) in the effort to allow an employee to improve, for those employees where Spanish language ability is existing but not fluent.
- Inform and/or train as needed, Community Services Department staff on the availability of language assistance for the CSHC Program grant funded services.

LANGUAGE ASSISTANCE

Language assistance measures have been tailored to address the CSHC Program service area language service needs. Where language solutions and measures have been established to continue to help provide equitable services. A person who does not speak English as their primary language and who has a limited ability to understand English (read, speak or write) will be entitled to language assistance with respect to the CHSC Program services and activities.

▪ **BILINGUAL STAFF**

The County of El Paso CSHC Program staff, having the greatest contact with LEP individuals, will make every reasonable effort that language translation be provided with the highest quality as appropriate for each situation.

In addition to bilingual staff, colonia community volunteers will be considered to provide meaningful language access of less vital activities to program recipients. This may include the distribution of program information via flyers, brochures, and notices. These volunteers are able to communicate directly with LEP persons in their own language and will be trained and informed in the CSHC Program services and activities.

▪ **STAFF TRAINING**

The County of El Paso will provide guidance to all CSHC Program staff regarding nondiscrimination policies and procedures and on its HUD-TDHCA-CDBG-Colonia Self Help Center Program federal nondiscrimination obligations. Such guidance will take place during the employees on-boarding process for new employees with subsequent training offered periodically as a refresher training to all CHSC Program staff.

1. Title VI of the Civil Rights Act of 1964 requirements
2. LEP responsibilities
3. Language assistance services offered.
4. Handling of Title VI and LEP complaints

▪ **ASSISTANCE OF THE TRANSLATION OF ORAL AND WRITTEN TEXT AND INTERPRETER SERVICES**

Once the need for translation of advertised notices and/or vital documents has been identified, the most appropriate steps will be taken to circulate information both orally and in writing, as needed,



for all CSCH Program services and activities. This will include handouts and postings at the Self-Help Center and statements in flyers, booklets, brochures, and any other material routinely distributed to the program's service area. Additionally, and in furthering compliance with LEP requirements and its effect on the awareness of rights or meaningful access to services, statements on notices or any material routinely distributed to the public and/or posted at the Self-Help Center may include but

not limited to information on Equal Opportunity Process, Discrimination Complaint Rights and Procedures, Grievance Procedures and Language Access Rights.

RESOURCES AVAILABLE:

- 1) Vital internal general information, material and announcements will be translated based upon the significance to the Colonia Self-Help Center Program and/or activities and its effect on the awareness of rights and/or services as a necessary part of LEP meaningful access.
- 2) Vital external general information, forms, material, and announcements that is important to all parts of the sub-recipient's (El Paso County Self-Help Center) operations will be distributed and be put into operation as it becomes accessible by the funding source website or via TDHCA staff.
- 3) Oral Translation: Spanish is the language most frequently spoken. Bilingual (English/Spanish) staff will be available during the center's business hours to communicate with persons and assist them, on a timely manner, with any questions regarding the Self-Help Center Program services. This may include center visitors, program participants and via telephone interpretation service.

PUBLIC MEETINGS AND NOTICES:

The Self-Help Center staff will take reasonable measures to assist LEP persons to take part in meetings. In order to smooth the progress of their understanding and to facilitate the participation in the discussions that take place at the center's community meetings and public hearings. This may include the translation and distribution of public notice announcements and the accessibility of Bilingual English/Spanish staff at all meetings.

- Public notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project.
- Publications regarding CDBG application, grievance procedures, complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and other vital hearings, documents, and program requirements.



Recognizing that it may not be feasible, from a reasonable cost breakdown, to translate all material in their entirety and considering program outreach and the distribution of other information vital for the awareness of program services and/or rights; the posting/distribution/publication of the program's Public Notices, Public Meetings, Hearings,

Amendments to project activities (if any), Environmental Reviews, Civil Rights and any other Program Requirements may not be translated in their entirety and the following wording will be distributed as needed but not limited to:

"Para mas informacion en espanol, comunicarse con Diana Marroquin al 915-273-3408"

"Para obtener una copia en espanol, comunicarse con Diana Marroquin al 915-273-3408"

"Ayuda con el idioma se pondra a disposicion a las personas con dominio limitado del Ingles. Para las personas que necesiten asistencia por favor comunicarse con el Centro Auto Ayuda del Condado de El Paso al 915-273-3408"

In the event that resources will be required for other means of oral or written translations or oral interpretation assistance, the county will utilize CHSC Program grant funding to comply with this requirement. Other county resources may be considered to supplement costs associated with providing services to LEP individuals such as Community Services Department budget.

MONITORING AND UPDATING THE PLAN:

The CSHC Program staff will continually monitor the Plan to improve program services and activities. This Plan is a living document and will be reviewed regularly to evaluate its effectiveness in the ways that LEP individuals are being served and will amend the Plan as needed. The monitoring of the Plan will include but not limited to:

- Monitor for any changes in the current LEP population.
- Keep record of the number of LEP individuals/families coming into contact with program services and/or staff.
- Document how the needs of LEP persons have been addressed.
- Determine and trends or changes in the need for translation services.
- Monitor financial resources as it applies.
- Monitor to determine if language assistance continues to be sufficient and effective to meet the current needs.
- Obtain and evaluate feedback from LEP individuals and community partners.



- Survey LEP individuals to determine quality and level of program translation and interpretation services.

OUTREACH

Outreach will be conducted within the program's service area with bilingual staff and English/Spanish informative material, with respect to the CHSC Program services and activities.

COMPLAINT PROCEDURES:

The CHSC Program Civil Rights Officer will receive complaints in writing and will follow the CHSC Program established complaint procedures.

DISSEMINATION OF THE CHSC PROGRAM LEP PLAN:

The CHSC Program Language Access Plan is effective through December 31, 2027. A copy of the plan will be available in English and Spanish at the Colonia Self Help Center located at 15371 Kentwood Ave., El Paso, Texas 79928 during regular business hours. Additional interpretation and/or written translation may be provided upon request. A copy of the plan may be provided upon request at no charge.



**Colonia Self Help Center Program
Regarding Civil Rights**

DESIGNATION FOR CIVIL RIGHTS OFFICER

I, Ricardo A. Samaniego, County Judge, do hereby appoint Diana Marroquin, Community Services Program Manager as the Civil Rights Officer for the County of El Paso, Texas Department of Housing and Community Affairs (TDHCA)-Community Development Block Grant (CDBG)-Colonia Self Help Center (CSHC) Program.

The Civil Rights Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the County of El Paso-Colonia Self Help Center Program, as required by the TDHCA-CDBG-CSHC Contract No. CSH23-0518.

The Civil Rights Officer is responsible for being familiar with and adhering to all civil rights laws and regulations pertaining to the TDHCA-CDBG-CSHC Program, including those described in the Texas CDBG Implementation Manual and those listed in the TDHCA-CDBG-CSHC Program contract.

Diana Marroquin, Program Manager
Community Services Department
6314 Delta
El Paso, TX 79905
915-273-3408

Civil Rights Officer: _____ Date: _____
Diana Marroquin, Program Manager

Passed and approved this _____ day of _____, 2024.

Appointed by: _____ Date: _____
Ricardo A. Samaniego, County Judge



Colonia Self Help Center Program Regarding Civil Rights

RESOLUTION

Whereas, the County of El Paso, Texas, (hereinafter referred to as "County" has been awarded Texas Community Development Block Grant (CDBG) funding through a TDHCA-CDBG-Colonia Self Help Center Program from the Texas Department of Housing and Community Affairs (hereinafter referred to as "TDHCA");

Whereas, the County, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the County, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the County, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 75, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the Section 3 Service Area;

Whereas, the County, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the County, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG-Colonia Self Help Center activity/project;

Whereas, the County, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, the County, 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 County, 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 COUNTY COMMISSIONERS OF THE COUNTY OF EL PASO, TEXAS, that:

The COUNTY of EL PASO REAFFIRMS The following policies:

1. Citizen Participation Plan and Grievance Procedures;
2. Excessive Force Policy;
3. Fair Housing Policy;
4. Section 504 Policy and Grievance Procedures; and
5. Code of Conduct Policy.

The COUNTY affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following:

6. Section 3 economic opportunity;
7. Limited English Proficiency; and
8. Activity to affirmatively Further Fair Housing choice.

Passed and approved this _____ day of _____, 2024.

Ricardo A. Samaniego, County Judge