



CITY OF SAN AUGUSTINE

301 SOUTH HARRISON
SAN AUGUSTINE, TX 75972
TEL: (936) 275.2121
FAX: (936) 275.9146

January 14, 2022

The City of San Augustine City Council will meet for a regular meeting on Tuesday, January 18, 2022 at 5:00 p.m. The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Wylma Hewett - City Secretary

AGENDA

- 1. Call Meeting to Order
2. Prayer
3. Pledge to the Flags
4. Welcome Guest
5. Citizen Presentations: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Please limit to two minutes each.
6. Approval of Minutes of Previous Meeting
7. Update on Police Department Activity
8. Judge Loretta Biggers - Update on Municipal Court Activity
9. Tracy Cox - Update on Main Street Program
10. Discussion and Action If Any Granting Permission to Main Street Manager Tracy Cox to Start the Application Process for the Next Main Street Grant Through the Texas Department of Agriculture Capitol Fund Grant Program.
11. Update from City Manager Jeaneyse Mosby
12. Discussion And Action if Any to Approve Changes In City Deposit Policy, According to Results of a "Soft" Credit Check Through the On Line Utility Exchange Service.
13. Discussion and Action if Any on the City of San Augustine Covid-19 Plan
14. Discussion and Action if Any to Adopt a Resolution and Policies Regarding Civil Rights for ARPA-CLERF
15. Consider and act upon award of a construction contract for the 2019-2020 TxCDBG WTP Improvements (TxCDBG No. 7220410).
16. Adjourn

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 Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations About Security Devices) and 551.087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door at City Hall of the City of San Augustine, TX, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:
January 14, 2022 by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

December 17, 2021

The City of San Augustine City Council will meet for a regular meeting on Tuesday, December 21, 2021 at 5:00 p.m. The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Wylma Hewett – City Secretary

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A G E N D A
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1. Call Meeting to Order
2. Prayer
3. Pledge to the Flags
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6. Approval of Minutes of Previous Meeting(s)
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9. Tracy Cox - Update on Main Street Program
10. Discussion And Action If Any Granting Permission to Main Street Manager Tracy Cox to Start the Application Process for the Next Main Street Grant Through the Texas Department of Agriculture Capitol Fund Grant Program.
11. Update from City Manager Jeaneyse Mosby
12. Discussion And Action If Any for the San Augustine Library Advisory Board to Add as New Member, Tharasa Netherly
13. Discussion And Action If Any to Adopt Resolutions and Policies for Professional Audit Services – Proposal Number 11172021-01
14. Discussion And Action If Any to Adopt Resolutions and Policies to Request For Proposal (RFP) for Professional Administrative Services of the American Rescue Plan Act (“ARPA”) Of Coronavirus Local Fiscal Recovery Fund (“CLFRF”) – Proposal Number 11172021-01
15. Discussion And Action if Any to Approve An Increase, If Needed, Of the City’s Service Deposits By No More Than Triple the Current Deposit Standards, According to Results of “A Soft” Credit Check Through the On Line Utility Exchange Service.
16. Adjourn

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 Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations About Security Devices) and 551.087 (Economic Development).

The City of San Augustine held its regular meeting on Tuesday, December 21, 2021 at 5:00 p.m.

Members present were:

Mayor	Leroy Hughes
Alderman	Marcus Hafford
Alderwoman	Pamela Teel
Alderman	Stacy Watts
Alderman	Steve Standley
Alderman	Dan Fussell
Attorney	Wade Flasowski
City Manager	Jeaneyse Mosby
City Secretary	Wylma Hewett

Mayor Leroy Hughes called the meeting to order at 5:00 p.m.

Mayor Hughes offered prayer.

The pledge to the flags was recited in unison.

Mayor Hughes welcomed guests.

Guest present were:

Chris Anding	Betty Oglesbee
Josh Ponder	Chris Brown
Ray Vann	

5. Citizens Presentations

There were no citizens presentations.

6. Approval Of Minutes Of Previous Meeting(s)

Alderwoman Pamela Teel offered the motion to approve the minutes of the previous meeting(s). Alderman Steven Standley seconded the motion. Voting in favor of the motion were Alderman Hafford, Alderman Watts, and Alderman Fussell. Motion carried.

7. Update on Police Department Activity

Chief Shannon Brazeal gave the update on the police department's activity for the month of November. Activity included: reports filed 55; 8 felony arrests; 11 misdemeanor arrests; 10 assist other agencies; 190 responses on calls for service; 0 juvenile case; 1 auto accident response/report; 45 citations; 178 warnings; and 0 completed mental health warrants.

Chief Brazeal also reported on a citizen concern about the parking at El Potosino Restaurant located at 302 North Clark and FM 353. The concern was about customer parking in front of the restaurant causing a blind spot at the corner of North Clark and FM 353 as well as parking of cars curbside on North Clark. It was found that if cars in front of the restaurant would pull up, making sure their rear tires were not on the sidewalk, the blind spot would be cleared as much as possible considering the location of the building itself. We are contacting Tx Dot to provide and install signage to help with this. It was determined that the parking on North Clark was legal according to TX Dot standards.

8. Judge Loretta Biggers - Update On Municipal Court Activity

Mayor Hughes reported 40 citations and collections of \$3805.00 for the month of November. Remitted to State - \$1554.00.00 and City retention - \$2251.00

9. Tracy Cox - Update On Main Street Program

Tracy Cox was not present at this meeting.

10. Update by Interim City Manager Jeaneyse Mosby

Interim City Manager Jeaneyse Mosby gave the council an update for the month of November:

- The new water line from the old light plant to Willow Lane has been completed with no issues.
- We had and repaired several water leaks and sewer problems with no issues.
- Text My Gov is scheduled to go "Live" on December 31, 2021.
- Electrical Department Changes: Charles Evans has been promoted to Electrical Department Supervisor; Zae Harrison has been promoted to Electrical Department "IT" person to assist with ordering, the UPKEEP workorder program and any other technical assignments; Seth Stephens has been hired as Electrical Groundsman and has expressed an interest in advancing his knowledge of the field. We will research these opportunities, their requirements and will report these findings to the Council before moving forward.
- Job postings have been done for both the Utility Billing Specialist and Finance Director and have had responses to consider.
- Cinda Garner has officially retired from her tenure as City Secretary and service to the city of 36 years. Although we did a small thankyou presentation at City Hall, we will plan an official event after the holiday.

11. Discussion and Action If Any for the San Augustine Library Board to Add as New member Therasa Netherly

Betty Oglesbee, Member of the Library Board, spoke on the qualifications of Ms Netherly and thanks the Council for their consideration. Alderman Dan Fussell offered the motion to appoint Therasa Netherly to San Augustine Library Board. Alderwoman Pam Teel seconded the motion. Voting in favor were Alderman Hafford, Alderman Watts and Alderman Standley. Motion Carried.

12. Discussion And Action If Any to Adopt Resolutions and Policies for Professional Audit Services – Proposal Number 11172021-01

After the RFP process by City Manager Jeaneyse Mosby, Chief Shannon Brazeal, and City Secretary Wylma Hewett, it is recommended that Todd, Hammacker and Johnson of Lufkin Texas be selected to conduct the Audit for fiscal year 2021. After discussion, Alderman Stacy Watts offered a motion that Todd, Hammacker and Johnson of Lufkin Texas be selected to conduct the Audit for fiscal year 2021. The motion was seconded by Alderman Steven Standley. Voting in favor were Alderman Hafford, Alderwoman Teel, and Alderman Fussell. Motion Carried.

13. Discussion and Action If Any To Adopt Resolutions and Policies for Request for Proposal (RFP) for Professional Administrative Services of the American Rescue Plan Act (“ARPA”) Of Coronavirus Local Fiscal Recovery Fund (“CLFRF) – Proposal Number 11172021-02

After discussion, Alderman Hafford offered the motion to adopt the Resolutions and Policies for the RFP. Alderwoman Pam Teel seconded the motion. Voting in favor of the motion were Alderman Watts, Alderman Standley, and Alderman Fussell. Motion carried.

14. Discussion And Action If Any Granting Permission to Main Street Manager Tracy Cox to Start the Application Process for the Next Main Street Grant Through the Texas Department of Agriculture Capitol Fund Grant Program.

Alderman Dan Fussell offered the motion to table the above item as stated because Tracy Cox was not present. Alderman Hafford seconded the motion. Voting in favor of the motion were Alderwoman Teel, Alderman Watts, and Alderman Standley. Motion carried.

15. Discussion and Action If Any To Approve an Increase, If Needed, Of the City’s Service Deposits By No More Than Triple the Current Deposit Standards, According to Results of a “Soft” Credit Check Through the On Line Utility Exchange Service.

After Discussion, a motion was offered by Alderman Dan Fussell to table this item as stated. Alderman Stacy Watts seconded the motion. Voting in favor of the motion were Alderman Hafford, Alderwoman Teel, and Alderman Standley. Motion carried.

16. Executive Session Pursuant to Texas Government Code §551.074 Personnel Matters – Review and Discussions of Applicants for City Judges’ Position.

Council went into Executive Session at 5:47 p.m. and reconvened at 5:53p.m.

17. Reconvene and Take Action if Any of Executive Session Item #16

Mayor Hughes reconvened the open meeting.

City Judge Position – Review and Discussions of Applicants for City Judges’ Position.

A motion was offered by Alderwoman Pam Teel to Appoint Jeff Cox as City Judge. Alderman Steven Standley seconded the motion. Voting in favor of the motion were Alderman Hafford, Alderman Watts, and Alderman Fussell. Motion carried.

The meeting was adjourned at 6:05p.m.

Leroy Hughes, Mayor

Wylma Hewett, City Secretary

San Augustine Police Department



Robert S. Brazeal
Chief of Police

"Serve"

Protect"

LaTanja Mathis
Administrative Assistant

December, 2021 Activity Report

For the January, 2022 City Council Meeting

<u>ACTION</u>	<u>TOTAL</u>
Reports	44
Felony Arrest	6
Misdemeanor Arrest	3
Assist Other Agencies	11
Response on "Calls for Service"	169
Juvenile Cases Filed	0
Auto Accident Reports Filed	6
Number of Citations Written	7
Number of Warnings Issued	93
Completed Mental Health Warrants	0

City of San Augustine
Municipal Court
Loretta Biggers, Judge
301 S. Harrison St.
San Augustine, Texas 75972

Monthly Report for December 2021

December 29, 2021

Total Citations Received	5
Fines and Court Cost Collected	\$865.00
Remitted to State	\$415.00
Kept by City	\$450.00

CITY OF SAN AUGUSTINE
 Payments Summary

Transaction Dates from 12/1/2021 to 12/29/2021 and Excluding Time Served

Receipt #	Name	Date	Bond	Forfeited	Payment	Amount	Docket Number	Citation Number	Charge Code	Applied	Reference
Fees:											
										\$247.80	
									EXPIRED MOTOR VEHICLE REGISTRATION	(\$23.90)	
									SPEEDING 2 - 16 - 25 MILES OVER	\$63.00	
									SPEEDING 2 - SCHOOL ZONE	\$63.00	
									SPEEDING 3 - 26 - 35 MILES OVER	\$83.00	
									Fines	\$185.10	
									Total:	\$865.00	

Detailed Officer Activity Report
For Citations Dated From 12/1/2021 To 12/29/2021

Badge: 106 Officer: MEIER, WESTON

Violation	Action	Citation Number	Date	Time	Status
DRIVING WHILE LICENSE INVALID	CITED	33011	12/4/2021	6:39	Pending
NO FINANCIAL RESPONSIBILITY - 1S CITED		33025	12/17/2021	5:36	Proof of Insurance

Officer Totals: 2 Citations: 2 Warnings: 0 Repairs: 0

12/29/2021 10:41am

FERN JERNIGAN
Detailed Officer Activity Report
For Citations Dated From 12/1/2021 To 12/29/2021

Page: 2

Badge: 107

Officer: JERNIGAN, FERN

Violation	Action	Citation Number	Date	Time	Status
NO FINANCIAL RESPONSIBILITY - 1S CITED		28775	12/8/2021	10:54	Pending
PUBLIC INTOXICATION	CITED	28772	12/1/2021	9:21	Jailed
SPEEDING 1 - 15 MILES OVER	CITED	28775	12/8/2021	10:54	Pending

Officer Totals:	3	Citations: 3	Warnings: 0	Repairs: 0
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Grand Totals:	5	Citations: 5	Warnings: 0	Repairs: 0
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City of San Augustine COVID-19 Plan

1. Purpose and Scope

The City of San Augustine is committed to providing a safe and healthy workplace for all our employees. The City of San Augustine has developed the following COVID-19 plan, which includes policies and procedures to minimize the risk of transmission of COVID-19.

The City of San Augustine has multiple workplaces that are substantially similar, and therefore has developed a single COVID-19 plan for the substantially similar workplaces, listed below.

Workplaces for the City of San Augustine, San Augustine, Texas:

1. City Hall and all buildings located at 301 South Harrison Street; San Augustine, Texas
2. Police Department;
3. San Augustine Public Library
4. Main Street Office located in San Augustine Courthouse
5. Public Works Facilities (Public Works Meeting Area; Water Treatment Plant; and Wastewater Treatment Plant)

2. Roles and Responsibilities

City of San Augustine's goal is to prevent the transmission of COVID-19 in the workplace(s). Employees are all responsible for supporting, and complying with this COVID-19 plan.

3. Hazard Assessment and Worker Protections

City of San Augustine is not requiring the wearing of face mask or any other personal protective equipment of fully vaccinated nor unvaccinated employees, but acknowledges the necessity of being cautions. Physical distancing, and/or personal protective equipment is at the discretion of each employee. However, this can be changed by the City Manager should the City of San Augustine experience a high breakout of positive cases within the city employees or if cases become extremely high within the City or County of San Augustine, at that time facemask and/or other personal protective equipment will be required.

If face mask are made a requirement the following would be exceptions to the City of San Augustine's requirements:

1. When an employee is alone in a room.
2. While an employee is eating and drinking at the workplace, provided each employee is at least 6 feet away from any other person, or separated from other people by a physical barrier.
3. When employees cannot wear facemasks due to a medical necessity, medical condition, or disability as defined in the Americans with Disabilities Act (42 USC 12101 et seq.), or due to religious belief. Exceptions will be provided for a narrow subset of persons with a disability who cannot wear a facemask or cannot safely wear a facemask, because of the disability, as defined with the Americans with Disability Act (42 USC 12101 et seq.), including a person who cannot independently remove the facemask. The remaining portion of the subset who cannot wear a facemask may be exempted on a case-by-case basis as required by the Americans with Disability Act and other applicable laws. When an exception applies, the City of San Augustine will require that any such employee wears a face shield, if their condition or disability permits it. The City of San Augustine will put in place reasonable accommodations for the employee with religious beliefs consistent with Title VII of the Civil Rights Act while

- protecting our other employees that may not share those same beliefs.
4. When the City of San Augustine has demonstrated that the use of a face mask presents a hazard to an employee of serious injury or death (e.g., arc flash, heat stress, interfering with the safe operation of equipment). When this is the case, the City of San Augustine will ensure that each employee wears an alternative, such as a face shield, if the conditions permit. Any employee not wearing a facemask must remain at least 6 feet away from all other people unless the employer can demonstrate it is not feasible. The employee must resume wearing a facemask when not engaged in the activity where the facemask presents a hazard.

Cleaning and Disinfection

City of San Augustine requires that each City vehicle and facility keep hand sanitizer and disinfectant cleaner and spray in place for cleaning, disinfection, and hand hygiene, as part of a multi-layered infection control approach.

Health Screening and Medical Management

Employee Notification to Employer of COVID-19 Illness or Symptoms

City of San Augustine will require employees to promptly notify their supervisor or City Manager when they have tested positive for COVID-19 or been diagnosed with COVID-19 by a licensed healthcare provider, have been told by a licensed healthcare provider that they are suspected to have COVID-19, are experiencing recent loss of taste and/or smell with no other explanation, or are experiencing both fever ($\geq 100.4^{\circ}$ F) and new unexplained cough associated with shortness of breath.

Employees are asked to text or call when notifying their supervisor or City Manager if they are sick or experiencing symptoms.

The full-time employee will be able to use sick time while out on leave and should they not have sick time then vacation time can be used. Should both sick leave and vacation leave be exhausted then each case will be looked at on a case by case basis by the City Manager. If an employee is isolating or quarantining because of a member of their household the same paid leave is available.

At this time no paid sick or vacation time is supplied for part-time employees.

The only full-time employees that are not required to use sick or vacation time are first responders, if they contract COVID-19 in the line of duty.

Employer Notification to Employees of COVID-19 Exposure in the Workplace

The City of San Augustine will notify employees if they have been exposed to a person with COVID-19 at their workplace, as described below.

When **the City of San Augustine** is notified that a person who has been in the workplace (including employees, vendors, contractors, customers, delivery people and other visitors, or other non-employees) is COVID-19 positive, the City of San Augustine will, within 24 hours:

- Notify each employee who has been in close contact with the person with COVID-19 in the workplace during the potential transmission period. The notification must state the fact that the employee was in close contact with someone with COVID-19 along with the date(s) the contact occurred.

Notifications will not include the name, contact information, or occupation of the COVID-19 positive person.

Note: Close contact means being within 6 feet of the person for a cumulative total of 15 minutes or more over a 24-hour period during the person's potential transmission period. The potential transmission period runs from 2 days before the person felt sick (or, if not showing symptoms, 2 days before testing) until the time the person is isolated.

Employees will be notified in person, email, text and or voicemail.

Medical Removal from the Workplace

City of San Augustine will remove employees immediately from the workplace in certain circumstances when the following minimum reasons occur:

- The employee is COVID-19 positive (i.e., confirmed positive test for, or has been diagnosed by a licensed healthcare provider with, COVID-19);
- The employee has been told by a licensed healthcare provider that they are suspected to have COVID-19; or
- The employee is experiencing both a fever of at least 100.4°F and new unexplained cough associated with shortness of breath.

For employees removed because they are COVID-19 positive, the **City of San Augustine** will keep them removed until they meet the return-to-work criteria. For employees removed because they have been told by a licensed healthcare provider that they are suspected to have COVID-19, or are experiencing symptoms as discussed above, the City of San Augustine will keep them removed for at least five days and can provide a negative COVID 19 test from a licensed healthcare provider or if they wait the recommended number of days for testing and a negative COVID 19 test is provided from a licensed healthcare provider.

If the **City of San Augustine** notifies an employee that they were in close contact with a person in the workplace (including employees, vendors, contractors, customers, delivery people and other visitors, or other non-employees) who is COVID-19 positive, they will be immediately required to wear a facemask or face shield and to be tested.

Any time an employee must be removed from the workplace, the City of San Augustine may require the employee to work remotely if possible or in isolation if suitable work is available. When allowing an employee to work remotely or in insolation, **the City of San Augustine** will continue to pay that employee the same regular pay for hours worked and benefits the employee would have received had the employee not been absent.

Return to Work Criteria

The City of San Augustine will only allow employees who have been removed from the workplace to return to work when a negative test result for COVID 19 can be presented from a licensed healthcare provider;

Asymptomatic and symptomatic employees that were removed from the workplace or gave notification of being COVID-19 positive may return to work as normal only after all the following are true:

- At least 10 days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation), and
- A negative test result can be presented from a licensed healthcare provider

Vaccination

The City of San Augustine encourages employees to receive the COVID-19 vaccination as a part of a multi-layered infection control approach.

4. Monitoring Effectiveness

The City of San Augustine will work collaboratively with employees to monitor the effectiveness of this COVID-19 plan so as to ensure ongoing progress and efficacy.

The City of San Augustine will update this COVID-19 plan as needed to address changes in workplace-specific COVID-19 hazards and exposures.

The City Manager on behalf of the City of San Augustine may make changes immediately as deemed necessary should numerous employees become diagnosed with COVID-19 and or numerous cases are determined in the City and or the County of San Augustine.

5. Issue Date and Plan Availability

The City of San Augustine has prepared and issued this COVID-19 plan on **January 18, 2022**.

This COVID-19 plan is available:

<input type="checkbox"/> Via hard copy at City Hall; 301 South Harrison Street; San Augustine, TX 75972	<input type="checkbox"/> Posted on the City of San Augustine website at www.cityofsanaugustinetx.gov	<input type="checkbox"/> Available by request by contacting the City Secretary.
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RESOLUTION
Civil Rights
City of San Augustine, Texas

Whereas, the City of San Augustine, Texas, (hereinafter referred to as “City of San Augustine”) has been awarded funding through the American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Fund (hereinafter referred to as “ARPA-CLFRF”);

Whereas, the City of San Augustine, 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 ARPA-CLFRF activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City of San Augustine, 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 San Augustine, 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 ARPA-CLFRF project area;

Whereas, the City of San Augustine, 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 if the City develops a law enforcement agency;

Whereas, the City of San Augustine, 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 San Augustine, 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 SAN AUGUSTINE, TEXAS, THAT THE CITY OF AUGUSTINE REAFFIRMS THE FOLLOWING:

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

Passed and approved this 18th day of January, 2022.

Leroy Hughes, Mayor

Jeaneyse Mosby, City Manager

THE CITY OF SAN AUGUSTINE
CITIZEN PARTICIPATION PLAN

American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Fund (hereinafter referred to as “ARPA-CLFRF”);

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, such citizens should have ‘meaningful access’ to all aspects of the above 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 ARPA-CLFRF activities.

For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Fund (hereinafter referred to as “ARPA-CLFRF”) 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 San Augustine, 301 S. Harrison Street, San Augustine, TX 75972-1996 during regular business hours.

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

1. A person who has a complaint or grievance about any services or activities with respect to the “ARPA-CLFRF” project, whether it is a proposed, ongoing, or completed “ARPA-CLFRF” project, may during regular business hours submit such complaint or grievance, in writing to the City of San Augustine, 301 S. Harrison Street, San Augustine, TX 75972-1996, (936) 275-2121.
2. A copy of the complaint or grievance shall be transmitted by the City of San Augustine to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City of San Augustine shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the appropriate government agencies for their further review and comment.

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

TECHNICAL ASSISTANCE

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

PUBLIC HEARING PROVISIONS

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

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

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a ARPA-CLFRF project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to determining by resolution the use of funds.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

3. The public hearing shall include a discussion with citizens regarding, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the ARPA-CLFRF program, and the use of past ARPA-CLFRF contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements regarding use of funds from the ARPA-CLFRF program:

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

Leroy Hughes, Mayor

January 18, 2022
Date

Fair Housing Policy

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

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

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

Signature

Mayor

Title

January 18, 2022

Date

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 the City of San Augustine, do proclaim April as Fair Housing Month in the City of San Augustine 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 18th day of January, 2022.

Title: Mayor

Title: City Manager

Section 3 Policy

In accordance with 12 U.S.C. 1701u the City of San Augustine 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 ARPA-CLFRF 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; 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 ARPA-CLFRF 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.
- G. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

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

Signature

Mayor
Title

January 18, 2022
Date

Excessive Force Policy

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

1. It is the policy of the City of San Augustine to prohibit the use of excessive force by current or future law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of San Augustine 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 San Augustine will introduce and pass a resolution adopting this policy.

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

Signature

Mayor

Title

January 18, 2022
Date

CODE OF CONDUCT POLICY
In compliance with 2 C.F.R. § 200.318(c)

As a Recipient of American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Fund (hereinafter referred to as “ARPA-CLFRF”) funding, the City of San Augustine 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 ARPA-CLFRF contract or impact the integrity of the procurement process.

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

No officer, employee, or agent of the City of San Augustine 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 ARPA-CLFRF funds, that has any ARPA-CLFRF 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 ARPA-CLFRF activity.

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

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

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

Passed and approved this 18th day of January, 2022.

Leroy Hughes, Mayor
City of San Augustine

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 American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Fund (hereinafter referred to as "ARPA-CLFRF"), the City of San Augustine 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.
2. The City of San Augustine 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 San Augustine's recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of San Augustine 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 ARPA-CLFRF program, the City of San Augustine shall ensure that they are provided with the information necessary to understand and participate in the ARPA-CLFRF 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 San Augustine to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to: Jeaneyse Mosby, City Manager, 301 S. Harrison Street, San Augustine, TX 75972-1996, (936) 275-2121, 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 Jeaneyse Mosby, City 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 Jeaneyse Mosby, City 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 the City of San Augustine relating to the complaint files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of San Augustine 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 a government agency. 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 San Augustine complies with Section 504 regulations.

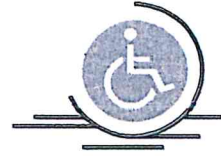
Signature/Title

Mayor

January 18, 2022
Date



Designation Form for Civil Rights Officer



City: City of San Augustine ARPA-CLFRF Project
 Address: 301 S. Harrison Street
San Augustine, TX 75972-1996
 Telephone Number: (936) 275-2121

I, Leroy Hughes, Mayor, do hereby appoint Jeaneyse Mosby, City Manager, as the Civil Rights Officer for the City of San Augustine.

The Civil Rights Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the City of San Augustine, for American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Fund (ARPA-CLFRF) projects.

Civil Rights Officer: _____
 Jeaneyse Mosby, City Manager



Appointed by: _____
 Leroy Hughes, Mayor

Date: January 18, 2022

Limited English Proficiency Plan

Name Grantee:	City of San Augustine
Community Population (over age 5):	1791
LEP population:	1.6% (per S1601)
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 5% of the eligible population or beneficiaries but has less than 50 or less in number; or 3) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries.	English

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

Resources available to Grant Recipient:	
	Translation services: _____ _____
	Interpreter services: _____ _____
	Other resources: _____ _____

Language Assistance to be provided:	
	Translation (oral and/or written) of advertised notices and vital documents for: _____
	Referrals to community liaisons proficient in the language of LEP persons _____
	Public meetings conducted in multiple languages: _____
	Notices to recipients of the availability of LEP services: _____
	Other services: _____

Signature - Chief Elected Official or Civil Rights Officer

Date: January 18, 2022

January 7, 2022

Hon. Leroy Hughes
Mayor
City of San Augustine
301 S Harrison St
San Augustine, Texas 75972

Via Electronic Mail

**Re: 2019-2020 TxCDBG WTP Improvements (TxCDBG No. 7220410)
Summary of Bid Results**

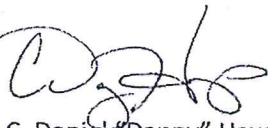
Dear Mayor Hughes:

Bids on the above referenced project were publicly opened at 2:00 p.m. on January 5, 2022 at San Augustine City Hall. A total of one (1) bid was received, publicly read, and reviewed by our office. Any exceptions to the bid requirements or irregularities in the required bid documents have been noted on the official project bid tabulation.

As shown in the bid tabulation, the lone bidder on the project was Duplichain Contractors, LLC of Alto, Texas with a base bid amount of \$242,550.00. Based upon our review of the information submitted, the list of similar project experience provided, and our direct experience with the bidder, Duplichain Contractors, LLC appears to be qualified to perform the work required.

Sincerely,

KSA



C. Daniel "Danny" Hays, P.E.
Project Manager

Enclosures (1)

cc: Ms. Jeaneyse Mosby, City Manager, City of San Augustine
File: SAU.011/Correspondence/Client

BID TABULATION City of San Augustine 2019-2020 TxCDBG WTP Improvements No. 7220410 Bid Date & Time: January 5, 2022 @ 2:00 PM Prepared by KSA Engineers, Inc.				Duplichain Contractors, LLC 100 Elkhart/Box 637 Alto, Texas 75925 936.858.4100 gregd1948@gmail.com	
Item	Qty	Unit	Description	Unit Price	Lump Sum Price
Schedule 1 - Base Bid					
1.01	1	LS	Mobilization	\$ 12,000.00	\$ 12,000.00
1.02	1	LS	Concrete Foundation	\$ 79,000.00	\$ 79,000.00
1.03	1	LS	Pre-Engineered Metal Building Enclosure	\$ 113,750.00	\$ 113,750.00
1.04	1	LS	Site Restoration	\$ 6,000.00	\$ 6,000.00
1.04	1	LS	Metal Access Stairs	\$ 12,000.00	\$ 12,000.00
1.05	1	EA	4'x4' Precast Junction Box	\$ 10,000.00	\$ 10,000.00
1.06	70	LF	24" Reinforced Concrete Pipe, Class V, ASTM C76, Open Cut	\$ 140.00	\$ 9,800.00
Schedule 1 Base Bid					\$ 242,550.00
Schedule 2 - Additive Alternate 1					
2.01	1	LS	Building Electrical	\$ 63,750.00	\$ 63,750.00
Schedule 2 Subtotal					\$ 63,750.00
Schedule 3 - Additive Alternate 2					
3.01	1	LS	Building Heating	\$ 23,750.00	\$ 23,750.00
Schedule 3 Subtotal					\$ 23,750.00
Schedule 4 - Additive Alternate 3					
4.01	2	EA	Concrete Access Ramps	\$ 25,000.00	\$ 50,000.00
Schedule 4 Subtotal					\$ 50,000.00

Schedule 1 Base Bid	\$ 242,550.00
Schedule 2 - Additive Alternate 1	\$ 63,750.00
Schedule 3 - Additive Alternate 2	\$ 23,750.00
Schedule 4- Additive Alternate 3	\$ 50,000.00
TOTAL ALL BID SCHEDULES	\$ 380,050.00

NOTES

- 1 The quantities shown above are estimates only. The bidder understands that this is a unit price bid and that payment will be made for those quantities of work constructed and accepted as
- 2 Bidders shall provide pricing for all items and additive alternates.
- 3 In the event of discrepancies between written words and numbers, written words shall govern.
- 4 The Owner reserves the right to reject any and all bids.
- 5 The Owner reserves the right to award any single, combination, or all of the above bid schedules based upon available funding.
- 6 Refer to Section 01 22 00 of the Specifications for descriptions of the bid items above.