

RESOLUTION NO. 15-31

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

BE IT RESOLVED by the City Council, of Commerce, Texas as follows:

SECTION 1.

The City Council of Commerce, Texas hereby approves an application for:

Infrastructure Grant Funds to benefit	
KLZ STONE GROUP, INC.	\$700,000.00
Administration Grant	<u>\$ 50,000.00</u>
	\$750,000.00

SECTION 2.

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

SECTION 3.

The City Manager is hereby authorized and directed to act on the City's behalf in all matters pertaining to this application.

SECTION 4.

The City has reviewed and hereby agrees not to participate in program income recapture and will return all program income to the state to be placed in a statewide Revolving Loan Fund to be used by the state to fund future economic development awards. By agreeing to this measure, the City understands that it will be eligible to receive as many Texas Capital Fund awards per program year as it has eligible projects. This determination must be made at the time the original award is made and cannot be changed with subsequent awards for this program year or retroactively in subsequent program years.

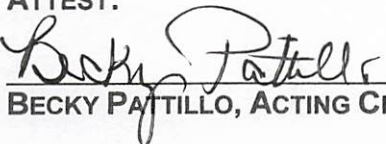
PASSED AND ADOPTED at a special meeting of the Commerce City Council on October 13, 2015 by the following vote:

AYES: 4 NAYES: 0 ABSENT: 1



MAYOR, JOHN BALLOTTI
CITY OF CITY OF COMMERCE

ATTEST:



BECKY PATILLO, ACTING CITY SECRETARY

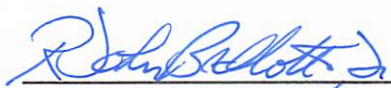
CITY OF COMMERCE, TEXAS CITIZEN COMPLAINT PROCEDURES

FOR THE TEXAS COMMUNITY DEVELOPMENT PROGRAM

In order to comply with the Texas Department of Economic Complaint System, 10 T.A.C. Sec.178.1 and 178.2, the following citizen complaint procedures, adopted by the City of Commerce, Hunt County, Texas, are intended to provide a timely written response to all complaints and grievances made against the City of Commerce, Hunt County, Texas, Community Development Program efforts:

- 1) A person who has a comment or complaint about the services funded or to be funded by a block grant administered by the City, may submit such comment or complaint in writing to the City Manager who is responsible for administering the block grant program.
- 2) The City Manager shall, within five work days of receiving the comments or complaints, conduct an investigation into same, determine an appropriate response to same and so advise the person who made said comments or complaints, in writing. If, for any reason this cannot be done, the City Manager will, within five working days of receiving the comment or complaint, advise the person making the comment or complement, in writing, why the response cannot be provided within five working days of receiving the comment or Complaint and when a response can be expected.
- 3) The City Manager shall notify the person who made said comments or complaints, in writing, of the final results of any investigation conducted. Unless unusual circumstances interfere, all investigative action and reports documenting the findings of same should be accomplished prior to the 15th working day after the comments or complaints were originally received. Should this final response be delayed, the person making the comments or complaints, must be so advised in writing, to include the problems being encountered and a new date for final resolution of the comment or complaint.
- 4.) A copy of the above outlined comment and/or complaint procedures can be obtained at the city hall in the City of Commerce, Texas, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday (except holidays) .

Passed and Approved by the City of Commerce, Hunt County, Texas governing body on October 13, 2015.



JOHN BALLOTTI, MAYOR
CITY OF COMMERCE, TEXAS

ATTEST:



BECKY PATILLO, ACTING CITY SECRETARY

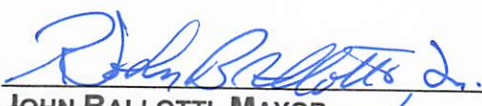
CERTIFICATION REGARDING LOBBYING FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned John Ballotti, Mayor of the City of Commerce, Texas certifies, to the best of his knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard form - LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signed: _____


JOHN BALLOTTI, MAYOR
CITY OF COMMERCE, TEXAS

Date: _____



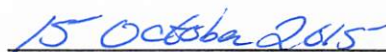
GENERAL CERTIFICATIONS

I, John Ballotti as Mayor of the City of Commerce, Texas certify with respect to the expenditure of funds provided under this contract by the City of Commerce, that;

- (1) It will minimize displacement of persons as a result of activities assisted with such funds.
- (2) The program will be conducted and administered in conformity with the Civil Rights Act of 1964 (42 U.S.C. Sec. 2000a *et seq.*) and the Fair Housing Act (42 U.S.C. Sec. 3901 *et seq.*), and that it will affirmatively further fair housing, as specified by TCDP.
- (3) It will provide for opportunities for citizen participation, hearings and access to information with respect to its community development programs, as specified by Department and TCDP.
- (4) It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of LMI, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless (a) such funds are used to pay the proportion of such fee or assessment that related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, contractor certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (a).
- (5) In the event that displacement of residential dwellings will occur in connection with a project assisted with TCDP funds, it will follow a residential antidisplacement and relocation assistance plan, as specified by TCDP and Department.
- (6) It shall adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in nonviolent civil rights demonstrations and a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction.
- (7) **(only applies to RE contracts)** Contractor agrees not to occupy or utilize the property identified in Exhibit A., Performance Statement, for the general conduct of government, as long as Contractor retains an ownership interest.



JOHN BALLOTTI, MAYOR
CITY OF COMMERCE



DATE