

A Resolution

NO. _____

REQUESTING THAT THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT AN EXCEPTION AS AUTHORIZED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT REGULATIONS TO THE CONFLICT OF INTEREST SO THAT (I) JARED WILLIAMS, AN OFFICER OF THE CITY AS A MEMBER OF THE CITY COUNCIL, MAY BE EMPLOYED BY THE TARRANT AREA FOOD BANK, A LOCAL NONPROFIT THAT IS RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, WHILE SERVING ON THE CITY COUNCIL, AND (II) TARRANT AREA FOOD BANK MAY CONTINUE TO RECEIVE FEDERAL GRANT FUNDS FROM THE CITY

WHEREAS, the City of Fort Worth (“City”) receives federal grant funds from the Department of Housing and Urban Development (“HUD”) through the Community Development Block Grant (“CDBG”) with which it funds programs and initiatives throughout the City to help create strong, sustainable, inclusive communities and quality affordable homes for all; and

WHEREAS, the Fort Worth City Council is the governing body for the City and approves the allocation of federal grants to different agencies and projects throughout the City as part of the City’s Annual Action Plan and determines policy regarding City priorities and strategic plans; and

WHEREAS, Jared Williams has been a member of the Council since June 5, 2021, and currently serves as the chair of the Neighborhood Quality and Revitalization Committee, a subcommittee of the City Council that focuses on creating and maintaining strong neighborhoods throughout the City through strategic partnerships in key areas impacting community resilience; and

WHEREAS, on May 20, 2022, Mr. Williams was offered a position as the Vice President of Advocacy with the Tarrant Area Food Bank (“TAFB”), a local nonprofit that empowers communities to alleviate hunger by providing food, education, and resources; and

WHEREAS, Mr. Williams intends to accept this offer and begin his employment with TAFB on or about June 7, 2022; and

WHEREAS, TAFB receives CDBG funding from the City for its Resources and Education Delivered Bus Project (“RED Bus Project”), which was approved by the City Council on June 8, 2021, prior to Mr. Williams’ employment offer; and

WHEREAS, TAFB has applied for other grant funds for various projects in the past and is anticipated to apply for federal grant funds, including CDBG funds, in the

future; and

WHEREAS, the CDBG regulations governing the use of CDBG funds generally prohibit, in relevant part, an officer of the City who exercises or who has exercised responsibility with respect to CDBG funds, who participates in the decision-making process, or who is in a position to gain inside information with regard to activities assisted with the grants from having a financial interest or receiving a financial benefit from the grant-assisted activity or having a financial interest in any contract, subcontract or agreement with respect to an assisted activity, but permit exceptions if certain conditions are met; and

WHEREAS, as a member of the City Council, Mr. Williams is an Officer of the City who participates in the decision-making process, exercises responsibility with respect to CDBG funds, and is in a position to gain inside information regarding the CDBG funds; and

WHEREAS, Mr. Williams, through his employment with TAFB, has a financial interest in at least one existing contract and would potentially have a financial interest in future contracts for federal grant funds benefitting TAFB, if awarded; and

WHEREAS, the City has received no allegations that Mr. Williams's role or actions as a member of the City Council were a factor in his obtaining employment with TAFB; and

WHEREAS, if an exception is approved by HUD, Mr. Williams, in order to comply with the City's Code of Ethics, will be required to abstain from participating in discussions of any agenda item or taking any action on behalf of the City Council that is related to TAFB or the allocation of CDBG funds; and

WHEREAS, if an exception is approved by HUD, Mr. Williams has confirmed that he will not receive any compensation from TAFB that is funded using the City's CDBG funds or derived from the RED Bus Project; and

WHEREAS, public disclosure of this conflict has been made by including this resolution on the non-consent portion of the Agenda for the City Council meeting on May 24, 2022. The meeting agenda was posted as required by Texas law at least 72 hours prior to each meeting and the title of the resolution clearly identified the covered person and agency, the nature of the conflict, and that the City intended to request an exception from HUD. With the Agenda were copies of all items to be presented to the City Council, which were made available for review by the public on the City's website during the 72-hour posting period; and

WHEREAS, the Regulations that permit HUD to grant exceptions require a written opinion of the local government's attorney that the interest for which the exception is sought would not violate state or local law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

Section 1. That the City Council requests that the United States Department of Housing and Urban Development grant an exception to the conflict of interest requirements of the Community Development Block Grant regulations so that (I) Jared Williams can be employed by the Tarrant Area Food Bank, a local non-profit that is receiving Community Development Block Grant funds from the City, while serving as a member of the City Council, and (II) Tarrant Area Food Bank may continue receiving federal grant funds from the City; and

Section 2. That the City Council requests the City Attorney to issue a written opinion as to whether the interest for which the exception is sought violates state or local law and for such opinion to accompany the request; and

Section 3. That the minutes of the May 24, 2022, meeting of the City Council reflects that this Resolution was discussed and brought up for a vote during the meeting in accordance with the posted agenda, that the minutes include an accurate description of the discussion by members of the City Council and the public as to its merits, and that such minutes, resolution, and agenda accompany the request.

Adopted this 24th day of May, 2022.

ATTEST:

By: _____
Jannette S. Goodall, City Secretary