

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 FOR A POTENTIAL CONFLICT OF INTEREST SO THAT GLORIA MOORE, AN IMMEDIATE FAMILY MEMBER OF SHERELLE RHODES, A NEIGHBORHOOD SERVICES DEPARTMENT EMPLOYEE, MAY PARTICIPATE IN THE CITY'S PRIORITY REPAIR PROGRAM WHICH BENEFITS LOW INCOME HOMEOWNERS

WHEREAS, the City of Fort Worth (“City”) receives Community Development Block Grant (“CDBG”) funds from the United States Department of Housing and Urban Development (“HUD”) with which it provides up to **\$5,000.00** of home repairs for roofs, mechanical systems, and health and safety issues to low income, primarily elderly home owners, under its Priority Repair Program (M&C G-17589 and M&C G-19454); and

WHEREAS, the City’s Priority Repair Program is administered by the Home Improvement Division of the Neighborhood Services Department; and

WHEREAS, Gloria Moore, the grandmother of Sherelle Rhodes, who is employed by the Neighborhood Services Department as part of its administrative staff in project delivery in its Home Improvement Division, has applied for assistance under the Priority Repair Program and meets all the requirements for the services but for her relationship with Ms. Rhodes; and

WHEREAS, the federal regulations governing the use of CDBG funds (“CDBG Regulations”) state that no person who is an employee of a recipient of CDBG funds who exercises any functions or responsibilities with respect to CDBG activities, or who is in a position to participate in the decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG activity for themselves or their immediate family members, but permit exceptions if certain conditions are met; and

WHEREAS, as an administrative staff employee of the Home Improvement Division of the Neighborhood Services Department working on project delivery, Sherelle Rhodes’ work responsibilities include intake of applications, review of applicant files and databases, input of applicant information into spreadsheets, and customer inquiries for the Priority Repair Program, the Cowtown Brush-up program and the Lead grant program. Ms. Rhodes is in a position that would allow her to gain inside information about the programs and she has limited decision-making authority in the administration of the Priority Repair Program; specifically, she is able to approve or reject an application based on whether it is complete and whether it meets the City’s guidelines for the program; and

WHEREAS, the Neighborhood Service's Department has a policy that prohibits an employee from reviewing or taking part in the application process that involves the employee or an immediate family member of the employee. Therefore, Ms. Rhodes will not take part in any portion of the review or processing of Ms. Moore's application for services; and

WHEREAS, Gloria Moore meets the Priority Repair Program's income guidelines and an exception will permit her to receive the same benefits from the Priority Repair Program that are available to other low income homeowners in the City. Further, denial of services for which she is otherwise qualified will result in an undue hardship on her as the requested repairs are to address a serious water leak that is an immediate health and safety issue; and

WHEREAS, public disclosure of this potential conflict has been made by including this Resolution on the non-consent portion of the Agenda for the City Council meeting on December 1, 2020. The agenda was posted as required by Texas law at least 72 hours prior to the meeting and the title of Resolution clearly identified the covered person, the nature of the conflict, the type of assistance being sought and that the City intends to request an exception from HUD. The Agenda, including copies of all items to be presented to the Council, was available for review by the public on the City's website; and

WHEREAS, the CDBG 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 the United States Department of Housing and Urban Development to grant an exception to the conflict of interest requirements of the Community Development Block Grant program so that Gloria Moore, the grandmother of Sherelle Rhodes, may receive services under the City's Priority Repair Program; 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 December 1, 2020, meeting of the City Council reflect that this Resolution was 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 accompany the request.

Adopted this 1st day of December, 2020.

ATTEST:

By: _____
Mary Kayser, City Secretary