



ORDENANZA NUM. 58

SERIE 2024-2025

ORDENANZA DE LA LEGISLATURA MUNICIPAL DEL GOBIERNO MUNICIPAL DE YAUCO, PUERTO RICO, PARA ADOPTAR LA POLÍTICA PARA LA RETENCIÓN DE DOCUMENTOS RELACIONADOS A LOS PROGRAMAS SUBVENCIONADOS CON FONDOS FEMA Y CDBG-DR DEL MUNICIPIO DE YAUCO

POR CUANTO: El Municipio de Yauco, en cumplimiento con las disposiciones de la Agencia Federal para el Manejo de Emergencias (FEMA, por sus siglas en inglés) y la Subvención en Bloque para el Desarrollo Comunitario (CDBG-DR, por sus siglas en inglés), creó la Política para la retención de documentos relacionados con los Programas subvencionados con Fondos FEMA y CDBG-DR.

POR CUANTO: La Política para la retención de documentos relacionados a los Programas subvencionados con Fondos FEMA y CDBG-DR establece los requisitos y protocolos a seguir para cumplir con los requisitos establecidos por las regulaciones federales relacionados a los proyectos financiados con fondos del Programa FEMA y CDBG-DR.

POR CUANTO: Por consiguiente, los socios, subrecipientes, contratistas y proveedores del Municipio de Yauco deben seguir y cumplir las regulaciones establecidas en esta política.

POR CUANTO: Mediante la adopción de esta política, el Municipio cumplirá con todos los requisitos aplicables bajo la reglamentación local y federal aplicable a los Programas.

POR CUANTO: El Artículo 1.039 (m) del Código Municipal, dispone que la Legislatura Municipal tendrá la facultad y el deber de aprobar aquellas ordenanzas, resoluciones y reglamentos sobre asuntos y materias de la competencia o jurisdicción municipal, que de acuerdo a este código o cualquier otra ley, deban someterse a su consideración y aprobación.

POR CUANTO: La reglamentación aquí descrita surge por la necesidad de dar cumplimiento a los requerimientos federales y de mantener al municipio disponible para competir y recibir fondos federales.

POR TANTO: LA LEGISLATURA MUNICIPAL DEL GOBIERNO MUNICIPAL DE YAUCO, PUERTO RICO ORDENA LO SIGUIENTE:

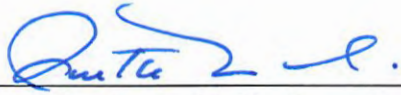
Sección 1ra: Aprobar la Política para la retención de documentos relacionados a Proyectos subvencionados con Fondos FEMA y CDBG-DR del Municipio de Yauco.

Sección 2da: Esta ordenanza por ser necesaria comenzará a regir inmediatamente sea aprobada por la Legislatura Municipal y firmada por el Alcalde.

Sección 3ra: Copia de esta Ordenanza debidamente certificada, será enviada a la Oficina de Gerencia y Presupuesto (OGP), Departamento de Estado, Oficina de Servicios Legislativos (OSL) de la Asamblea Legislativa, Oficina de Finanzas, Auditoría Interna, prensa radial y escrita y demás agencias para su conocimiento y la acción correspondiente.

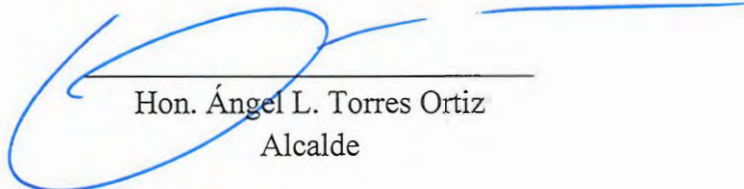
APROBADA POR LA LEGISLATURA MUNICIPAL DE YAUCO, PUERTO RICO, A 3
DE ABRIL DE 2025.



Hon. Israel Burgos Velez
Presidente

Sra. Ivette Muñiz Camacho
Secretaria

APROBADA Y FIRMADA POR EL HONORABLE ALCALDE, HOY 4 DE ABRIL DE
2025.



Hon. Ángel L. Torres Ortiz
Alcalde



CERTIFICACIÓN

Yo, **IVETTE MUÑIZ CAMACHO**, Secretaria de la Legislatura Municipal de Yauco:

CERTIFICO: Que la presente es copia fiel y exacta de la **Ordenanza Núm. 58 Serie: 2024-2025** aprobada por la Honorable Legislatura Municipal de Yauco, Puerto Rico Sesión Ordinaria del día **3 de abril de 2025**, habiendo **doce (12)** Legisladores presentes, votaron en lo **afirmativo** **doce (12)** Honorables Legisladores:

Hon. Israel Burgos Vélez
Hon. Otilia Acosta Acosta
Hon. Ricardo Ramírez Acosta
Hon. José Manuel Morciglio Rodríguez
Hon. Krystal Matos Vázquez
Hon. José L. Banchs Cedeño
Hon. José Rubén Padrón Vélez
Hon. Efrén Alfonso Morales
Hon. Rafael Malavé Ramos
Hon. Marian Feliciano Caraballo
Hon. José Alexis Marín Maldonado
Hon. Luis J. Santiago Cruz

Los siguientes Legisladores estuvieron ausentes de Sesión.

Hon. Antonio Vega Velázquez
Hon. Ariel José Vargas Pérez

Y los votos en contra de los siguientes Honorables Legisladores:

-NINGUNO-

Y esta Ordenanza fue debidamente certificada por el Presidente y la Secretaria de la Legislatura Municipal de Yauco, enviada al Alcalde y éste la firmó e impartió su aprobación, el **4 de abril de 2025**.

CERTIFICO, ADEMÁS: Que de acuerdo a las Actas bajo mi custodia aparece que todos los Legisladores fueron debidamente convocados para la referida Sesión Ordinaria y en la forma en que determina la Ley.

Y QUE PARA QUE ASÍ CONSTE: Y para los fines precedentes, expido la presente y hago constar en la misma, el Gran Sello Oficial de la Legislatura Municipal de Yauco, Puerto Rico, el día **4 de abril de 2025**.


Ivette Muñiz Camacho
Secretaria

SELLO OFICIAL

Anti-Lobbying Management Policy:
FEMA & CDBG-DR

ORDENANZA 58 SERIE: 2024-2025

APROBADO: 3 DE ABRIL DE 2025

Anti-Lobbying Management Policy

FEMA & CDBG-DR

I. INTRODUCTION

The Municipality of Yauco, in compliance with the provisions of the Federal Emergency Management Agency (FEMA) and the Community Development Block Grant (CDBG-DR), creates the Anti-Lobbying Management Policy related to the FEMA and CDBG-DR Funds. The required anti-lobbying certification is enclosed with this document.

The Anti-Lobbying Management Policy related to the FEMA and CDBG-DR Funds ensures compliance with federal laws and regulations prohibiting the use of appropriated federal funds for lobbying activities. It applies to all employees, contractors, and sub-recipients involved in projects funded by federal grants, contracts, loans, or cooperative agreements.

The Municipality of Yauco, in compliance with the provisions of the Federal Emergency Management Agency (FEMA) and the Community Development Block Grant (CDBG-DR), hereby creates this Anti-Lobbying Management Policy related to FEMA and CDBG-DR Funds.

II. LEGAL BASIS

The Anti-Lobbying Management Policy related to the FEMA and CDBG-DR Funds is adopted in accordance with the Anti-Lobbying Management Policy for all FEMA and CDBG-DR Programs.

The Byrd Anti-Lobbying Amendment is a federal statute that prohibits the use of appropriated funds to influence certain federal actions, including the awarding of federal contracts, grants, loans, and cooperative agreements. The Byrd Anti-Lobbying Amendment is implemented through government-wide regulations, including 44 CFR Part 18, which specifically addresses "New Restrictions on Lobbying." FEMA and CDBG-DR, as federal agencies, adhere to these regulations. Therefore, the primary legal basis for FEMA and CDBG-DR Anti-Lobbying Management Policy is the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352), which is further implemented through 44 CFR Part 18.

III. LOCAL CONTEXT

While the primary legal basis for this policy is federal, it is also important to acknowledge any relevant local laws or regulations within Puerto Rico that may pertain to lobbying or the use of public funds. This policy will be implemented in a manner consistent with both federal and applicable local requirements. The Municipality of Yauco is committed to adhering to the highest standards of transparency and accountability in the use of these funds, in accordance with both federal and local legal frameworks.

IV. PURPOSE

This Policy aims to ensure compliance with federal provisions governing FEMA and CDBG-DR funds and to establish requirements and protocols designed to prevent lobbying for projects funded by these programs.

V. SCOPE

This policy governs activities related to any federally funded project administered by FEMA and CDBG-DR. It aligns with federal anti-lobbying statutes, including 31 U.S.C. 1352, and applicable agency regulations.

VI. DEFINITIONS

1. **Lobbying:** Any activity intended to influence federal, state, or local officials regarding the award, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement, or to influence legislation, except as explicitly permitted by law.
2. **Federal Funds:** Money appropriated by the U.S. Congress, including funds awarded through grants, contracts, loans, or cooperative agreements.
3. **Allowable Activities:** Non-lobbying activities such as providing technical advice to legislators upon request, conducting nonpartisan research, or engaging in normal executive-legislative communications as permitted by statute.

VII. POLICY STATEMENTS

1. Prohibition on Use of Federal Funds for Lobbying

- a. No federal funds may be used to pay any person or entity to influence or attempt to influence:
 - i. An officer or employee of a federal agency.
 - ii. A Member of Congress, congressional staff, or an employee of a Member of Congress.
 - iii. State or local officials regarding legislation or appropriations, except where explicitly authorized.

- b. Examples of prohibited activities include:
 - i. Drafting or distributing materials urging the public to contact legislators (grassroots lobbying).
 - ii. Paying for advertisements, emails, or events designed to influence legislation.
 - iii. Hiring lobbyists or consultants to advocate additional federal funding using grant money.

2. Permitted Activities

- a. Federal funds may be used for:
 - i. Providing factual, nonpartisan information or research to the public or officials, provided it does not advocate a specific legislative outcome or include a call to action.
 - ii. Responding to official requests from legislators or agencies for technical advice or data.
 - iii. Normal and recognized executive-legislative communications, such as reporting on project progress to oversight bodies, were permitted by law.

3. Certification and Disclosure Requirements

- a. For awards exceeding \$100,000, recipients must submit a certification stating that no federal funds have been or will be used for lobbying.
- b. If non-federal funds are used for lobbying, recipients must file a disclosure form (e.g., Standard Form LLL) detailing those activities, including costs and entities involved.
- c. Certifications and disclosures must be submitted at the time of application or upon receipt of funds and updated as necessary.
- d. The anti-lobbying certification is enclosed for your review and records.

4. Sub-Recipient and Contractor Compliance

- a. All sub-recipients, contractors, and consultants must agree to comply with this anti-lobbying policy.
- b. Contracts or sub-awards exceeding \$100,000 must include clauses requiring certification and, if applicable, disclosure of lobbying activities funded with non-federal money.

5. Recordkeeping and Monitoring

- a. The Municipality of Yauco will maintain records to ensure federal funds are not used for lobbying, including time logs, expense reports, and communication records.
- b. Project managers must monitor activities to ensure compliance and report any suspected violations to the Municipality of Yauco.

VIII. CONSEQUENCES OF NON-COMPLIANCE

1. Violations may result in:

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- a. Disallowance of costs associated with lobbying.
 - b. Termination of federal funding.
 - c. Civil penalties ranging from \$10,000 to \$100,000 per violation, as determined by federal authorities.
 - d. Disciplinary action, up to and including termination, for employees who knowingly violate this policy.

IX. RESPONSIBILITY

The Municipality of Yauco will be primarily responsible for matters related to this Policy and its implementation and compliance.

X. COMPATIBILITY WITH INSTITUTIONAL POLICIES

This policy has been developed to meet the specific requirements established by FEMA and CDBG-DR for the administration and use of their funds. It is complemented by institutional policies, which establish generally applicable principles and procedures. In the event of discrepancies, this policy will prevail only in relation to the funds granted by FEMA and CDBG-DR, ensuring compliance with their regulations and standards.

APROBADA POR LA LEGISLATURA MUNICIPAL DE YAUCO, PUERTO RICO, A 3 DE ABRIL DE 2025.



Hon. Israel Burgos Vélez
Presidente



Sra. Ivette Muñiz Camacho
Secretaria

APROBADA Y FIRMADA POR EL HONORABLE ALCALDE, HOY 4 DE ABRIL DE 2025.

Hon. Ángel L. Torres Ortiz
Alcalde

Municipio de Yauco	FEMA and CDBG-DR	Effective: Immediately

ANTI-LOBBYING CERTIFICATION

The undersigned certifies, to the best of his or her 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 making lobbying contracts to an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the 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 subcontractors, 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 31 U.S.C. 1352 (as amended by the Lobbying Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty for not less than \$10,000 and not more than \$100,000 for each such failure.



The Municipality of Yauco _____, certifies or affirms the truthfulness and accuracy each statement of its certification and disclosure, if any. In addition, the Proposer understands and agrees that the provisions of 31 U.S.C. A 3801 et seq., apply to this certification and disclosure, if any.

Signature of Authorized Representative

APRIL,4 2025

Date

Ángel Luis Torres Ortiz- Mayor

Printed Name of Authorized Representative

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