

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE CITY OF OELWEIN, IOWA  
ADOPTING POLICIES COMPLIANT TO THE  
2019 CDBG GRANT FOR WATER/SEWER IMPROVEMENTS

WHEREAS, the City of Oelwein was awarded Community Development Block Grant funds from the Iowa Economic Development Authority and;

WHEREAS, the City of Oelwein wishes to comply with all State and Federal regulations in connection with the grant award, and;

WHEREAS, the City of Oelwein acknowledges that the below mentioned policies are part of the regulations;

NOW, THEREFORE, BE IT RESOLVED, that the City of Oelwein adopt the following policies and authorize the Mayor to sign and the City Administrator to attest:

1. Code of Conduct
2. Procurement Policy
3. Equal Opportunity Policy Statement
4. Excessive Force
5. Residential Antidisplacement and Relocation Assistance Plan
6. Affirmative Action Plan
7. Affirmative Fair Housing Policy

Passed, approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Peggy Sherrets, Mayor

ATTEST:

\_\_\_\_\_  
Dylan Mulfinger, City Manager

## **Policies for Adoption as required by CDBG rules**

1. **Code of Conduct** – basically states that if you have a conflict of interest in the award of any contract under this grant, you will remove yourself from voting on the award.
2. **Procurement Policy**- states that you will procure for services, construction, and supplies in the manner set forth in this policy. Most likely you are operating this way now.
3. **RARA** – states that we will, to the best of our ability, not relocate any persons in connection with this grant.
4. **Equal Opportunity Policy Statement** – states that you do not discriminate in your hiring practices.
5. **Excessive Force** – states that you will not use excessive force to bar anyone from peacefully protesting.
6. **Affirmative Action Program** – states that you will not discriminate in your hiring practices and that none of your contractors will either. Specific contract language will be included in each of their contracts.
7. **Affirmative Fair Housing Policy** – states that you will do all you can to further fair housing and that you won't discriminate.

# CODE OF CONDUCT

## PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR Part 200.318 and other applicable federal and state standards, regulations, and laws.

## APPLICATION

This Code of Conduct applies to all officers, employees, or agents of the City of Oelwein engaged in the award or administration of contracts supported by federal grant funds.

## REQUIREMENTS

No officer, employee, or agent of the City of Oelwein shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or

An organization which employs or is about to employ any of the above; or, has a financial or other interest in the firm selected for award.

The City of Oelwein officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

## FRAUD, WASTE AND ABUSE

The City of Oelwein has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. All officers, employees, or agents shall notify the City of Oelwein of suspected actions. Allegations of such acts will be investigated and pursued to their logical conclusion, including legal action where warranted. Concerns may be reported to the City of Oelwein, 20 2<sup>nd</sup> Avenue SW, Oelwein, IA 50662 or 319-283-5440.

## REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against the City of Oelwein's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019

---

Peggy Sherrets, Mayor

ATTEST:

---

Dylan Mulfinger, City Manager

# PROCUREMENT POLICY

## PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

## APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for the City of Oelwein related to the implementation and administration of the CDBG award. All procurement will be done in accordance with 2CFR Part 200 and Appendix II to Part 200.

## POLICY

### GENERAL PROCUREMENT PRACTICES

The City of Oelwein will adhere to the following general procurement practices: document procurement standards; maintain oversight of contractors to ensure performance in accord with standards; avoid acquisition of unnecessary or duplicative items; encourage procurement or use of shared goods and services; use Federal excess and surplus property when feasible; encourage value-engineering clauses in construction contracts; award contracts only to responsible contractors; limit use of time and materials contracting; and use good administrative judgment to settle all contractual and administrative issues.

### COMPETITION

The City of Oelwein will provide full and open competition; prohibit use of state or local geographical preferences; develop written procedures for procurement transactions to ensure competition is not restricted; and ensure that pre-qualified lists are current.

### FIVE METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) micro-purchase; (b) small purchase procedures; (c) sealed bids (formal advertising); (d) competitive proposals; (e) noncompetitive proposals.

- A. Micro-purchase includes the acquisition of supplies or services that do not exceed \$3,000 (or \$2,000 for acquisitions for construction subject to Davis-Bacon Act)
- B. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$150,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations (minimum of 2) shall be obtained from an adequate number of qualified sources.
- C. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the required method for procuring construction.
  1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:
    - a) A complete, adequate and realistic specification or purchase description is available.
    - b) Two or more responsible bidders are willing and able to compete effectively for the City of Oelwein business; and
    - c) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.
  2. When sealed bids are used for a procurement under a grant, the following requirements apply:

- a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.
  - b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
  - c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
  - d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the City of Oelwein indicates that such discounts are generally taken.
  - e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.
- D. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:
1. Requests for Proposals shall be publicized (publicly advertised) and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
  2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
  3. The City of Oelwein shall have a method for conducting evaluations of the proposals received and for selecting awardees.
  4. Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering) and other factors considered. Unsuccessful offerors will be promptly notified in writing.
  5. The City of Oelwein should use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.
- E. Noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:
1. The item is available from only a single source;
  2. After solicitation of a number of sources, competition is determined inadequate;
  3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and

4. The awarding agency (IEDA) authorizes noncompetitive proposals. (Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of the Iowa Economic Development Authority).

Sole or single source procurement is unusual and the circumstances and rationale for its use must be fully documented. Additionally, IEDA must approve in advance sole or single source procurement for contracts or purchases valued at \$25,000 or more.

- F. The City of Oelwein will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources.
- G. Any other method of procurement must have prior approval of the Iowa Economic Development Authority.

#### RECYCLED MATERIALS

The City of Oelwein will procure items with recycled content following the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) — Recycled Product and Content.

#### BID LANGUAGE - PROCUREMENT OF RECOVERED MATERIALS

Recipients shall include in all request for proposals and bid documents the following language.

*“The contractor agrees to comply with all the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) — Recycled Product and Content.”*

#### CONTRACT PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. The City of Oelwein shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

#### PROCUREMENT RECORDS

The City of Oelwein shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. The City of Oelwein shall make technical specifications and procurement documents available for review upon request.

#### BONDING REQUIREMENTS

Bonding requirements for construction or facility improvement contracts must meet the federal minimum requirements or receive a determination that the federal interest is adequately protected.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Peggy Sherrets, Mayor

ATTEST:

\_\_\_\_\_  
Dylan Mulfinger, City Manager

## EQUAL OPPORTUNITY POLICY STATEMENT

DATE: \_\_\_\_\_

It is the policy of the City of Oelwein to provide equal opportunity to all employees, applicants and program beneficiaries; to provide equal opportunity for advancement of employees; to provide program and employment facilities which are accessible to the handicapped and to administer its programs in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

The Mayor has ultimate responsibility for the overall administration of the affirmative action/equal opportunity program. The total integration of equal opportunity into all parts of personnel and program management is the Mayor's responsibility. The Mayor will review all policies and procedures as they affect equal opportunity and affirmative action and ensure compliance with relevant federal and state statutes.

The right of appeal and recourse is guaranteed by the City of Oelwein. Any person who feels that he or she has been denied employment, participation, representation, or services in any program administered by the City of Oelwein because of race, creed, color, religion, sex, national origin, age, disability, political affiliation, sexual orientation, or citizenship has the right to file an equal opportunity complaint. Information and assistance relative to equal opportunity complaints shall be provided by Dylan Mulfinger, City Manager, who can be contacted at City of Oelwein, 20 2<sup>nd</sup> Avenue SW, Oelwein, IA 50662 and 319-283-5440.

This Equal Opportunity Policy of the City of Oelwein shall be posted in conspicuous places within the facility, distributed to all employees, contractors and to the persons of all advisory and policymaking groups.

---

Peggy Sherrets, City of Oelwein Mayor

**POLICY ON THE PROHIBITION OF THE USE OF EXCESSIVE FORCE**

WHEREAS, the City of Oelwein has received federal funding through the Community Development Block Grant (CDBG) program; and,

WHEREAS, Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990 requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest demonstration; and

WHEREAS, the City of Oelwein endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy,

NOW, THEREFORE, BE IT RESOLVED, the City of Oelwein hereby prohibits any law enforcement agency operating within its jurisdiction from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, the City of Oelwein agrees to enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration. The City of Oelwein further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that the City of Oelwein has not complied with this policy to file a complaint.

Information and assistance relative to excessive force complaints shall be provided by Dylan Mulfinger, City Manager, who can be contacted at City of Oelwein, 20 2<sup>nd</sup> Avenue SW, Oelwein, IA 50662 and 319-283-5440.

Adopted by the City of Oelwein this \_\_\_\_\_ day of \_\_\_\_\_, 2019

Signed: \_\_\_\_\_  
Peggy Sherrets, Mayor



## RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

This Residential Anti-displacement and Relocation Assistance Plan (RARAP) is prepared by the City of Oelwein in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to our CDBG<sup>1</sup>, UDAG and/or HOME-assisted projects.

### Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the City of Oelwein will take the following steps to minimize the direct and indirect displacement of persons from their homes: *(The steps provided below are examples only, each jurisdiction must determine the actions it will take based on local needs and priorities.)*

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
- Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.

### Relocation Assistance to Displaced Persons

The City of Oelwein will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the [CDBG and/or HOME] Program[s], move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

### One-for-One Replacement of Lower-Income Dwelling Units

The City of Oelwein will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the [CDBG and/or HOME] Program[s] in accordance with 24 CFR 42.375.

Before entering into a contract committing the City of Oelwein to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City of Oelwein will make public by

<sup>1</sup> CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

publication in a newspaper of general circulation and submit to HUD [the State, under the State CDBG and/or HOME Program(s)] the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 42.375(d).
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the City of Oelwein will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

### **Replacement not Required Based on Unit Availability**

Under 24 CFR 42.375(d), the City of Oelwein may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

### **Contacts**

The City of Oelwein (319-283-5440), is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The City of Oelwein (319-283-5440), is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Adopted by the City of Oelwein this \_\_\_\_\_ day of \_\_\_\_\_, 2019

Signed:

\_\_\_\_\_  
Peggy Sherrets, Mayor

\_\_\_\_\_  
Attest: Dylan Mulfinger, City Manager

## **CITY OF OELWEIN, IOWA AFFIRMATIVE ACTION PLAN**

**PURPOSE:** This plan is designed to assure compliance with Title VI of the Civil Rights Act of 1964; Title VIII of the Civil Rights Act of 1968; Section 109, Housing & Community Development Act of 1974; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Americans with Disabilities Act; Executive Orders 11063 and 11246 and all other applicable federal, state and local laws particularly the Iowa Civil Rights Act of 1965; Iowa Code Section 19B.7, and Iowa Code Chapter 216.

### **I. GENERAL**

- A. City of Oelwein  
20 2<sup>nd</sup> Avenue SW  
Oelwein, IA 50662
- B. The total population of the City of Oelwein is 6,415 (2010 Census); (Included in this total are 105 minority persons, which constitutes 1.6% of the total population.)
- C. The City of Oelwein is a local governmental entity.
- D. The City of Oelwein does not operate any branch offices.
- E. Total employment of the City of Oelwein is currently: 93-persons, with 38-full-time, 55-part-time

### **II. POLICY**

- A. We recognize that we are morally and legally committed to nondiscrimination in employment. Any person who applies for employment will not be discriminated against because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.
- B. This program is designed and will be utilized to correct the efforts of systemic discrimination relative to female and minority employment. The employment policies and practices of the undersigned are to recruit and to hire employees without discrimination, and to treat them equally with respect to compensation and opportunities for advancement. However, we realize the inequities associated with employment upgrading, contracting and subcontracting for minorities and will direct our efforts to correcting any deficiencies to the maximum extent possible.
- C. We submit this program to assure compliance with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Iowa Civil Rights Act of 1965, and their amendments; Executive Order 11246 and/or other subsequent orders that may pertain to this program of equal employment opportunity and merit employment policies, fully realizing that our qualifications and/or merit systems should be reevaluated and revised, if necessary.
- D. We agree to assert leadership within the City of Oelwein, and to put forth the maximum effort possible to achieve full employment and utilization of the capabilities and productivity of all our citizens without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

### III. AFFIRMATIVE ACTIONS

#### A. Recruitment

1. The City of Oelwein will recruit on the basis of qualifications and shall assure prospective employees for permanent employment or for filling of temporary vacancies that they will be given fair and impartial consideration without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.
2. The City of Oelwein will recruit qualified minority and female applicants for all job categories with particular emphasis in occupations at the higher levels of skill and responsibilities by utilizing, as appropriate, the following courses of action:
  - a. Maintain a file composed of (a) minority and female applicants who are qualified for any position, and (b) minority and female applicants whose qualifications have not been established; and to which file all job openings will be referred prior to consulting other recruitment sources.
  - b. Use the phrase, An Equal Opportunity Employer, in all printed or published, radio or television advertising relating to employment.
  - c. Utilize the "Job Bank" computer relay system of the Iowa Employment Security Commission which flashes job openings daily in this reasonable referral area.
  - d. Encourage employee referral of minority and female applicants.

#### B. Training and Development

1. The City of Oelwein shall work to assure that all employees are provided equal opportunities for on-the-job training, attendance at universities or other training institutions at the expense of the City of Oelwein and/or with released time for attendance and for the development of their skills as city employees without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.
2. The Equal Employment Opportunity Officer will encourage all women, minorities and disadvantaged employees to increase their skills and job potentials through participation in training and education programs offered by the city and by other institutions and organizations in cooperation with the city.

#### C. Transfer, Layoff, Demotion, Termination or Recall

1. The City of Oelwein shall work to assure all employees equal and fair treatment in the areas of transfer, demotion, layoff, termination or recall without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.
2. The proposed transfer, layoff, demotion, termination or recall of any employee of the city will be monitored and agreed on by the Equal Employment Opportunity Officer to assure that the proposed action is taken without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

#### D. Conditions of Work and Related Benefits

1. The City of Oelwein assures that all employees will be treated fairly and equally, and judged only on merit and seniority in the areas of promotion, pay and compensation without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

2. The City of Oelwein assures that all employees will be treated fairly and equally in the areas of labor relations, work assignments, use of facilities and opportunities to serve on committees or decision-making bodies, without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.
3. The City of Oelwein assures that all employees will be treated fairly and equally in the areas of leave policies and fringe benefits without regard to race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.
4. The City of Oelwein assures that there will be no disparity in the compensation received by employees for performing equivalent work.

#### **IV. CONTRACTS**

It is the policy of the City of Oelwein to require all contractors, subcontractors, suppliers and vendors who do business with the city to take whatever affirmative actions are necessary to assure equal employment opportunities in all aspects of their employment practices and policies irrespective of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship or sexual orientation.

All contractors, subcontractors, vendors, and suppliers who have contracts of \$10,000 or more, shall, in the contract documents:

1. Assure non-discriminatory recruiting
2. Assure non-discriminatory hiring
3. Assure maximum use of apprenticeship and other training to help equalize opportunity for minority persons
4. Assure non-discriminatory placement and promotion
5. Assure non-discriminatory pay, other compensation and working conditions
6. Assure non-discriminatory demotion, layoff, or termination

All contractors, subcontractors, vendors, and suppliers who have contracts of \$100,000 or more, shall develop and submit to the City of Oelwein a copy of a written affirmative action program for approval.

In order to assure contractor's compliance with equal opportunity requirements, the City of Oelwein shall evaluate progress made by the contractor under his affirmative action program and will observe the contractor's performance on a continuing basis. Where deficiencies are found to exist, reasonable efforts shall be made to secure compliance through conciliation and persuasion. The contractor will be required to make a specific commitment, in writing, to correct any such deficiencies, including precise action and dates for completion.

#### **V. EQUAL OPPORTUNITY OFFICER**

- A. The Equal Employment Officer for this agency shall be the duly elected Mayor. The Mayor has the power to delegate such duties, and may, from time to time, do so.
- B. The EEO Officer shall be responsible for interpreting, initiating and justifying the activities in this program as they relate to policies and affirmative actions, including contract compliance.
- C. We submit this program to assure compliance with:
  1. The Civil Rights Act - Title VI of the Civil Rights Act of 1964
  2. The Fair Housing Act - Title VIII of the Civil Rights Act of 1968
  3. Section 109, Housing and Community Development Act of 1974

4. Executive Orders 11625, 12432, 12138 and OMB Circular A-102, Attachment O, Paragraph 9(a)
5. Section 3 of the Housing and Urban Development Act of 1968, as amended
6. Section 504 of the Rehabilitation Act of 1973, as amended
7. Age Discrimination Act of 1975, as amended
8. Americans with Disability Act (ADA)
9. Executive Order 11063, as amended by Executive Order 12259
10. Executive Order 11246
11. Prohibition of the Use of Excessive Force
12. Iowa Civil Rights Act of 1965
13. Iowa Code Section 19B.7
14. Iowa Code chapter 216

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019

---

Peggy Sherrets, Mayor

---

ATTEST: Dylan Mulfinger, City Manager

# AFFIRMATIVE FAIR HOUSING POLICY

This notice is published pursuant to the requirements of Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance, and with Title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in the provision of housing because of race, color, creed, religion, sex, national origin, disability or familial status.

The City of Oelwein, Iowa advises the public that it will administer its assisted programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.

The City of Oelwein shall assist individuals who believe they have been subject to discrimination in housing through the resources of the Iowa Civil Rights Commission or the U.S. Department of Housing and Urban Development.

The City of Oelwein has designated the following (person or office) as the contact to coordinate efforts to comply with this policy. Inquiries should be directed to:

**NAME:** Dylan Mulfinger, City Manager  
**OFFICE:** City of Oelwein  
**ADDRESS:** 20 2<sup>nd</sup> Avenue SW  
**CITY/STATE/ZIP CODE:** Oelwein, IA 50662  
**PHONE NUMBER:** 319-283-5440  
**HOURS:** Monday, Tuesday, Thursday and Friday from 8:30 am to 4:30 pm and Wednesday from 8:30-Noon



**EQUAL HOUSING  
OPPORTUNITY**

Date: \_\_\_\_\_

\_\_\_\_\_  
Peggy Sherrets, Mayor

\_\_\_\_\_  
Attest: Dylan Mulfinger, City Manager