



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL MEETING AGENDA

Tuesday, October 15, 2024, at 7:30 PM

Town Hall - 307 E Kennedy Blvd

Please note that the HTML versions of the agenda and agenda packet may not reflect changes or amendments made to the agenda.

I. CALL TO ORDER AND VERIFICATION OF QUORUM

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

IV. CITIZEN PARTICIPATION (Three minutes strictly enforced)

V. PUBLIC HEARING

A. Approval of **Second** Reading of Ordinance 2024-7 – Approval of Ordinance on Camping on Public Property and Right of Way in the Town of Eatonville (**Administration**)

B. Approval of **First** Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers (**Planning**)

VI. CONSENT AGENDA

1. Approval of Budget Adjustment for Advertised Job Position (**Clerk Office**)

2. Approval of the Updated Policy and Procedures CDBG-MIT (**Finance**)

VII. COUNCIL DECISIONS

Items may be walked on or moved from the consent agenda

VIII. REPORTS

CHIEF ADMINISTRATIVE OFFICER’S REPORT

TOWN ATTORNEY’S REPORT

TOWN COUNCIL REPORT/DISCUSSION ITEMS

MAYOR’S REPORT

IX. ADJOURNMENT

The Town of Eatonville is subject to the Public Records Law. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

****PUBLIC NOTICE****

This is a Public Meeting, and the public is invited to attend. This Agenda is subject to change. Please be advised that one (1) or more Members of any of the Town’s Advisory Boards/Committees may attend this Meeting and may participate in discussions. Any person who desires to appeal any decision made at this meeting will need a verbatim record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based – per Section 286.0105 Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Town of Eatonville at (407) 623-8910 "at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL MEETING

OCTOBER 15, 2024, AT 7:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Second Reading of Ordinance 2024-7 – Approval of Ordinance on Camping on Public Property and Right of Way in the Town of Eatonville (**Administration**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE
PUBLIC HEARING 1ST / 2ND READING	YES	Exhibits: - Ordinance 2024-7
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: For Town Council to Approve the Second Reading of Ordinance 2024-7 –Camping on Public Property and Right of Way within the Town of Eatonville.

SUMMARY: The Town of Eatonville has recently been experiencing an increase in misuse and camping on public property and right of way. Town Council recognizes the needs of individuals experiencing homelessness and is committed to exploring alternative solutions, such as shelters and social service programs, with community partners. This Ordinance is not intended to criminalize individuals who are unhoused but rather to ensure the health, safety, and welfare of the entire community by maintaining public spaces that are safe and sanitary for everyone. It is important to provide critical resources in understanding the needs and characteristics of people experiencing homelessness in the Town of Eatonville. An ordinance will help our community with addressing occurrences related to instability among individuals camping on Public Property and Right of Way within the Town. This proposed ordinance aims to address public safety and sanitation concerns arising from camping on public property, without criminalizing individuals who are unhoused. It is designed to ensure that public spaces remain safe and accessible for all community members.

First Reading was held on October 1, 2024.

RECOMMENDATION: It is recommended that the Town Council Approve the Second Reading of Ordinance 2024-7 –Camping on Public Property and Right of Way within the Town of Eatonville

FISCAL & EFFICIENCY DATA: N/A

ORDINANCE NO. 2024-7

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, RELATING TO THE PROHIBITION OF CERTAIN CONDUCT IN PUBLIC PLACES; AMENDING CHAPTER 26, “MISCELLANEOUS OFFENSES”, OF THE TOWN CODE TO PROHIBIT UNAUTHORIZED CAMPING ON PUBLIC PROPERTY AND RIGHTS-OF-WAY, PUBLIC NUDITY AND INDECENT EXPOSURE, AND PUBLIC URINATION AND DEFECATION; PROVIDING FOR ENFORCEMENT PROCEDURES AND PENALTIES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, public property and rights-of-way are intended for the use and enjoyment of all members of the public, and it is essential to maintain these areas in a safe and sanitary condition; and

WHEREAS, sleeping or camping in public spaces that are neither intended nor designed for temporary human habitation creates unsafe conditions for both those engaging in such activities and for other members of the community, including accumulation of hazardous and bio-hazardous waste, exposure to the elements, and obstructed access for pedestrians and emergency vehicles; and

WHEREAS, public nudity and indecent exposure can be offensive and disruptive to the enjoyment of public spaces by individuals in the community, and maintaining a standard of public decency is necessary to promote a respectful and orderly society; and

WHEREAS, public urination and defecation create unsanitary conditions that pose health and safety risks to the community; and

WHEREAS, the Town Council recognizes the needs of individuals experiencing homelessness and is committed to exploring alternative solutions, such as shelters and social service programs, with community partners; and

WHEREAS, this Ordinance is not intended to criminalize individuals who are unhoused but rather to ensure the health, safety, and welfare of the entire community by maintaining public spaces that are safe and sanitary for everyone; and

WHEREAS, the Town Council finds that the adoption of this Ordinance is necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Eatonville, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

[Words in ~~strike-through~~ type are deletions; words in underline type are additions; asterisks (* * * *) indicate an omission from the existing text which is intended to remain unchanged.]

SECTION 1. Recitals. The recitals set forth above are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

SECTION 2. Amendment. Chapter 26, “Miscellaneous Offenses”, of the Town Code is hereby amended as follows:

ARTICLE I. - IN GENERAL

* * * *

Sec. 26-3. – Unlawful camping on public property.

(a) Prohibition.

- (1) It shall be unlawful for any person to erect, construct, maintain, or use any tent, lean-to, or other temporary shelter customarily used for camping purposes on any public property or right-of-way within the territorial limits of the Town except in an area approved by the Town for such purpose.
- (2) It shall be unlawful for any person to park, leave, or store a motor vehicle, recreational vehicle, tractor trailer, or other similar conveyance or recreational vehicle on any public property or right-of-way within the territorial limits of the Town during nighttime hours for use as sleeping accommodations or for camping, except in an area approved by the Town for such purpose.
- (3) It shall be unlawful for any person to sleep out-of-doors on any public property or right-of-way except as otherwise authorized by the Town by law or permit.

(b) Assistance; enforcement. No person may be cited or arrested for a violation of this section before a reasonable attempt has been made to ascertain whether the person is in need of shelter or housing assistance services. If such assistance is needed, the enforcing Town official or officer shall direct the person to a lawful alternative place to camp and afford the person an opportunity to relocate. Any person who fails or refuses to relocate shall be guilty of a violation of this section unless the enforcing official or officer determines that lawful alternatives, such as designated campsites and/or shelters, are at maximum capacity and are thus unavailable for relocation.

(c) Penalty. Any person violating the provisions of this section commits a violation of the Town’s municipal Code and commits a misdemeanor of the second degree, punishable by up to sixty (60) days incarceration and up to a \$500 fine.

Sec. 26-4. – Nudity and indecent exposure prohibited in public.(a) Definitions.

- (1) Nude means to display or expose the male or female genitals, pubic area, or the female breast with no covering or less than a fully opaque covering. A female breast is considered exposed if any part of the areola and nipple is not covered by an opaque covering. For purposes of this definition, body paint, body dye, a tattoo, latex, or any similar substances shall not be considered an "opaque covering."
- (2) Public place means any location open to the common and general use, participation, or enjoyment of the public where the public is present or likely to be present, or any location where the public is invited and is free to go upon special or implied invitation, or any location where a person may reasonably be expected to be observed by the public. A public place includes, but is not limited to, a street, sidewalk, park, business, or commercial establishment.

(b) Exposure prohibited. It shall be unlawful for any person to appear nude under any one or more of the following conditions:

- (1) While in or at any public place.
- (2) While serving any food or beverage in or at any place where the public is admitted or, in the case of a private club, where the members are admitted.

(c) Procuring or assisting violation. It shall be unlawful for any person to procure, employ, counsel, or aid or assist any person in violating any of the provisions of this section.(d) Penalty. Any person violating the provisions of this section commits a violation of the Town's municipal Code and commits a misdemeanor of the second degree, punishable by up to sixty (60) days incarceration and up to a \$500 fine.(e) Exceptions. This section shall not apply to the following:

- (1) Nudity during breastfeeding of a child.
- (2) Nudity in portions of public places specifically set aside for privacy, such as restrooms, locker rooms, motel rooms, and hotel rooms.

Sec. 26-5. – Urinating or defecating in public.(a) Prohibition. It shall be unlawful for any person to urinate or defecate in a public place other than one designated for that particular purpose.

(b) Penalty. Any person violating the provisions of this section commits a violation of the Town’s municipal Code and commits a misdemeanor of the second degree, punishable by up to sixty (60) days incarceration and up to a \$500 fine.

SECTION 3. Codification. It is the intent of the Town Council that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

SECTION 4. Conflicts. All Town ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, repealed.

SECTION 5. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unenforceable, unlawful, or unconstitutional by a court of competent jurisdiction, then all remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Effective Date. This Ordinance shall become effective upon its adoption.

Upon motion duly made and carried, the foregoing Ordinance was approved upon its first reading on October 1, 2024.

Upon motion duly made and carried, the foregoing Ordinance was approved upon its second reading on _____, 2024.

TOWN OF EATONVILLE

Attest:

Angie Gardner, Mayor

Veronica King, Town Clerk

Approved as to form:

Clifford B. Shepard, Town Attorney



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL MEETING

OCTOBER 15, 2024, AT 7:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of **First** Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers (**Planning**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION/PLANNING
PUBLIC HEARING 1ST / 2ND READING	YES	Exhibits: - Ordinance 2024-9
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: For Town Council to Approve the First Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers.

SUMMARY: Town has determined that current enclosure requirements for commercial solid waste containers need to be updated to enhance aesthetic standards and protect public health and safety.

RECOMMENDATION: It is recommended that the Town Council Approve the First Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers. Town acknowledges that certain unique property conditions may exist where strict compliance with the enclosure requirements is not feasible without creating or exacerbating nonconforming site conditions, and thus, wishes to establish a waiver process to allow property owners to request relief from the enclosure requirements under specific circumstances. This Ordinance serves a legitimate governmental purpose and is in the best interests of the public health, safety, and welfare of the citizens of Eatonville, Florida.

FISCAL & EFFICIENCY DATA: N/A

ORDINANCE NO. 2024-9

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING CHAPTER 30, “SOLID WASTE”, OF THE TOWN CODE BY REVISING THE ENCLOSURE REQUIREMENTS FOR COMMERCIAL SOLID WASTE CONTAINERS; PROVIDING THE TOWN PLANNING DIRECTOR WITH THE AUTHORITY TO WAIVE COMMERCIAL CONTAINER ENCLOSURE REQUIREMENTS IN LIMITED CIRCUMSTANCES; ESTABLISHING PROCEDURES FOR THE ADMINISTRATIVE WAIVER OF COMMERCIAL CONTAINER ENCLOSURE REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Fla. Const. art. VIII, § 2(b), and Fla. Stat. § 166.021, the Town has been granted the authority to exercise any power for municipal purposes, except as otherwise provided by law, including the authority to adopt regulations for the health, safety, and welfare of its residents; and

WHEREAS, the Town has determined that current enclosure requirements for commercial solid waste containers need to be updated to enhance aesthetic standards and protect public health and safety; and

WHEREAS, the Town acknowledges that certain unique property conditions may exist where strict compliance with the enclosure requirements is not feasible without creating or exacerbating nonconforming site conditions, and thus, wishes to establish a waiver process to allow property owners to request relief from the enclosure requirements under specific circumstances; and

WHEREAS, the Town also desires to clarify and streamline the language of the existing regulations to improve readability and enforceability; and

WHEREAS, the Town Council finds that this Ordinance serves a legitimate governmental purpose and is in the best interests of the public health, safety, and welfare of the residents of Eatonville, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA:

[Words in ~~strike through~~ type are deletions; words in underline type are additions; asterisks (****) indicate an omission from the existing text which is intended to remain unchanged.]

SECTION 1. RECITALS. The recitals set forth above are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

SECTION 2. AMENDMENT. Chapter 30 – Solid Waste, of the Town of Eatonville Code of Ordinances is hereby amended as follows:

ARTICLE III. – COMMERCIAL COLLECTION AND DISPOSAL

* * * *

Sec. 30-59. - Commercial containers – Enclosure requirements ~~Location~~.

(a) Specifications. Enclosures for commercial containers ~~will~~ shall be located on a concrete ~~or asphalt pad in an area~~ measuring 12 feet by 12 feet. ~~The enclosure itself shall be constructed of enclosed by a concrete masonry walls on three sides and shall be limited to between six and eight feet in height and shall have a secure, lockable gate facing The opening of the enclosure should face the most accessible area for waste removal on the commercial property. Acceptable materials for the gate include chain link, vinyl slatting, wood, wrought iron, or ornamental iron, provided that the design effectively shields the commercial container from public view. For commercial containers not visible from the right-of-way, the requirement for an enclosure shall not apply.~~

(b) Waiver of enclosure requirements.

(1) Authority. The Planning Director, or their designee, shall possess the authority to waive the enclosure requirements provided in subsection (a) and approve an alternate enclosure design where, due to the unique physical layout of the property, compliance with the enclosure requirements would result in a significant increase in nonconformity with existing site conditions. Such waivers shall be granted only after a thorough review of the specific circumstances and a determination that the proposed waiver will not adversely impact the overall aesthetics, health, safety, or welfare of the community.

(2) Requirements. All waiver requests must be submitted in writing, accompanied by a non-refundable waiver fee. In evaluating waiver requests, the Planning Director, or their designee, shall consider the following factors: i) the extent to which the property’s layout makes it difficult or impractical to comply with enclosure requirements; ii) the potential impact of the waiver on existing zoning regulations, land use plans, and other site conditions; iii) the potential effects of the waiver on the aesthetics, health, safety, and welfare of the community; iv) the availability and feasibility of alternative methods for managing waste that would comply with enclosure requirements.

(3) Appeal. Any applicant whose waiver request is denied may appeal the decision to the Town Council within five business days of the denial. The Town Council’s decision shall be final.

Sec. 30-60. -- Same -- Gate required.

~~A gate shall be constructed, in the enclosed section, of the commercial container enclosure area. The gating can be constructed of chainlink/vinyl slating, wood, wrought iron or ornamental iron, and must shield the commercial container from visual view.~~

* * * *

SECTION 3. CODIFICATION. It is the intent of the Town Council of the Town of Eatonville that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

SECTION 4. CONFLICTS. All Town ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, repealed.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unenforceable, unlawful, or unconstitutional by a court of competent jurisdiction, then all remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective upon its adoption.

Upon motion duly made and carried, the foregoing Ordinance was approved upon its first reading on October 9, 2024.

Upon motion duly made and carried, the foregoing Ordinance was approved upon its second reading on _____, 2024.

TOWN OF EATONVILLE

Attest:

Angie Gardner, Mayor

Veronica King, Town Clerk

Approved as to form:

Clifford B. Shepard, Town Attorney



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL MEETING

OCTOBER 15, 2024, AT 7:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Budget Adjustment for Advertised Job Position
(Clerk Office)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE)
PUBLIC HEARING 1ST / 2ND READING		Exhibits: • Budget Adjustment (Records Coordinator)
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request for the Town Council to approve Budget Adjustment for the Advertised Job Position for Record Coordinator.

SUMMARY: The Records Coordinator position was approved by council during the 2023-2024 budget. The position has begun advertisement since August 22, 2024. To date several applications have been received and interviews are being conducted. Before any offer is presented, it is important that the town’s budget be consistent with the salary range advertised for the Record Coordinator's position. This will ensure that the town is in compliance with advertising practices and will avoid any appearance of questionable practices.

After seeking legal opinion, it is of the opinion that the town budget must match advertised salary for the position in question. The advertised salary is \$14.87-\$26.89 (Part-time based on 26 hours per week).

For clarity, there is no salary increase being requested beyond the current established approved salary. In addition, this position is vacant, and this request does not reflect what would be considered a pay raise for a current staff member.

Upon selection of qualified candidates to be considered, offers will vary based upon education, experience, and viable skill sets beneficial to the Records Coordinator’s position.

RECOMMENDATION: Recommend the Town Council approval of Budget Adjustment for the Advertised Job Position for Record Coordinator.

FISCAL & EFFICIENCY DATA: Transfer of funds from Contingency (001-0511-511.5800) to Part-time Salaries (001-0511-511-1300).

**TOWN OF EATONVILLE
BUDGET ADJUSTMENT FORM**

SUBMITTING DEPARTMENT: _____ LEGISLATIVE _____ ADJUSTMENT NUMBER: _____

DATE: _____ 10/15/2024 _____ GROUP NUMBER: _____

SOURCE OF FUNDS:			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT NUMBER	ADJUSTMENT
001-0511-511-1300	Part -time Salaries		\$36,355
TOTAL			

USE OF FUNDS:			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PROJECT NUMBER	ADJUSTMENT
001-0511-511.5800	Contingency		\$36,355
TOTAL			<u>\$36,355</u>

REASON FOR ADJUSTMENT REQUEST:

To adjust budget to be consistent with the salary range advertised for the Record Coordinator's position to avoid any appearance of false advertisement. Per legal, the budget has to match advertised salary for the position in question. The advertised salary is \$14.87-\$26.89 (Part-time based on 26 hours per week).

APPROVALS:

	_____ Town Council	_____ Date	
Finance Director	_____ Date	_____ Department Head	_____ Date



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
OCTOBER 15, 2024, AT 7:30 PM
Cover Sheet (REVISED)

****NOTE** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)**

ITEM TITLE: APPROVAL OF THE UPDATED POLICY AND PROCEDURES (Finance)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: FINANCE / GRANT
PUBLIC HEARING 1ST / 2ND READING		Exhibits: <ul style="list-style-type: none"> • Resolution 2024-Updated Affirmative Action EEO Policy • Appendix A – AA/EEO Clause • Appendix – B Section 3 Clause • Completed Affirmative Action Policy Checklist • Completed EEO Policy Checklist
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Approval of the Updated Policy and Procedures

SUMMARY: Affirmative Action Policy and EEO Policy must satisfy all the unique requirements of HUD’s CDBG – MIT 5.9 million Grant Program. In particular, the standards governing the sub-recipient’s outline in the EEO policy checklist and the AA policy checklist.

RECOMMENDATION: Staff recommend that the Town Council approves updated Policies and Procedures

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION #2024-31

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF SMALL, WOMEN OWNED AND MINORITY BUSINESSES FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; ADOPTING A POLICY RELATING TO THE EMPLOYMENT OF MINORITIES BY THE TOWN OF EATONVILLE; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Eatonville desires to establish a policy supporting small, women owned and minority businesses, and

WHEREAS, the Town Council of the Town of Eatonville recognizes an opportunity to affirmatively support small, women owned and minority business in those programs directly funded by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Town Council of the Town of Eatonville desires to bring the percentage of minorities employed by the Town more closely in line with its percentage of minorities who live in the Town; and

WHEREAS, the Town Council of the Town of Eatonville recognize the need to adopt an action plan to implement such goals; and

WHEREAS, the Town Council of the Town of Eatonville recognizes the Town as an Equal Employment Opportunity Employer.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

1. Policy Relating to the Employment of Small, Women Owned and Minority Businesses.

It shall be the policy of the Town Council of the Town of Eatonville when soliciting for projects that involve Community Development Block Grant federal funding to require each department, agency, entity, or agent of the Town to promote and assist small, women owned and minority businesses in gaining entry to do business with the Town of Eatonville. By assisting small, women owned and minority businesses, the Town will help to expand and develop the small, women owned and minority section in and around the Town of Eatonville.

For projects assisted by programs providing direct financial assistance from the U.S. Department of Housing and Urban Development (hereinafter “HUD”), the Town will include the Equal Employment Opportunity/ Affirmative Action Clause and the Section III clause of the Housing and Urban Development Act of 1968 in all contracts for work connected with the projects. The Town will also comply with the Equal Employment

Opportunity/ Affirmative Action Clause and the Section III clause in the administration of Community Development Block Grant programs, which requires:

1. To the greatest extent feasible, opportunities for training and employment are given to low-income project area residents;
2. To the greatest extent feasible, contract for work in connection with the project will be awarded to businesses located in, or owned in substantial part by persons residing in the project area;
3. Certifying that parties to the contracts are under no obligation, which would prevent them from complying;
4. Ensuring that the contractor will send labor organizations with which he or she has had a collective bargaining agreement a notice stating his or her commitments under this section and post this notice in places available to employees;
5. Per 41 CFR § 60-741.5(a), the Town shall ensure the “Equal Employment Opportunity/ Affirmative Action Clause” (EEO/AA clause) is incorporated in set forth in all contracts or subcontracts that meet the definition of "Federally-assisted construction contract" in 41 CFR 60-1.3, and shall require all prime contractors include the EEO/AA clause (see Appendix A to this policy) in every subcontract;
6. Ensuring that the contractor will include a “Section III Clause” (see Appendix B to this policy) in every subcontract;
7. Ensuring that the contractor will not subcontract with anyone that has previously violated “Equal Employment Opportunity/ Affirmative Action” or “Section III” requirements;
8. Obligate the contractor to provide a preliminary statement of work force needs prior to signing the contract;
8. Include “Equal Employment Opportunity/ Affirmative Action” and “Section III” requirements in Community Development Block Grant bid invitations and contract specifications;
9. Cooperate with the Secretary of Housing And Urban Development in obtaining compliance from the recipient of the grant’s contractors;
10. Submit to compliance reviews by the HUD when necessary; and
11. Permit HUD access to all required records, accounts, reports, books, etc.

It is understood however, that while every opportunity will be afforded to small and minority businesses to enable them to bid on the Town of Eatonville’s Community Development Block Grant federally funded projects, contracts will continue to be awarded to the lowest or best responsible bidder.

2. Policy Relating to the Employment of Minorities by The Town of Eatonville.

It shall be the goal of the Town Council of the Town of Eatonville to attempt to increase the percentage of minority Town employees at the rate of .1 percent of the Town's total employee base, per year until the percentage of minority Town employees is equal to that of the minority Town population.

The Town of Eatonville is an equal opportunity employer. No person shall be unlawfully excluded from consideration for employment because of race, creed, color, religion, national origin, ancestry, sex, age, veteran status, familial status, disability or genetics. The Town will attempt to attain the goal by doing the following:

1. The Town will advertise every open position in a newspaper of general circulation within the Town prior to filling the open position when the position has not already been filled through existing procedures or policies providing for promotion from within and from Job Service applicants.
2. Stating in every advertisement that the Town is an equal opportunity employer and does not discriminate in its hiring practice.

While The Town of Eatonville will attempt to attain the minority employment goal stated herein the following is understood:

1. The Town of Eatonville will attempt to hire the best qualified person for each available position, regardless of race.
2. While the Town of Eatonville will attempt to attain the employment goal set forth herein; the goal is only that and the Town accepts no liability if the goal stated herein is not reached.

3. Definitions.

1. **SMALL BUSINESS**-An independently owned and operated business concern which employs twenty-five (25) or fewer permanent full-time employees, and which has a net worth of not more than one million dollars as applicable to sole proprietorships; the one-million-dollar net worth requirement shall include both personal and business investments.

2. **WOMEN BUSINESS ENTERPRISES**-Any small business concern which is organized to engage in commercial transaction, which is at least fifty-one (51) percent owned by women and whose management and daily operations are controlled by such person. A minority business enterprise may primarily involve the practice of a profession.

3. **MINORITY BUSINESS ENTERPRISES**-Any small business concern which is organized to engage in commercial transactions, which is at least fifty-one (51) percent owned by minority persons and whose management and daily operations are

controlled by such person. A minority business enterprise may primarily involve the practice of a profession.

4. CERTIFIED MINORITY BUSINESS ENTERPRISES-A business enterprise which has been certified by the State of Florida Department of General Services to be a minority business enterprise in accordance with the provision of the Small and Minority Business Assistance Act of 1985.

5. MINORITY PERSON-A person whose race is Black, American Indian, Alaskan Native, Asian or Pacific Islander.

4. Action Plan.

In that the Town of Eatonville will continuously seek to administer programs funded in part or in total by allocations directly or indirectly from the U.S. Department of Housing and Urban Development, the Town desires to enhance the opportunities for small and minority businesses and local businesses to participate in Community Development Block Grants with the Town.

To accomplish this objective, the Town Council of the Town of Eatonville, Florida, establishes and implements the following steps to facilitate the deployment of affirmative action in expenditures for contractual services, commodities and construction contracts on Community Development Block Grant federally funded projects:

1. To utilize the news media, State Department of General Services list of small, women owned or minority business concerns, local advertising services, citizen’s advisory boards, regional planning Councils, listings by federal agencies, and other appropriate sources to identify small, women owned and minority business concerns for possible involvement with the Town Community Development Block Grant federally funded contracts.

2. To maintain and update the listing of small, women owned and minority business concerns and notify them of Community Development Block Grant federally funded contracting opportunities with the Town.

3. To maintain records (copies of memoranda, general correspondence, etc.) to document that all steps in the action plan have been followed.

4. To establish or utilize an existing position to function as the equal opportunity officer to coordinate the implementation of the Affirmative Action Plan with operators of Community Development Block Grant federally funded Town administered projects and programs.

5. The Human Resource Manager is appointed by the Town Council as the Town’s Equal Employment Opportunity (EEO) Coordinator who may be contacted by telephone at (407) 623-8911 or by email at hr@townofeatonville.org. Contact information for the EEO Coordinator shall be maintained on the Town’s website or advertised quarterly in a newspaper serving Eatonville and shall provide the name, telephone number and email address advising where complaints may be made. The EEO Coordinator will maintain a

log of all complaints, responses, referrals and resolutions. The Town will additionally provide this information in its Quarterly Status Reports to FloridaCommerce within 10 days following the end of each quarter.

6. Pursuant to § 60-741.44(i) The Town's EEO Coordinator will annually review and, if applicable recommend updates to the Town's affirmative action program to the Town Administrator and Town Council;

7. Within 30 days following a request from the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP), the Town will submit its affirmative action program, unless the request provides for a different time. The Town will also make the affirmative action program promptly available on-site upon OFCCP's request;

8. The Town's Affirmative Action Policy Statement is hereby amended to state that its employees and applicants will not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities:

- A. Filing a complaint;
- B. Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of section 503 or any other Federal, State, or local law requiring equal opportunity for individuals with disabilities;
- C. Opposing any act or practice made unlawful by section 503 or its implementing regulations in this part, or any other Federal, State or local law requiring equal opportunity for individuals with disabilities; or
- D. Exercising any other right protected by section 503 or its implementing regulations in this part.

9. The Town will ensure that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

10. The Town will ensure that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.

11. The Town's Human Resource Officer will annually review all physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified individuals with disabilities, they are job-related for the position in question and are consistent with business necessity.

12. The Town will follow its Human Resource policy and Section 504 policy to ensure that employees are not harassed on the basis of disability.

13. The Town will undertake appropriate outreach and positive recruitment activities such as those listed in 41 CFR § 60-741.44 (f) (1-4) of that are reasonably designed to effectively recruit qualified individuals with disabilities.

14. The Town will make its Affirmative Action policy available to all Town employees. The Town is not and will not be a party to collective bargaining agreements.

15. The Town will ensure that its external auditor, assesses the Town’s compliance with 41 CFR § 60-741.44(h)(1). The assessment will:

- a. Measure the effectiveness of the contractor's affirmative action program;
- b. Indicate any need for remedial action and implement actions to improve plan and results to additional efforts;
- c. Determine the degree to which the contractor's objectives have been attained;
- d. Determine whether known individuals with disabilities have had the opportunity to participate in all company sponsored educational, training, recreational, and social activities;
- e. Measure the contractor's compliance with the affirmative action program's specific obligations; and
- f. Document the actions taken to comply with the obligations of paragraphs (h)(1)(i) through (v) of this section, and retain these documents as employment records subject to the recordkeeping requirements of [§ 60-741.80 Recordkeeping.](#)

5. Effective Date.

This resolution shall take effect immediately upon its adoption.

DULY PASSED AND ADOPTED by the Town Council of the Town of Eatonville, Florida at a regular meeting on this 15th day of October 2024.

Angie Gardner, Mayor

ATTESTED:

Veronica King, Town Clerk

Federally assisted construction contracts.

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:

Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

(3) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

(4) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(6) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared

ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(8) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided*, That if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and sub contractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and sub contractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

SECTION 3 CONTRACT CLAUSE
Town of Eatonville, Florida

SECTION 3 CLAUSE

All Section 3 covered contracts and subcontracts must include the following clause:

- I. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 USC.1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance, or HUD-assisted projects covered by Section 3, shall to the greatest extent feasible be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- II. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.
- III. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 Clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- IV. The contractor agrees to include this Section 3 Clause in every subcontract subject to compliance with regulations in 24 CFR part 75, and agrees to take appropriate actions, as provided in an applicable provision of the subcontract or in this Section 3 Clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.
- V. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.
- VI. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- VII. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 USC 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Office of Long-Term Resiliency (OLTR)
Community Development Block Grant Program – DR & MIT

Affirmative Action Plan (AAP) Review Checklist

Subrecipient: Eatonville		Grant Agreement No.: MT128	
1st Reviewer: Town's Evaluation and Notes		2nd Reviewer:	
Date Review Complete: 9/25/2024		Date Review Complete:	
Policies and Procedures Approved?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Approval:	
<p><i>The Affirmative Action Plan compliance conditions are listed in the Subrecipient agreement terms in Attachment E. The sub-recipient's policy is intended to establish procedures and processes that will aid in the commitment to abide by the laws as a condition of receiving funds in the CDBG-DR and CDBG-MIT programs. The grant manager is responsible for reviewing and approving subrecipient policy.(41 CFR 60 741)</i></p>			
Desk Review			
Descriptions	Reference	Answer	Location
Has the subrecipient passed an AAP resolution or ordinance? Comments: Date Passed - 2024	Subrecipient Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Does the sub-recipient incorporate the EEO/AA clause set forth in 41 CFR § 60-741.5(a) into any contracts or subcontracts that meet the definition of "Federally-assisted construction contract" in 41 CFR 60-1.3. and do they, in all solicitations or advertisements for employees placed by or on behalf of the sub-recipient, state that they are an Equal Opportunity/Affirmative Action employer? Comments: They have the clause listed, but no reference to the statute. Please see revised AA/EEO policy referencing the statutes on page 2 number 5	Subrecipient Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	EEO clause Page 2, #5 & Appendix A
Applicability of the Affirmative Action Program: The requirements of this subpart apply to every Government contractor that has 50 or more employees and a contract of \$50,000 or more. Does the sub-recipient have 50 or more employees <u>and</u> a contract of \$50,000 or more? The Town of Eatonville employs 45 people. Comments: no mention of number of employees. Assume SR has over 50	41 CFR 60-741.40(b)(1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NA – Town employs 45 people
Applicability of the Affirmative Action Program: Sub-Recipients (Contractors) described above (paragraph (b)(1) of this section shall, within 120-days of the commencement of a contract, prepare and maintain an Affirmative Action Program at each establishment. The Affirmative Action (AA) Program shall set forth the contractor's policies and procedures in accordance with this part. Within 120-days of CDBG-MIT Grant execution, has the sub-recipient established their AA Program and set forth their Policies and Procedures? Comments: No NA - The Town of Eatonville employs 45 people.	41 CFR 60-741.40(b)(2)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NA – Town employs 45 people
The affirmative action program shall be reviewed and updated annually by the official designated by the contractor pursuant to § 60-741.44(i). Is the sub-recipient aware of the requirement to provide annual updates to their AA Program?	§ 60-741.40(b)(3)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Resolution pg 5 #6

Office of Long-Term Resiliency (OLTR) Community Development Block Grant Program – DR & MIT

<p>Comments:</p> <p>The contractor shall submit the affirmative action program within 30-days of a request from OFCCP, unless the request provides for a different time. The contractor also shall make the affirmative action program promptly available on-site upon OFCCP's request.</p> <p>Is the sub-recipient aware of the requirement to submit the AA Program within 30-days of a request from OFCCP or promptly available on-site upon OFCCP's request?</p> <p>Comments:</p>	<p>§ 60-741.40(c)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 4 #7</p>
<p>The contractor's Policy Statement shall state that employees and applicants shall not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in any of the following activities:</p> <p>(1) Filing a complaint;</p> <p>(2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of section 503 or any other Federal, State, or local law requiring equal opportunity for individuals with disabilities;</p> <p>(3) Opposing any act or practice made unlawful by section 503 or its implementing regulations in this part, or any other Federal, State or local law requiring equal opportunity for individuals with disabilities; or</p> <p>(4) Exercising any other right protected by section 503 or its implementing regulations in this part.</p> <p>Does the sub-recipient's Policy Statement include the above language?</p> <p>Comments:</p>	<p>§ 60-741.44(a)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 5 # 8 (a-d)</p>
<p>The contractor shall ensure that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available.</p> <p>Does the sub-recipient have in place personnel processes as described above?</p> <p>Comments:</p>	<p>§ 60-741.44(b)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 5, # 10</p>
<p>Does the sub-recipient have a set schedule for the review of all physical and mental job qualification standards to ensure that, to the extent qualification standards tend to screen out qualified individuals with disabilities, they are job-related for the position in question and are consistent with business necessity?</p> <p>Comments:</p>	<p>§ 60-741.44(c)(1-3)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 5 # 11</p>
<p>The contractor must develop and implement procedures to ensure that its employees are not harassed on the basis of disability.</p> <p>Has the sub-recipient developed and implemented procedures to ensure that its employees are not harassed on the basis of disability?</p> <p>Comments:</p>	<p>§ 60-741.44(e)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 5 #12</p>
<p>The contractor shall undertake appropriate outreach and positive recruitment activities such as those listed in paragraph (f)(2) of this section that are reasonably designed to effectively recruit qualified individuals with disabilities.</p>	<p>§ 60-741.44(f)(1)(i)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 6 #13</p>

Office of Long-Term Resiliency (OLTR)
Community Development Block Grant Program – DR & MIT

<p>Is the sub-recipient aware of the outreach requirements listed in § 60.741.44 Paragraphs (f)(1-4), especially Paragraph (f)(4) Recordkeeping Obligation?</p> <p>Comments:</p>			
<p>Does the sub-recipient disseminate EEO/AA policy information internally by:</p> <p>Include it in the contractor's policy manual or otherwise make the policy available to employees;</p> <p>(ii) If the contractor is a party to a collective bargaining agreement, it shall notify union officials and/or employee representatives of the contractor's policy and request their cooperation;</p> <p>Comments:</p>	<p>§ 60-741.44(g)(1-2)</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg 2 #4</p>
<p>The contractor shall design and implement an audit and reporting system that will:</p> <p>Measure the effectiveness of the contractor's affirmative action program;</p> <p>Indicate any need for remedial action;</p> <p>Determine the degree to which the contractor's objectives have been attained;</p> <p>Determine whether known individuals with disabilities have had the opportunity to participate in all company sponsored educational, training, recreational, and social activities;</p> <p>Measure the contractor's compliance with the affirmative action program's specific obligations; and</p> <p>Document the actions taken to comply with the obligations of paragraphs (h)(1)(i) through (v) of this section, and retain these documents as employment records subject to the recordkeeping requirements of § 60-741.80 Recordkeeping.</p> <p>Does the sub-recipient have a reporting system in place that will support the actions listed above?</p> <p>Comments: <i>NO mention of reporting system or plans to improve. Please see the revised Affirmative Action Plan/EEO Policy</i></p>	<p>§ 60-741.44(h)(1)</p> <p>§ 60-741.80</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Page 6, #15</p>

Office of Long-Term Resiliency (OLTR) - Community Development Block Grant Program MITIGATION

EEO Policies and Review Checklist			
Subrecipient: Eatonville		Grant Agreement No.: MT128	
1 st Reviewer: Town's Evaluation and Notes		2 nd Reviewer:	
Date Review Complete: 9/25/2024		Date Review Complete:	
Policies and Procedures Approved? <input type="checkbox"/> Yes <input type="checkbox"/> No		Date of Approval:	
<p>DEO has outlined Equal Employment Opportunity compliance conditions in the Subrecipient agreement terms. The sub-recipient's policy is intended to establish procedures and processes that will aid in the commitment to abide by the laws as a condition of receiving funds in the CDBG-DR and CDBG-MIT programs. The grant manager is responsible for reviewing and approving subrecipient policy.</p>			
Desk Review			
Descriptions <i>NOTE: There are 3 documents</i>	Reference	Answer	Location
<p>Has the subrecipient passed an EEO resolution or ordinance that protects its applicants and employees and the applicants and employees of its contractors, subcontractors, subrecipients and consultants from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral and other aspects of employment, on the basis of race, color, religion, sex, national origin, disability, age or genetics?</p> <p>Comments: Date Passed 2024</p>	Subrecipient Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	EEO clause pg 3, # 2 Par 2
<p>Has the sub-recipient provided to their DEO Grant Manager the name and contact information of the sub-recipient's EEO Coordinator who is available during regular business hours to receive EEO calls?</p> <p>Comments: No coordinator is listed. The Town is posting the EEO Coordinator's contact information on its website. Language was added to the updated AA/EEO to address the EEO Coordinator's position, phone # and email address.</p>	Subrecipient Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 4 # 5
<p>Does the sub-recipient publish the EEO Coordinator's contact information quarterly in a newspaper of general circulation in the sub-recipient's jurisdiction or on the home page of their website so that the public knows who to call to ask EEO questions or register a complaint?</p> <p>Comments: No coordinator info given. The Town is posting the EEO Coordinator's contact information on its website.</p>	Subrecipient Agreement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p>Has the sub-recipient established a system (spreadsheet) to log all EEO calls and submit the logs quarterly?</p> <p>Comments: no mention of EEO call logs. Language added to updated AA/EEO policy</p>	Subrecipient Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Pages 4-5 #5 (located on pg 5)
<p>Does the sub-recipient submit EEO information/documentation to the DEO grant manager within 10-calendar days after the end of each quarter?</p> <p>Comments: No mention of quarterly reports. Language added addressing quarterly reports</p>	Subrecipient Agreement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Pages 4-5 #5 (located on pg 5)

Office of Long-Term Resiliency (OLTR) - Community Development Block Grant Program

MITIGATION

<p>Does the sub-recipient maintain a list of certified Women- and Minority-Owned Business Enterprises (W/MBE) that operate in its region? Does the sub-recipient use this W/MBE list to solicit companies to bid on CDBG-MIT funded construction activities and do they provide a copy of the list to the prime contractor(s) to use when it hires subcontractors and consultants?</p> <p><i>Comments:</i></p>	<p>Subrecipient Agreement</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Resolution pg #4. (2)</p>
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