

**Resolution 1-14
Resolution to Adopt Community
Development Block Grant Plan Policies**

RESOLUTION

Resolution of the Commissioners of Leonardtown committing to working toward the goals established by the Community Development Block Grant Fair Housing and Equal Opportunity Plan, Minority Business Plan and the Section 3 Plan.

WHEREAS, the Commissioners of Leonardtown recognize that there is a significant need for creating an environment for the citizens of Leonardtown where no one is excluded from participation or benefit due to race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion; and,

WHEREAS, the Commissioners of Leonardtown share an awareness and commitment of working toward the goals of these plans; and


WHEREAS, the Commissioners of Leonardtown have shown their support of these programs and plans most recently by supporting the Cedar Lane Fire Safety Project with the CDBG funding; and

WHEREAS, the applicable law and regulations require approval of the CDBG Fair Housing and Equal Opportunity Plan, Section 3 Plan and Minority Business Plan by the Commissioners of Leonardtown;

NOW, THEREFORE BE IT RESOLVED THAT the Commissioners of Leonardtown hereby adopt this resolution and the goals of the attached Plans;

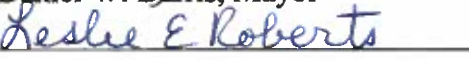
READ AND PASSED THIS 13th day of January, 2014.

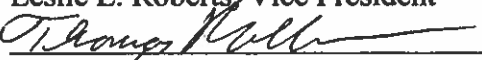
ATTEST/WITNESS:



Laschelle McKay, Town Administrator

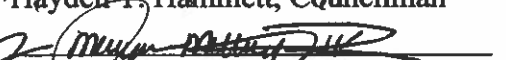
COMMISSIONERS OF LEONARDTOWN:



Daniel W. Burris, Mayor


Leslie E. Roberts, Vice President


Thomas R. Collier, Councilman


Hayden T. Hammett, Councilman


J. Maguire Mattingly, IV, Councilman


Roger L. Mattingly, Councilman

FAIR HOUSING AND EQUAL OPPORTUNITY PLAN

As a recipient of federal Community Development Block Grant funds from the United States Department of Housing and Urban Development received through the State of Maryland, the Town of Leonardtown (the "Town") is required to comply with all federal statutes, regulations and Executive Orders relating to civil rights, fair housing, non-discrimination and equal opportunity. The Town's compliance is not specific to the federally funded project or activity. The Town must ensure that its administrative practices, policies and laws meet the intent of the statutes, regulations and Executive Orders.

Therefore, the Town of Leonardtown commits to create an environment for its citizens where no one is excluded from participation or benefit due to their race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion. The denial of rights based on any of these protected classes is detrimental to the health, safety and welfare of the citizens and constitutes an unjust denial or deprivation of such inalienable rights which is within the power and the proper responsibility of government to prevent.

Fair Housing

In accordance with the federal Civil Rights Act of 1968 (as amended), the federal Housing and Community Development Act of 1974 (as amended), and the Fair Housing Act of 1988, the Town will promote through fair, orderly and lawful procedures, the opportunity for each person to obtain housing of such person's choice in this community without regard to race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion.

To the best of our ability, the Town of Leonardtown will promote and encourage fair housing choice for all its residents. The Town's administrative practices, policies and laws will attempt to prohibit:

- Discrimination in the Sale or Rental of Housing
- Discrimination in Housing Financing
- Discrimination in Providing Brokerage Services
- Unlawful Intimidation

The Town will accept complaints from any citizen that feels that they have been discriminated against related to their housing choice. The Town will make an initial investigation and refer the complaint to the state or the federal housing departments.

For housing projects developed or assisted with federal funds, the Town will ensure that its subrecipients and developers will comply with statutes, regulations and Executive Orders.

Equal Opportunity

In accordance with the federal Civil Rights Act of 1964 (as amended), no person in the Town of Leonardtown shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance.

The Town will ensure that it will not discriminate in its procurement practices. The Town's procurement policies allow for open and competitive bidding concerning all procured goods and services. When applicable, the Town will solicit bids from minority women owned businesses.

Affirmative Action Strategy

It is the policy of the Town of Leonardtown not to discriminate against any employee or any applicant for employment because of race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion. The Town will take affirmative action to insure that this policy includes but is not limited to the following: recruitment and employment, promotion, demotion, transfer, compensation,

selection for training, layoff and termination. Additionally, the Town will ensure that our contractors and subcontractors will not discriminate against any employee or applicant for employment.

Affirmatively Furthering Fair Housing

The Town of Leonardtown commits to affirmatively further fair housing in our community. Our programs will be administered in accordance with our efforts to provide a range of fair housing choices to our citizens.

The Town will undertake as many of the following activities on an annual basis as possible or work with the St. Mary's County Housing Authority to:

- Adopt a Fair Housing Proclamation and celebrate the month of April as Fair Housing Month
- Develop and distribute a fair housing brochure informing our residents of their rights under state and federal laws. The brochure will be available at all public buildings and will be mailed with local utility bills.
- Review local zoning laws and building codes to determine if they impact fair housing choice
- Review sales and rental practices in our community to determine if their practices are discriminatory
- Conduct a survey to assess public attitude about fair housing and housing discrimination
- Conduct a survey to assess housing needs
- Sponsor an annual workshop on fair housing
- Provide housing counseling to minority and non-english speaking residents to help them find housing outside areas of concentration

Excessive Force

The National Affordable Housing Act (NAHA) of 1990 (as amended) requires recipients of federal Community Development Block Grant funds through the United States Department of Housing and Urban Development to protect individuals engaging in non-violent civil rights demonstrations. To that end, the Town is required to develop and maintain a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations.

The Town of Leonardtown maintains a police presence for the safety of its citizens. The Town prohibits the use of excessive force by the town's police deputy against anyone engaged in non-violent civil rights demonstrations.

Limited English Proficiency

The Town of Leonardtown recognizes that, as its population increases, its population now includes persons from other countries whose primary language is not English. To that end, the Town will make efforts to identify various populations and to provide information to them in a language they understand.

Personnel Policies

The Town of Leonardtown's personnel policies are in compliance with all federal and state equal opportunity requirements. They are updated as requirements change.

Specifically, employees are notified of their rights, responsibilities and requirements of their specific jobs and as a representative of this Town. The personnel policies provide information on compensation, leave, termination, grievances, benefits, sexual harassment, and employee reviews. The personnel policy also provides information about conflict of interest provisions related to contracting and procurement.

A full copy of the personnel policies may be obtained at the Town Office during normal business hours.

MINORITY BUSINESS PLAN

As a recipient of federal Community Development Block Grant funds through the United States Department of Housing and Urban Development received through the State of Maryland, the Town of Leonardtown is required to make good faith efforts to contract with minority business enterprises (MBE) and women business enterprises (WBE) for goods and services.

A minority or women business enterprise is one that is at least 50% owned by a minority or a woman. For publicly-owned businesses, at least 51% of the stock must be owned by minority group members or women.

The Town of Leonardtown will make efforts to solicit MBEs and WBEs. These efforts will include:

- Developing and maintaining a list of qualified MBEs and WBEs
- Assuring that small businesses and MBEs and WBEs are solicited for appropriate contract opportunities
- Establishing a delivery system which will encourage participation by MBEs and WBEs
- Encouraging contractors to subcontract with MBE and WBE businesses

The Town will document efforts undertaken during the procurement process and maintain them in the CDBG files.

SECTION 3 PLAN

As a recipient of federal Community Development Block Grant (CDBG) funds through the United States Department of Housing and Urban Development (HUD) received through the State of Maryland, the Town of Leonardtown is required to comply with Section 3 of the Housing and Urban Development Act of 1968 (as amended). Section 3 requires the Town to ensure, to the greatest extent possible, and consistent with existing federal, state and local laws and regulations, that employment and contracting opportunities are provided to low and very low income persons. Section 3 applies to all contracts awarded that exceed \$100,000.

Definitions:

A low and very low income person who qualifies as a Section 3 Person is an individual who:

- resides in St. Mary's County; and
- resides in public housing funded by the federal government; or
- receives housing assistance from the federal government; or
- resides in a household where the total household income is less than 50% of the area median income for St. Mary's County using income limits provided by HUD.

A low and very low income person who benefits or qualifies as a Section 3 Business is defined as:

- a business that is 51% or more owned by Section 3 persons; or
- a business where 30% of the permanent, full time employees are currently Section 3 persons or within three years of the date of first employment were Section 3 persons; or
- a business that commits to subcontract over 25% of the total contract award to businesses that meet the definition of a Section 3 business as described above.

St. Mary's County is the Section 3 Business and Employment Project Area for the Town of Leonardtown.

Compliance:

The Town of Leonardtown certifies that it will, to the greatest extent feasible, comply with Section 3 requirements when awarding contracts for construction, non-construction, materials, and supplies.

The Town of Leonardtown will undertake the following steps when possible:

1. Develop bid and solicitation documents which will identify Section 3 requirements and include the Section 3 Hiring Estimate Form which will be submitted with bid.
2. Advertise RFP/RFQ which will include the following statement, "Federal Section 3 hiring requirements apply to this project."
3. Notify local housing authority, county housing office, job training services, and other related agencies of federally funded projects that may result in hiring in the near future.
4. Require bid submittals from Section 3 Businesses or from businesses using Section 3 Business subcontractors to include a Section 3 Business Certification form.
5. Insert Section 3 Clause in selected contractor's contract and include specific language to detail contractor's Section 3 intent related to new hires and/or Section 3 Businesses as subcontractors.

6. At pre-construction conference, explain Section 3 requirements including certification process prior to hiring. Provide contractor with Section 3 Self-Certification Forms to use when accepting applications for employment.
7. Require contractor to submit a list of all current employees who will work on the project.
8. Review and approval by grantee of Section 3 Self-Certification Form submitted by the contractor before a hire is made.
9. Review payroll records to document the participation of Section 3 hire(s) on the project.
10. Review payroll records to document the participation of Section 3 Business employees on the project.
11. At the completion of the work under the contract, complete CDBG Section 3 Tracking Form which documents Section 3 compliance.

The Town will document efforts undertaken during the procurement process and maintain them in the CDBG files.