

AGENDA
City of Carter Lake
Special City Council Meeting
City Hall – 950 Locust St.
Monday, September 23, 2019 AT 6:00 P.M.

- I. Pledge Of Allegiance
- II. Roll Call
- III. Approval Of The Agenda
 - A. Additions
 - B. Deletions
- IV. Consent Agenda
- V. PUBLIC HEARING to receive comments and input on the proposed Community Development Block Grant application for assistance with repairs to the Carter Lake Sewer System. Information to be discussed at the hearing will include:
 - a) How the need for the proposed activity was identified;
 - b) How the proposed activity will be funded and sources of funds;
 - c) Date the applications will be submitted;
 - d) Requested amount of funds;
 - e) Estimated portion of funds requested that will benefit persons of low and moderate income;
 - f) Where the proposed activities will be conducted;
 - g) Plans to minimize displacement of persons and businesses as a result of funded activities;
 - h) Plans to assist persons actually displaced, and;
 - i) The nature of the proposed activity.
- VI. Communications From Ryan Ossell, Community Development Planner with Metropolitan Area Planning Agency (MAPA)
- VII. Resolutions
 - A. Resolution to approve Code of Conduct
 - B. Resolution to approve Equal Opportunity Policy Statement
 - C. Resolution to approve Prohibition of the Use of Excessive Force
 - D. Resolution to approve Affirmative Fair Housing Policy
 - E. Resolution to approve Residential Anti-Displacement and Relocation Assistance Plan
- VIII. City Clerk, Jackie Carl – Discuss open positions at City Hall
- IX. Comments Mayor, City Council And Public (3 Minutes)
- X. Adjourn

City of Carter Lake
CDBG Water/Sewer Fund Application
Public Hearing Information
September 23, 2019

A. HOW THE NEED FOR THE PROPOSED ACTIVITY WAS IDENTIFIED

Camera Survey project by Johnson

B. HOW THE PROPOSED ACTIVITY WILL BE FUNDED AND SOURCES OF FUNDS

The estimated cost of the project is \$1,696,750. The City will apply for the following grant and loan programs:

- Community Development Block Grant (CDBG): \$600,000
- Local: \$1,096,750

C. DATE APPLICATION WILL BE SUBMITTED

Application is due October 1, 2019.

D. REQUESTED AMOUNT OF CDBG FUNDS

The City will request \$600,000 in CDBG funds for this project.

E. ESTIMATED PORTION OF CDBG FUNDS REQUESTED THAT WILL BENEFIT PERSONS OF LOW AND MODERATE INCOME

All of the funds requested for the project will benefit LMI persons.

F. WHERE THE PROPOSED ACTIVITIES WILL BE CONDUCTED

The sewer and manhole repairs will take place throughout the City of Carter Lake.

G. PLANS TO MINIMIZE DISPLACEMENT OF PERSONS AND BUSINESSES AS A RESULT OF FUNDED ACTIVITIES

No displacement of persons or businesses will occur as a result of this project.

H. PLANS TO ASSIST PERSONS ACTUALLY DISPLACED

No displacement of persons or businesses will occur as a result of this project.

I. THE NATURE OF THE PROPOSED ACTIVITIES

The project entails repairing 50,000 feet of sewer piping and 45 manholes in to the sewer system. The piping will receive Cured-in-Place plastic lining to protect the piping from future leakage and intrusion. The manholes that will be replaced will be brought up to code to ensure they are no longer defective.

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 Carter Lake engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of the City of Carter Lake 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
- d. 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.

Carter Lake 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 Carter Lake 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 Carter Lake 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 Jackie Carl; 950 East Locust Street, Carter Lake, IA, 51510; (712) 347-6320.

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 Carter Lake's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

Passed and adopted this 23rd day of September, 2019.

Ron Cumberledge, Mayor

ATTEST:

Signature

EQUAL OPPORTUNITY POLICY STATEMENT

DATE: 09 / 23 / 2019

It is the policy of the City of Carter Lake 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 Carter Lake. Any person who feels that he or she has been denied employment, participation, representation, or services in any program administered by the City of Carter Lake 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 the city clerk, who can be contacted at (712) 347-6320.

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

Ron Cumberledge
Mayor of Carter Lake

POLICY ON THE PROHIBITION OF THE USE OF EXCESSIVE FORCE

WHEREAS, The City of Carter Lake 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 nonviolent 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 Carter Lake 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 Carter Lake 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 Carter Lake 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 Carter Lake further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that the City of Carter Lake has not complied with this policy to file a complaint.

Information and assistance relative to excessive force complaints shall be provided by Jackie Carl, City Clerk at (712) 347-6320.

Adopted by the City of Carter Lake this __ day of _____, 2019.

Signature
Mayor, City of Carter Lake

PUBLIC NOTICE
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 Carter Lake, 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 Carter Lake 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 Carter Lake has designated the following (person or office) as the contact to coordinate efforts to comply with this policy. Inquiries should be directed to:

NAME: Jackie Carl
OFFICE: City of Carter Lake
ADDRESS: 950 Locust Street
CITY/STATE/ZIP CODE: Carter Lake, IA 51510
PHONE NUMBER: (712)347-6320
HOURS: Monday – Friday 9 am -4 pm



RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

This Residential Anti-displacement and Relocation Assistance Plan (RARAP) is prepared by the City of Carter Lake 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-assisted projects.

Minimize Displacement

Consistent with the goals and objectives of activities assisted under the Act, the City of Carter Lake 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.
- Add others as appropriate

Relocation Assistance to Displaced Persons

The City of Carter Lake 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 Carter Lake 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 Carter Lake to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City of Carter Lake will make public by publication in a newspaper of general circulation and submit to the Iowa Economic Development Authority 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 Carter Lake 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 Carter Lake 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 Carter Lake City Hall, (712) 347-6320 is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

The City of Carter Lake City Hall, (712) 347-6320 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.