



**TOWN OF MILLIKEN
TOWN BOARD
AGENDA MEMORANDUM**

To: Mayor Tokunaga and Members of the Board of Trustees		Meeting Date:	
From: Seth Hyberger, Community Engagement Specialist/Planner		July 8, 2015	
Agenda Item #	Action: X	Discussion:	Information:
Agenda Title: Approve Resolutions and Policies for CDBG-DR Compliance			
Attachments: Equal Employment Opportunity Policy; Excessive Force Policy; Town of Milliken Fair Housing Resolution 15-16; Town of Milliken Grievance Procedure Policy; Town of Milliken Residential Antidisplacement and Relocation Assistance Policy; and the Town of Milliken Notice of Nondiscrimination Policy.			

PURPOSE

The purpose of this action item is to approve the following resolutions and policies regarding Section 504 of the Rehabilitation Act, Americans with Disabilities Act of 1990, and Community Development Block Grant – Disaster Recovery compliance. These resolutions and policies include: Equal Employment Opportunity Policy; Excessive Force Policy; Town of Milliken Fair Housing Resolution; Town of Milliken Grievance Procedure Policy; Town of Milliken Residential Antidisplacement and Relocation Assistance Policy; and the Town of Milliken Notice of Nondiscrimination Policy.

BACKGROUND INFORMATION

The Town of Milliken received a CDBG-DR Planning Grant in the amount of \$80,000 to go towards the development of the Town’s Comprehensive Plan Update 2015. The United States Housing and Urban Development and Colorado Department of Local Affairs requires the aforementioned resolutions and policies to be approved to in order to ensure grant requirements regarding civil rights are met.

SUGGESTED MOTION

"I move to approve the following resolution and Policies for the Town of Milliken: Equal Employment Opportunity Policy; Excessive Force Policy; Town of Milliken Fair Housing Resolution 15-16; Town of Milliken Grievance Procedure Policy; Town of Milliken Residential Antidisplacement and Relocation Assistance Policy; and the Town of Milliken Notice of Nondiscrimination Policy. The passage of these policies and resolution will reinforce the Town of Milliken’s commitment to fair housing and equal opportunity for all of its residents."

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Town of Milliken does hereby declare it a fundamental policy to provide equal opportunity to all its employees and applicants for employment (skilled, unskilled, and professional) and to assure there will be no discrimination against any person on the basis of race, color, creed, national origin, sex, age, physical or mental handicap, marital status, or political beliefs unless related to a bona fide occupational requirement. To this end, steps will be taken to equalize opportunity for employment at all levels of operation for those classes of people who have traditionally been denied equal opportunity: minority group members, women, and the handicapped; and an obligation to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant or employee unless the accommodation imposes an undue hardship is recognized.

All applicants for employment will be recruited from the available labor market and evaluated on each person's individual qualifications and abilities. All employees shall be afforded equal employment opportunity during their term of employment, and are guaranteed protection against retaliation for exercising any legal or administrative procedures to secure the right to equal employment or testifying on behalf of someone else doing so.

All administrators and supervisors are responsible for and shall be committed to achieving and promoting equal employment opportunity.

The Mayor is the Equal Employment Opportunity Officer and shall be responsible for coordinating the equal employment opportunity program.

Adoption of this policy reaffirms the commitment to non-discrimination in employment, including but not limited to recruitment, selection, placement, testing, training, promotion, transfer, discipline, demotion, layoff, and termination.

Adopted by the Town Board this 8th day of July, 2015.

ATTEST:

Milt Tokunaga, Mayor

Cheryl Powell, Town Clerk

TOWN OF MILLIKEN RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE POLICY

The Town of Milliken is a rural community with limited resources and when feasible will attempt to replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG funds, as required by Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), and implementing regulations at 24 CFR 570.496a.

The Town of Milliken has limited resources and when feasible will attempt to replace housing within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Town of Milliken will make public and submit to the State the following information in writing:

1. Description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The source of funding and a time schedule for the provision of replacement dwelling units; and,

The Town of Milliken will provide relocation assistance, as described in 570.496a(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the Town of Milliken will take the steps indicated below to minimize the displacement of persons from their homes:

The Town will consider all practical alternatives to any proposed project that may result in residential displacement. Alternatives to be considered include other sites for the proposed facilities/project. Also to be considered are the costs and benefits, both financial and nonfinancial, of each alternative.

The Town will also provide counseling and referral services to assist displacees find alternative housing in the community.

Town of Milliken Grievance Procedure Policy

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans with Disabilities Act of 1990 (ADA).

According to these laws, the Town of Milliken certifies that all citizens shall have the right to submit a grievance on the basis of disability in policies or practices regarding employment, services, activities, facilities, or benefits provided by the Town of Milliken

When filing a grievance, citizens must provide detailed information to allow an investigation, including the date, location and description of the problem. The grievance must be in writing and must include the name, address, and telephone number of the complainant. ***Upon request, alternative means of filing complaints, such as personal interviews or a tape recording, will be made available for individuals with disabilities upon request.*** The complaint should be submitted by the complainant or his/her designee as soon as possible, but no later than 90 days after the alleged violation. Complaints must be signed and sent to:

Name/Title of Coordinator Cheryl Powell, Town Clerk

Address: Town of Milliken, 1101 Broad Street, Milliken, CO 80543

Telephone Number: 970-587-4331

(TDD): (711) 970-587-4331

Within 15 calendar days after receiving the complaint, Town Clerk will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days after the meeting the Town Clerk will respond in writing. Where appropriate, the response shall be in a format accessible to the complainant (such as large print or audio tape). The response will explain the position of Town Clerk and offer options for resolving the complaint.

If the response by the Town Clerk does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision of the 504/ADA coordinator. Appeals must be made within 15 calendar days after receipt of the response. Appeals must be directed to the chief elected official or his or her designee.

Within 15 calendar days after receiving the appeal, the chief elected official or his or her designee will meet with the complainant to discuss the complaint and to discuss possible resolutions.

Within 15 calendar days after the meeting, the chief elected official or his or her designee will provide a response in writing. Where appropriate, the response shall be in a format accessible to the complainant. The response shall be accompanied by a final resolution of the complaint. The 504/ADA Coordinator shall maintain the files and records of the *Town of Milliken in Town Hall* pertaining to the complaints filed for a period of three years after the grant is closed out.

The Town will work with local and state authorities in order to address difficulties with accommodating persons with disabilities and shall take the necessary steps to make changes internally to existing policies to better address the needs of persons with disabilities.

The Town will also take steps through social media and it's website to notify the public on an annual basis regarding its grievance policy procedures.

**TOWN OF MILLIKEN
NOTICE OF NONDISCRIMINATION POLICY**

As required by Section 504 of the Rehabilitation Act (as amended) and the Americans with Disabilities Act (ADA), Town of Milliken has adopted by resolution a policy regarding "Nondiscrimination on the Basis of Disability."

Town of Milliken does not discriminate on the basis of disability in the admission to, access to, or operations of programs, services or activities.

Qualified individuals who need accessible communication aids, braille, physical access, and services or other accommodations to participate in programs and activities are invited to make your needs and preferences known to the 504/ADA coordinator. Please give us at least three to five day's advance notice so we can adequately meet your needs.

An internal grievance procedure is available to resolve complaints. Questions, concerns, or requests for additional information regarding 504/ADA should be forwarded to:

504/ADA Coordinator's Name: Cheryl Powell

Title: Town Clerk

Address: 1101 Broad Street, Milliken, CO 80543

Phone Number: 970-587-4331

TDD: (711) 970-587-4331

Days and Hours Available: 8:00 AM to 5:00 PM, Monday - Friday

Upon request, this notice and other materials may be made available in alternative formats (for example, large print or audio tape) from the 504/ADA coordinator.

Adopted by the Town Board this 8th day of July, 2015

ATTEST:

Milt Tokunaga, Mayor

Cheryl Powell, Town Clerk