

RESOLUTION 2021-12

A RESOLUTION OF THE CITY COMMISSION OF POLK CITY, FLORIDA, ADOPTING CERTAIN POLICIES TO ENABLE THE CITY TO FILE FOR FEDERAL AND STATE GRANTS; ADOPTING POLICIES RELATED TO PROTECTION OF CITIZENS DURING CIVIL RIGHTS DEMONSTRATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title 42 United States Code § 5304(a)(1)(1), enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and,

WHEREAS, Title 42 United States Code § 5304(a)(1)(2), enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce 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 demonstration within its jurisdiction; and,

WHEREAS, Polk City has made and will continue to make application to state and federal grant programs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF POLK CITY, FLORIDA:

SECTION 1. ADOPTION OF CITIZEN PROTECTION POLICY. The City Commission hereby it is the policy of the City to prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and to enforce 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 demonstration within its jurisdiction with due and proper consideration given to the extent and limits of the City's power and authority to do so.

SECTION 2. ADOPTION OF EQUAL EMPLOYMENT OPPORTUNITY POLICIES. The City Commission hereby adopts the following policies as the City's applicable guiding policies and procedures for all present and future Florida's Small Cities Community Development Block Grant and for any subsequent Small Cities Community Development Block Grant Program that the City may seek, so long as these policies remain consistent with the State and Federal Requirements of the CDBG program:

(1) To provide equal opportunity to all employees, applicants, employees of its contractors 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, color, religion, sex, national origin, disability, age or genetics.

(2) The City Manager 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 City Manager's responsibility. The City

Manager will review all policies and procedures as they affect equal opportunity and affirmative action and ensure compliance with relevant federal and state statutes.

(3) The right of appeal and recourse is guaranteed by the City. Any person who feels that he or she has been denied employment opportunity or participation, representation, or services in any program administered by the City because of race, color, religion, sex, national origin, disability, age or genetics has the right to file an equal opportunity complaint. Information and assistance relative to equal opportunity complaints shall be provided by the City Manager who can be contacted at City Hall, 123 Broadway Blvd SE, Polk City, FL 33868, or by calling (863) 984-1375, Monday - Friday 8:00am-5:00 pm.

(4) Polk City shall establish a system to record the following:

- a) The nature of the call or contact;
- b) The action taken in response to the call or contact, and
- c) The result of the action taken.

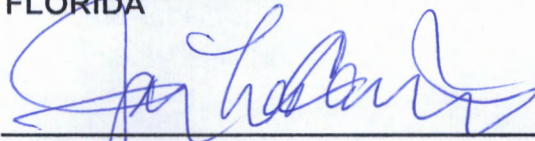
This Equal Opportunity Policy of the Polk City shall be posted in conspicuous places within the facility, distributed to all employees, contractors and to the persons of all advisory and policy-making groups.

SECTION 3. ADOPTION OF PROHIBITION OF USE OF EXCESSIVE FORCE POLICIES. The City Commission hereby adopts the following policy as the City's applicable guiding policy for all present and future Florida's Small Cities Community Development Block Grant and for any subsequent Small Cities Community Development Block Grant Program that the City may seek, so long as this policy remains consistent with the State and Federal Requirements of the CDBG program. 42 U.S.C. § 5304(a)(1)(1), enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations. 42 U.S.C. § 5304(a)(1)(2), enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce 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 demonstration within its jurisdiction. Based upon this federal law, it is the policy of the City to prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and to enforce 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 demonstration within its jurisdiction with due and proper consideration given to the extent and limits of the City's power and authority to do so.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

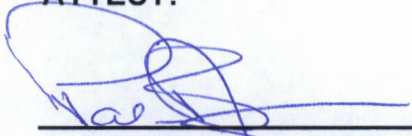
RESOLVED, PASSED, AND CERTIFIED AS TO PASSAGE THIS _____ DAY OF _____, 2021.

CITY COMMISSION OF POLK CITY,
FLORIDA



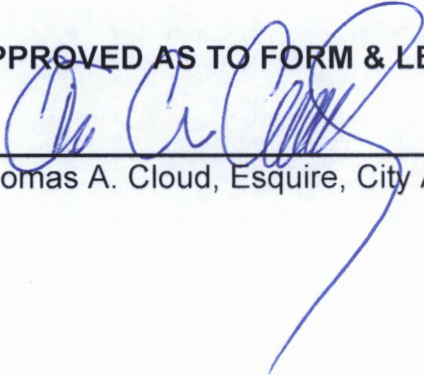
Joe LaCascia, Mayor

ATTEST:



Patricia R. Jackson, City Manager/Clerk

APPROVED AS TO FORM & LEGALITY



Thomas A. Cloud, Esquire, City Attorney

