



City of Sonora

Community Development Department
94 N. Washington Street
Sonora, CA 95370
(209) 532-3508
(209) 532-3511 *fax*
www.sonoraca.com

DATE: June 18, 2018
TO: Honorable Mayor and City Council Members
FROM: Rachelle Kellogg, Community Development Director
SUBJECT: Title VI Program

RECOMMENDATIONS:

City staff recommends that the City Council approve the following:

- 1) Resolution No. 06-18-2018-A, designating the City Administrator as the Title VI Coordinator and adopting the City of Sonora Title VI Program.

DISCUSSION:

The City receives federal transportation funds through Caltrans and therefore it is subject to the requirements under Title VI of the Civil Rights Act of 1964 and its related statutes. Under Title VI, and its related statutes, no person shall, on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program, activity or service provided. Under these regulations, the City is also required to designate a Title VI Coordinator and adopt a Title VI Program. The proposed Title VI Program complies with the requirements included within Chapter 9 of the Caltrans' Local Assistance Procedures Manual.

Resolution Number: 06-18-2018-A

A RESOLUTION OF THE CITY COUNCIL DESIGNATING THE CITY ADMINISTRATOR AS THE TITLE VI COORDINATOR AND ADOPTING THE CITY OF SONORA TITLE VI PROGRAM

WHEREAS, the City of Sonora is a recipient of federal funding under the Federal Highway Administration (FHWA) and the US Department of Transportation (USDOT); and

WHEREAS, local agencies receiving funding through (FHWA) and (USDOT) are subject to Title VI and its related statutes; and

WHEREAS, under Title VI of the Civil Rights Act of 1964, and its related statutes, no person shall, on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program, activity, or service; and

WHEREAS, local agencies are required to designate a Title VI Coordinator and institute a Title VI Program in accordance with the Civil Rights Act of 1964 and related statutes; and

WHEREAS, the City of Sonora's Title VI Program has been prepared as per the requirements under Chapter 9 of the Caltrans' Local Assistance Procedures Manual;

NOW, THEREFORE, BE IT RESOLVED THAT THE SONORA CITY COUNCIL HEREBY designates the City Administrator as the Title VI Coordinator and adopts the City of Sonora Title VI Program.

PASSED, APPROVED AND ADOPTED as a Resolution by the Sonora City Council at a meeting held by the City Council on the 18th day of June 2018, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Dated: June 18, 2018

Connie L. Williams, Mayor

ATTEST: _____
Marijane Cassinetto, City Clerk



City of Sonora

Title VI Program

INTRODUCTION

The purpose of the Title VI Program is to establish guidelines to effectively monitor and ensure that the City of Sonora is in compliance with Title VI of the Civil Rights Act of 1964 requirements. Title VI states that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance”. All programs receiving financial assistance from the Federal Highway Administration (FHWA) and the US Department of Transportation (USDOT) are subject to Title VI and its related statutes.

NONDISCRIMINATION POLICY STATEMENT

The City of Sonora is committed to creating and maintaining a municipal environment that is free of all forms of discrimination. The City of Sonora, under Title VI of the Civil Rights Act of 1964, and related statutes, ensures that no person in the City of Sonora shall, on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program, activity or service that it administers. The City of Sonora will take necessary preventive corrective and disciplinary actions to stem behavior that violates this Policy or the rights and privileges it is designed to protect.

To help ensure access to the City’s programs, services and activities, the City will provide translations, reasonably modify policies and procedures, and provide auxiliary aids or alternative formats to persons with disabilities. For accommodations, translations or additional information contact the City’s Title VI Coordinator.

APPLICABILITY

This policy is applicable to all City of Sonora employees, members of the public and all contractors hired by the City of Sonora. Failure of a City of Sonora employee to follow this policy and procedure may subject such employee to disciplinary action up to and including employment termination.

TITLE VI COMPLAINT PROCEDURE

Any individual, group of individuals, or entity who believes that any specific class of persons, to be subjected to discrimination prohibited under this Program by the City of Sonora may file a written complaint with the City’s Title VI Coordinator.

The complaint should be submitted as soon as possible but no later than one hundred eighty (180) calendar days from the date of the alleged violation. The written complaint must include the following:

- Complainants’ name, address and phone number;
- Date of the alleged discriminatory act;
- Detailed description of what occurred, including names and job titles of those individuals perceived as parties to the complaint;
- Basis of the complaint; and
- Be signed by the complainant or their representative

Individuals and organizations may also file a complaint with the following agencies:

- Caltrans District 10
Equal Employment Opportunity Office (EEO)
1976 East Dr. Martin Luther King Jr. Blvd.
Stockton, CA 95205
(209) 948-3911

- FHWA Headquarters Office of Civil Rights
1200 New Jersey Avenue, SE (HCR-40)
Washington, DC 20590

The City will only process complaints that are complete, and all incomplete complaints or complaints not under the City’s jurisdiction will be returned to the complainant. Within thirty (30) calendar days after receipt of the written complaint, the Title VI Coordinator will contact the complainant to schedule a meeting to discuss the complaint and the possible resolutions. Depending upon the circumstances of the complaint, the investigation will be conducted by the Title VI Coordinator, a City Investigator or a private investigator. The City investigates complaints received no more than one hundred and eighty (180) days after the alleged incident. If through investigation the complaint is found to have merit, appropriate disciplinary action will be taken against the offender. The disciplinary action will be taken pursuant to the collective bargaining unit, if any applicable to the offender.

Following the investigation, the Title VI Coordinator will issue one of two letters to the complainant, a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a violation under this Program and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

The Title VI Coordinator will maintain a record of all Title VI complaints received by the City. The record will include:

- Written Complaint;
- Date received;
- Identification of each complainant by race, color, sex and national origin;
- Nature of the complaint;
- Disposition, *if applicable*;
- Date of disposition, *if applicable*;
- City’s written response/actions taken to complainant; and
- Any other pertinent information

The Title VI Coordinator will forward a copy of all Title VI complaints to:

- Caltrans District 10
Equal Employment Opportunity Office (EEO)
1976 East Dr. Martin Luther King Jr. Blvd.
Stockton, CA 95205
(209) 948-3911

TITLE VI COORDINATOR

The City Administrator shall serve as the Title VI Coordinator for the City of Sonoma. The Title VI Coordinator is responsible for initiating and monitoring Title VI activities. Contact information:

City Administrator/Title VI Coordinator
City of Sonora
94 N. Washington Street
Sonora, CA 95370
(209) 532-4541

TITLE VI TRAINING

The City shall provide Title VI training for its managers, supervisors, and staff with frequent public contact every two years.

LIMITED ENGLISH PROFICIENCY (LEP)

The City shall perform an annual assessment to determine if modifications are needed to its programs, services and activities to ensure meaningful access by LEP persons, culminating in the development of a language access plan. LEP persons are those for whom English is not their primary language and have a limited ability to read, write, speak, or understand English. The City's assessment shall be based on the following factors:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered.
- 2) The frequency of LEP contacts.
- 3) The nature and importance of the programs, services or activities provided.
- 4) The resources available for LEP persons.

ENVIRONMENTAL JUSTICE REQUIREMENTS

The City of Sonora shall integrate an environmental justice analysis into its National Environmental Protection Act (NEPA) documentation for construction projects. The City is not required to conduct environmental justice analysis for projects where NEPA documentation is not required.

NOTICE TO THE PUBLIC

To apprise member of the public of the protections against discrimination afforded to them under the City's Title VI Program, the City will post a copy of the adopted Title VI Program and Title VI information brochure on the City's website and at the Community Development Department. Copies will also be available at the Community Development Department's public counter.

ADOPTED by Resolution 06-18-2018-A by the Sonora City Council at a meeting held on the 18th Day of June 2018.

Connie L. Williams, Mayor

ATTEST:

Marijane Cassinetto, City Clerk