

The City of North Port
Title VI & ADA Plan
Related to Programs, Activities and Services

July 19, 2017



www.cityofnorthport.com

Prepared by: City
of North Port
4970 City Hall Boulevard North Port, Florida
Phone: (941) 429-7000
Fax: (941) 429-7079

Introduction

As a recipient of Federal funds, the City of North Port is required to issue a policy statement expressing a commitment to the non-discrimination provisions of Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA) of 1990 and related Federal and State nondiscrimination statutes and regulations. This document highlights the City's efforts with regards to Title VI, ADA and related Federal and State statutes and regulations compliance.

Title VI of the Civil Rights Act and related Federal and State nondiscrimination statutes and regulations prohibits discrimination on the basis of race, color or national origin, sex, age, disability, family or religious status, in programs, activities or services receiving federal financial assistance. The City of North Port, Administrative Code Chapter 16, Human Rights, additionally prohibits discrimination on the basis of marital status, sexual orientation, gender identity or expression, or physical characteristic. To address these federal requirements, the City of North Port has developed a Title VI and ADA Plan. The following sections provide a summary of the City's activities relating to those requirements.

Title VI and ADA Plan

The City of North Port, acting as the citywide planning agency and a federal fund designated recipient, has a goal not to discriminate against any person with respect to any City program, activity or service. To meet this goal, the City has developed a Title VI and ADA Plan pursuant to Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990, as amended and related Federal and State nondiscrimination statutes and regulations. The City's Title VI and ADA Plan defines what Title VI and ADA is, includes a written process on how to file a Title VI or an ADA complaint should one arise, and describes the complaint investigation process.

Public Notification Process

The City's goal is not to discriminate against any person with respect to a City program, activity or service. This commitment is incorporated into all public outreach efforts to engage all segments of the population in the City's planning process. The City actively provides information regarding its Title VI and ADA obligations to the public using a variety of methods. Information, such as reference to Federal circulars and the City's Title VI and ADA Plan and complaint procedure, is available, upon request at City offices, on the City's website and is provided to staff, citizens, consultants, subgrantees and contracted providers. Notice of non-discrimination policy is included in all City contracts, public meetings and bid advertisements.

As a policy, City staff is educated on the Title VI and ADA requirements. Non-discrimination clauses shall be included in all federally funded consultant contracts and subgrantee agreements. The following statement is posted in City offices:

"The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status, marital status, sexual orientation, gender identity or expression, or physical characteristic in administration of its programs, activities or services."

To find out more, visit:

www.cityofnorthport.com

Or Contact: Christine McDade
Director, Human Resources
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286
Phone: (941)429-7136
Email: cmcdade@cityofnorthport.com

*For persons with TTY/TTD or requiring calling assistance, please contact:
Florida Relay Services: 711 or 1-800-955-8771 (TTY)
1-800-955-8770 (Voice)

ADA/504 Statement

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The City will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City will make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least seven (7) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the City's ADA Officer:

Christine McDade
Director, Human Resources
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286
Phone: (941)429-7136
Email: cmcdade@cityofnorthport.com

Inclusive Public Participation

The City shall seek out and considers viewpoints of low-income, minority, elderly, disabled, Limited English Proficiency (LEP), ethnic and religious groups in the course of conducting public outreach and involvement activities in regards to planning activities. The City has a formal plan that includes an objective to involve the traditionally underserved in planning issues.

Public Outreach Activities:

- **City Website and Publications:** The City includes information on its website regarding City planning activities and the Title VI and ADA nondiscrimination policy. The Title VI and ADA complaint procedure and complaint forms are accessible on the website. City Commission meetings are broadcast live via streaming video and are video archived on the City's website. The Commission meetings are also regularly re-broadcast on a local public television station. The City can supply documents, upon request, in a variety of alternative formats. Vital documents and those documents having a wide distribution may be translated into foreign languages, as appropriate, based on federally mandated assessments. When conducting public meetings and workshops, staff shall make reasonable attempts to provide meaningful access including having translators, hearing devices for persons with hearing difficulties, accessible facilities and suitable materials in alternative formats available.
- **Public Meetings:** City staff hosts and participates in many public meetings and workshops to share information about City programs, activities and services and to collect information from users of these programs. At many of these events, City staff receives input from disadvantaged citizens, including senior citizens, Minorities, low-income and persons with physical or mental disabilities regarding issues and concerns. All City sponsored meetings or workshops are conducted in ADA accessible locations and have readily available access to transit. Availability of accessibility assistance is included in each meeting and workshop notice. The City will incorporate a method for the collection of participant's gender, racial and ethnicity data.
- **Public Hearings:** The City conducts formal public hearings and provides opportunities for citizen input on City programs and planning activities. Public hearings are conducted periodically and as required by law for a wide variety of topics. Public Hearing notices are placed in the local newspapers of general circulation, are mailed and emailed to City mailing list, posted in North Port City Hall and on the City's website. Availability of language translation to numerous foreign languages will be available via the City's website.
- **Surveys:** The City often utilizes survey instruments on its website, distributed through e-mail and direct mail and at various workshops to collect public input. Surveys are often tailored to gather information from targeted populations such as transit riders, the elderly or minority persons and will be designed to include the collection gender, ethnicity and racial data. Staff considers the needs of those who cannot read or write and will verbally read the survey and record the respondent's comments upon request. Surveys may also be made available in alternative formats such as large type and locally recognized foreign languages.

Record of Title VI Investigations, Complaints or Lawsuits

The City shall maintain a file for Title VI complaints, investigations and lawsuits. To date, no complaints have been received.

Sub Recipient Title VI Assistance and Guidance

When the City enters into an agreement subrecipients and/or subgrantees, it will actively assist each subrecipients/subgrantees in complying with the general Title VI reporting requirements and work closely the FHWA, FDOT or other appropriate agencies to ensure substantial compliance with nondiscrimination regulations.

Title VI Complaint Process and Procedures

City of North Port Discrimination Complaint Procedure

Title VI of the Civil Rights Act of 1964, the ADA of 1990 as amended and related Federal and State nondiscrimination statutes and regulations prohibits discrimination on the basis of race, color, national origin sex, age, disability, religious status, marital status, sexual orientation, gender identity or expression, or physical characteristic for programs, activities and services receiving federal financial assistance. As a recipient of federal financial assistance, the City of North Port has in place a Title VI and ADA complaint procedure.

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, by the City of North Port in administration of any program, activity or service, as prohibited by Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act (ADA) or related statutes, may file a written complaint. All written complaints regarding Title VI or ADA received by the City shall be referred immediately by the Director of Human Resources, to FDOT’s Title VI, ADA or the appropriate agency Coordinator for processing in accordance with approved State procedures.

Written complaints may be sent to:

Christine McDade
 Director, Human Resources
 City of North Port
 4970 City Boulevard
 City of North Port, Florida 34286
 Phone: (941)429-7136
cmcdada@cityofnorthport.com

*For persons with TTY/TTD or requiring calling assistance, please contact:

Florida Relay Services:711 or 1-800-955-8771 (TTY)
 1-800-955-8770 (Voice)

2. The City’s Director of Human Resources shall make every reasonable attempt to resolve verbal and non-written complaints received by the City informally. If the issue has not been satisfactorily resolved through informal means, or if at any time the complainant requests to file

a formal written complaint, the Complainant shall be referred to the FDOT's Title VI, ADA, or other appropriate agency's Coordinator, for processing in accordance with approved State procedures.

3. The City's Director of Human Resources will advise the FDOT's Title VI, ADA or other appropriate agency Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's Title VI, ADA or other appropriate agency Coordinator:
 - (a) Name, address, and phone number of the Complainant;
 - (b) Name and address of the City;
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, marital status, sexual orientation, gender identity or expression, or physical characteristic or retaliation);
 - (d) Date of alleged discriminatory act(s);
 - (e) Date complaint received by the City;
 - (f) A statement of the complaint;
 - (g) Other agencies (state, local or Federal) where the complaint has been filed; and
 - (h) An explanation of the actions the City has taken or proposed to resolve the allegation(s) raised in the complaint.
4. Within ten (10) calendar days, the City's Director of Human Resources will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EEO).
5. Within sixty (60) calendar days, the recipient's Director, and the Director of Human Resources will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to City Manager.
6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the City Manager will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FDOT's EEO, or other appropriate agency, if they are dissatisfied with the final decision rendered by the City. The City's Director of Human Resources will also provide the FDOT's Title VI, ADA or other appropriate agency Coordinator with a copy of this decision and summary of findings.

7. The City's Director of Human Resources will maintain a log of all verbal and non-written complaints received by the recipient. The log will include the following information:
 - (a) Name of Complainant;
 - (b) Name of Respondent;
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, marital status, sexual orientation, gender identity or expression, or physical characteristic or retaliation);
 - (d) Date verbal or non-written complaint was received by the recipient;
 - (e) Date recipient notified the FDOT's Title VI, ADA or appropriate agency Coordinator of the verbal or non-written complaint; and
 - (f) Explanation of the actions the City has taken or proposed to resolve the issue raised in the complaint.

**TITLE VI AND ADA PROGRAM AND RELATED STATUTES
DISCRIMINATION COMPLAINT AGAINST THE CITY OF NORTH PORT**

Name:	Telephone (home):	Telephone (work):
Address:	City, State, Zip Code:	



Name of City Staff Person that You Believe Discriminated Against You:

Address:	City, State, Zip Code:
----------	------------------------

Date of Alleged Incident:

You were discriminated because of:

Age	Color	Disability	Gender Identity or Expression or Physical Characteristic
Marital Status	National Origin (Language)		Race
Religion	Retaliation	Sex	Sexual Orientation Other

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case.

Signature:	Date:
------------	-------

Access for LEP Persons

To provide meaningful access to City programs, activities and services to persons who are Limited English Proficient (LEP), the City shall have an LEP Plan. The LEP Plan shall serve as a training tool and guide for City staff on how to recognize a person who may need language assistance and how to provide that assistance. Using the most current Census Bureau's American Community Survey data, the City shall identify the need to provide language assistance especially in the Eastern European community.

Sub Recipient LEP Assistance and Guidance

If agreements are entered into with subrecipients or subgrantees, it will actively assist each subrecipient/subgrantee in complying with the general LEP requirements and work closely with the FHWA, FDOT or other appropriate agencies to ensure substantial compliance with nondiscrimination regulations.

If such agreements are entered into with either party the City shall assist its subrecipients/subgrantees:

- Subrecipient/subgrantee will be provided with a copy of and/or the Internet link to the City's LEP plan. The LEP plan shall also include information on informing beneficiaries of their rights under Title VI and ADA and the procedures on how to file a complaint.
- City subrecipient/subgrantee contracts or agreements shall include the Civil Rights clauses.
- The City's Director of Human Resources shall monitor the flow down of LEP requirements associated with the subrecipient/subgrantee's third party contracts.

Record of Language Assistance

The City shall maintain file for language assistance requests. To date, no requests have been received.

Data Collection

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by programs, services and activities. The City accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), surveys, its community development department and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the City with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the City will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the federal regulations.

Assurances

Every three years, or to commensurate with a change in City executive leadership year, the City must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed 'assurances' and serve two important purposes. First, they document the City's commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the City may be held liable for breach. The public may view the annual assurance on the City's website or by visiting the City's offices.