

ORIGINAL

BILL NO. 4035

ORDINANCE NO. 4035

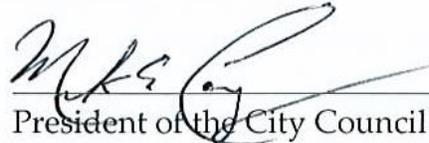
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FESTUS, MISSOURI; ADOPTING THE CITY OF FESTUS, MISSOURI TITLE VI PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FESTUS, MISSOURI, as follows:

SECTION I. That the City of Festus, Missouri Title VI plan is hereby adopted by the City of Festus, Missouri and incorporated into this Ordinance as if fully set out herein.

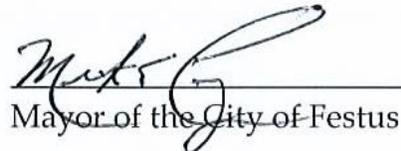
SECTION II. This Ordinance shall be and become in full force and effect from and after the date of its passage by the City Council and the approval of the Mayor.

READ TWO TIMES AND PASSED THIS 25 DAY OF April, 2012



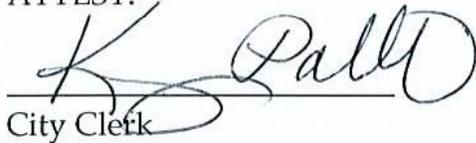
President of the City Council

APPROVED THIS 25 DAY OF April, 2012



Mayor of the City of Festus

ATTEST:



City Clerk

City of Festus, Missouri

Title VI Plan

Established April 2012

Approved by Festus City Council

April 23, 2012

Title VI Plan

I. Policy Introduction Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “No person in the United States shall, on the ground 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 (Sec. 601).”

The City of Festus (the “City”) assures that no person shall on the grounds of race, color, national origin, or sex as provided by the Title VI be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City sponsored program or activity. The City further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not.

In the event the City distributes federal funds to another entity, the City will include Title VI language in all written agreements and will monitor for compliance.

Title VI compliance is a condition of receipt of Federal funds. Assurance of compliance, therefore, falls under the proper authority of the City Council as a result of its budgetary authority and responsibility. The City Administrator and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law.

Two Executive Orders extended Title VI protections to Environmental Justice, which protects person of low income and to Limited English Proficient (LEP) Persons. The City is committed to implementing its programs, policies and activities so as to avoid disproportionately high and adverse effects on minority and low-income populations and to ensure that the City will take reasonable steps to ensure meaningful access to their services to LEP persons.

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person has a history or record of such impairment, or a person who is perceived by others as having such impairment. The City assures that no person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity because of a disability.

City Administrator

Date

II. Staffing and Structure

City Administrator

The City Administrator is authorized to ensure compliance with the provisions of the City's policy of non-discrimination and with the law. The City's grants compliance function and Title VI coordination shall be performed under the authority of the City Administrator.

Title VI Coordinator

The City has designated the City Clerk to perform the duties of the Title VI Coordinator. Other various employees within affected programs will assist as Title VI liaisons to ensure the program is carried out thoroughly and timely. Title VI liaisons will work with the Coordinator to ensure Title VI compliance by contractors, subcontractors, and other sub-recipients under federally funded projects.

III. Complaint Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended relating to any program administered by City of Festus, as well as consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law.

The procedures do not deny the right of the complainant to file formal complaints with other state or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints informally at the City level. These procedures are part of an administrative process that do not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Any individual, group of individuals, or entity that believes they have been subjected to discrimination may file a written complaint with the Title VI Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence. The City of Festus will not officially act or respond to complaints made verbally. The complaint must be filed by completing an official complaint form.

Within thirty (30) days of receiving the complaint, the Coordinator will prepare a written investigative report for the City Administrator. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. This recommendation shall be reviewed by the City's legal counsel.

Once the investigative report becomes final, both the complainant and the respondent shall receive a copy of the investigative report and will be notified of their appeal rights.

An annual Log of Complaints will be maintained by the City of Festus. The Log of Complaints will contain the following information for each complaint filed:

- The name and address of the person filing the complaint
- The date of the complaint
- The basis of the complaint
- The disposition of the complaint
- The status of the complaint

City of Festus

Title VI Discrimination Complaint Form

Instructions: Please fill out this form completely. Sign and return to the Title VI Coordinator.

City of Festus, Title VI Coordinator, Kerry Patek, 711 W. Main Street, Festus, MO 63028 or email to kerry.patek@cityoffestus.org.

Complainant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone No. (Home): _____ (Business): _____

Person discriminated against (if other than complainant)

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

What was the discrimination based on: (Check all that apply):

<input type="checkbox"/> Race/Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Familial Status
<input type="checkbox"/> Sex	<input type="checkbox"/> Low Income	
<input type="checkbox"/> Disability	<input type="checkbox"/> Age	

Date of incident resulting in discrimination: _____

Please describe how you were discriminated against. What happened and who was responsible? When did the alleged discrimination occur? Describe the acts of discrimination providing the name(s) where possible of the individuals who allegedly discriminated (if applicable) or services in violation of Federal discrimination laws. Attach additional pages if necessary.
