

City of Clarksville Title VI Management Plan

Notice:

This plan was developed to guide the City of Clarksville in its administration and management of Title VI-related activities. It is a working plan and is not codified within the City Charter nor its ordinances.

As with any other city activity, the public is invited to review and submit comments and suggestions at any time regarding the Title VI program.

Suggestions and comments may be submitted to the attention of the Title VI Coordinator, Suite 300, One Public Square, Clarksville, TN 37040, or to any member of the Human Relations Commission.

November 3, 2005

City of Clarksville Title VI Management Plan

I. Statement of Policy:

No person 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.

II. Applicability:

Program or Activity defined: A program or activity is any city department defined by the municipal charter or any organizational structure implemented by the elected officials of the City, and any appropriate board or commission established to facilitate the work of such department.

This policy applies to all activities of any department if any federal assistance is received by that department.

III. Title VI Coordinator/Human Relations Commission:

The Mayor shall designate a City employee to serve as the Title VI Coordinator. Departments which typically receive Federal funding assistance (Parks and Recreation, Police, and Streets) shall each appoint a departmental Title VI coordinator whose primary responsibility is to provide an in-place person to facilitate Title VI matters.

The Human Relations Commission shall serve as the advisory group for the Title VI function, and shall dedicate a portion of one meeting each quarter to the Title VI matters.

VI. Record Keeping:

The Title VI Coordinator will maintain permanent records, submit required Title VI reports and complete all Title VI self-surveys. Records may include, but are not limited to, rosters of Non-Elected Boards and Commissions, copies of complaints and related documentation, records of correspondence to and from complainants, and self-surveys requested by a department of the State of Tennessee or any other government entity.

VII. Title VI Information Dissemination:

Title VI information posters, including the name of the Title VI Coordinator and contact information, shall be prominently and publicly displayed in each department.

Title VI information shall be disseminated to city employees at least once per year via the Employee Education form (see Appendix) in payroll envelopes. This form reminds employees of the city's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the city's expectations to perform their duties accordingly.

Title VI information shall be disseminated to citizens at least once per year by public service announcements over local broadcast media.

Whenever possible, the City of Clarksville will take positive and specific actions to advise minorities of program availability by using such means of communication as local news media, mass media, internet messaging, and public area postings.

VIII. Subcontracts and Vendors:

All subcontractors and vendors who receive payments from the City of Clarksville where funding originates from any federal assistance received by the involved department are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IX. Public Interaction:

City facilities (such as restrooms, park facilities, sidewalks, streets, etc.) which are accessible to citizens shall be accessible without regard to race, color, or national origin.

City employees shall use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address citizens without regard to race, color or national origin.

X. Complaint Management:

SUBMITTING COMPLAINTS

All complaints shall be accepted, written or verbal. Should a complainant present allegations of Title VI discrimination verbally and refuse to reduce the complaint to writing, the Title VI Coordinator will reduce the elements of the complaint to written form. The complainant will be required to read the staff-prepared complaint and sign and date the transcript of the verbal complaint. Refusal to sign the complaint will provide basis for administrative closure of the complaint. No unsigned, undated complaint will be considered.

Complaint information shall minimally include the following items:

1. Name, address, and phone number of the complainant.
2. Name and location of the city entity delivering the service.

3. A description of the incident that led the complainant to feel discrimination occurred.
4. The basis of the complaint (race, color, or national origin) must be stated.
5. Names, addresses, and phone numbers of other persons who may have knowledge of the alleged discrimination.
6. The date or dates on which the alleged discrimination occurred.

The Title VI Complaint Form (see Appendix) may be used to submit the complaint information, but its use is not required. If the complaint form is not used, the Title VI Coordinator may request that the complainant provide any additional details that may be included on the Complaint Form to ensure information needs are satisfied.

All complaints shall be responded to, recorded, investigated, and records maintained by the Title VI Coordinator.

COMPLAINT PROCESSING

When a complaint is received, the Title VI Coordinator will assign a case number and construct a case file.

The Title VI Coordinator will review the complaint information prepare a letter to the complainant acknowledging the complaint (and requesting additional information, if necessary).

The complaint will be investigated by the Title VI Coordinator. Interviews with complainant, other persons with personal knowledge of the allegations, and city entities affected will be conducted. Parties may be accompanied by other persons of their choosing during any interview session.

The Title VI Coordinator will prepare a report of the findings of fact and a recommended action, and submit the report to the Human Relations Commission for consideration.

The Human Relations Commission will review the case and render a finding that the alleged discrimination is substantiated or not substantiated. This finding will be submitted to the Title VI Coordinator in writing, and all case materials will be returned to the Title VI Coordinator.

The Title VI Coordinator will advise the complainant by certified mail of the findings of the Human Relations Commission, and the actions that will follow.

All complaints will be handled within 60 days of their filing with the Title VI Coordinator.

In the event a complaint is filed against the City or a city department, and not an individual, the Title VI Coordinator will close the complaint case and forward the complaint information to the appropriate state entity.

An advisory will be forwarded to the appropriate state agency whenever any complaint has been received by the Title VI Coordinator.

XI. Public Involvement Plan – Capital Construction Projects

Introduction

This section of the plan lays the foundation for public involvement in planning for City of Clarksville Capital Construction projects. Public participation is encouraged throughout the project and will be incorporated into the decision-making process.

Public involvement is critical to the planning process and serves to inform the public as well as solicit public response regarding the community's needs, values and evaluations of proposed solutions.

There may be many different types of solutions, each having advantages and disadvantages. These alternative solutions can be discussed with the public to receive input and ultimately reach a solution that will best meet the city's needs.

Situation Analysis

The City will carefully identify the needs and interests of the constituency it serves focusing on human health and safety, protection of property values, the economic vitality of the area, and environmental considerations in the process of identifying, prioritizing, designing, and implementing capital construction projects.

Public Involvement Objectives

To create an open and visible decision-making process to which stakeholders have equal access and input.

To provide a mechanism by which stakeholders are informed and have an understanding of the process, issues, and possible solutions from the perspectives of various interests.

To incorporate public comments throughout the decision-making process.

Public Involvement Tools and Tactics

The following provides a partial list of community outreach and media relations tools and tactics that may be used to disseminate information about the program and provide an opportunity to solicit and incorporate public input throughout the process. These tools may be used singly or in combination, as each situation merits.

Community Outreach Media Relations

- Broadcast Coverage
- Calendar Releases
- Community Presentations
- Fact Sheets
- News Releases
- Newspaper Articles
- Public Meeting Comment Cards
- Public Meeting Notice Fliers
- Public Meetings
- Public Service Announcements
- Web Site

Public Involvement Activities Implementation Threshold

Public involvement activities will be implemented for each project exceeding \$800,000 in value.

Example of Process

Public Notification

- Public meeting notice advertisements
- Notice on web site
- Media Coverage: news releases, calendar releases, articles, Radio PSAs

Solicitation of Comments from Stakeholders

- Public meetings
- Comment cards
- Web site
- Questionnaires/Surveys

Incorporate Public Comments and Respond to Inquiries

XII. Procedure for Communicating with Limited English Proficiency Residents

In the event a person with Limited English Proficiency (LEP) initiates any contact with city personnel regarding activities, projects, or communication items, it behooves the City to provide the best services, information, or response possible, as with persons who have no language barrier.

The sequence of attempts to communicate should be:

Ask if the person can speak English. In their excitement or confusion, it is not unusual for English As a Second Language persons to revert to their native language when trying to

communicate.

Use "I Speak" cards to attempt to determine the primary language. Whether this works or not, contact the Clarksville Police Department to see if they have someone on duty who could attempt to speak to the person either face to face or on the phone to communicate with them. "I Speak" cards are available from internet listings, or from the Title VI Coordinator.

As a final method of communicating, write a note explaining that the bearer has contacted a city office (specify department, employee, and phone number) and that due to a language barrier has been unable to communicate their needs and which also requests that the person reading the note contact the city at the number provided to interpret/translate for the needy person. Give the note to the person and try to communicate that they should return the next business day, using a calendar and pointing to the date.

At all times, maintain a gracious, friendly attitude to put the resident at ease, and to indicate our attempt to be helpful.

XIII. Contracting and Minority Contractor Relationships

The City is subject to Tennessee law governing the awarding of contracts. Most simply stated, contracts are to be let to the "lowest and best bidder." Other variables cannot be inserted into non-emergency purchasing decisions.

To ensure minority-owned and women-owned businesses are afforded opportunity to be considered for contracts, the city has expanded the various means of publicizing bid announcements. While some funding agencies may require specific advertising activities, most procurement activities do not. In those cases, any or all of the following means of reaching potential vendors may be used:

- Advertising in local/state-wide news media
- Internet posting on the city web-site
- Notice posted on public bulletin board by the entrance to the Purchasing Department in City Hall
- All vendors who have completed a Vendor Application listing the service/commodity are sent a bid notice
- SBA Website search may be conducted
- Former contract holders may be contacted
- Internet searches for potential vendors

Beginning in 2003, the City launched a program of community-based seminars for small business owners on how to become a vendor and how to bid for contracts. Seminars are conducted by the Purchasing Department. All seminars are open to the public.

On occasion, specific minority contractor participation goals may set by funding agencies. Large projects may result in the procurement of a prime contractor. During pre-bid and pre-

construction conferences, potential prime contractors are advised of the minority contractor goals and the efforts required to seek sub-contract opportunities for the small contractor within the overall prime contract scope of work. This communication responsibility lies with the city project director.

APPENDIX

SPECIAL NOTE:

All material in the Appendix is ancillary to the Management Plan, and is subject to change on an unannounced basis.

APPENDIX A Employee Annual Education Form

Title VI Policy

No person 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 employees of the City of Clarksville are expected to consider, respect and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to Ron McClurg, Grants Manager, Clarksville's Title VI Coordinator, at City Hall, phone number 931-221-0741.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

APPENDIX B New Employee Orientation on Title VI

Statement of the policy: No person 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 employees of the City of Clarksville are expected to consider, respect and observe this policy in their daily work and duties. If a citizen approaches you with a discrimination question or complaint that appears to be based on some type of discrimination, direct him or her to the Title VI Coordinator, currently the Grants Manager, who serves as the Title VI Coordinator, and is located in the Finance Department, Third Floor, City Hall. Phone number is 931-221-0741.

4. Which of the following best describes the reason you believe discrimination took place?
Was it because of your:

a. Race (specify why)

b. Color (specify why)

c. National Origin (specify why)

d. What date did the alleged discrimination take place?

(Must be within the past 180 days)

5. In your own words, describe the alleged discrimination. Explain what happened, and whom you believe was responsible.

(Use more sheets or the back of this page, if needed)

6. Have you tried to resolve this complaint through internal grievance procedures at the City? _____ Yes _____ No

If yes, what is the status of the grievance?

Name and title of the person who is handling the grievance procedure.

Name _____ Title _____

7. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? _____ Yes _____ No

If yes, check all that apply:

Federal agency _____

Federal court _____

State agency _____

State court _____

Local agency _____

8. Please provide information about a contact person at the other agency/court where the complaint was filed.

Name _____

Street Address

City, State, and Zip Code

Telephone Number (_____) _____

9. Do you intend to file this complaint with another agency?

_____ Yes _____ No

If yes, when and where do you plan to file the complaint?

Date _____

Agency _____

Street Address _____

City, State, and Zip Code _____

Telephone Number (_____) _____

10. Has the complaint been filed with the city before?

_____ Yes _____ No

If yes, when? Date _____

11. Have you filed any other discrimination complaints with the city?

_____ Yes _____ No

If yes, when and against whom were they filed?

Date _____

Agency _____

Street Address _____

City, State, and Zip Code _____

Telephone Number (_____) _____

12. Please sign and date this form below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date

If this form was completed by someone other than the complainant, please provide information about who assisted the citizen with this document:

APPENDIX D Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the City of Clarksville alleging _____ in the _____ program

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 931-221-0741, or writing to me at this address.

Sincerely,

Ronald B. McClurg,
Title VI Coordinator

APPENDIX E Letter Notifying Complainant That Complaint is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the City of Clarksville alleging denial of participation of minorities in the _____ program has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Ronald B. McClurg
Title VI Coordinator

APPENDIX F Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the City of Clarksville alleging _____ in the _____ program has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The Clarksville Human Rights Commission has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Ronald B. McClurg
Title VI Coordinator

APPENDIX G Non-Elected Boards or Commissions

Board/Commission	Number	Term (yrs)	# White	# Black	# Asian	# All Other	# Hispanic Origins	# Female
Arts, Culture & History	28	varies						
Beer Board	3	2						
Board of Adjustment	5	4						
Board of Equalization	2	2						
Board of Zoning Appeals	5	5						
Citizen's Park Commission	5	3						
Disabled Resident Access Committee	5	2						
Gas and Plumbing Board	5	3						
Housing Authority	5	5						
Human Relations Commission	12	3						
Library Board	4	3						
Museum Board	7	3						
Natural Gas Acquisition Corp	7	6						
Parking Authority	5	4						
Power Board	7	3						
Public Building Authority	7	6						
Regional Airport Authority	2	5						
Regional Historic Zoning Commission	3	5						
Regional Planning Commission	5	4						
River District Commission	9	3						
Senior Citizen's Board	6	2						
Tree Board	7	3						
Visitor and Convention Board	9	3						
Veteran's Service Organization	3	4						
TOTAL	156							

APPENDIX H TITLE VI GOALS FOR 2005

1. Translate the modified policy statement into Spanish (1 version)
2. Translate the Title VI Complaint Form into Spanish (1 version)
3. Conduct the annual minority/women-owned business seminars to explain how to become a city vendor and how to become involved in the bidding process
4. Prepare a year-end report to the Mayor summarizing Title VI Accomplishments during the past year.
5. Schedule on-site Title VI Training for the Human Relations Commission
6. Assist Purchasing Department with an analysis of contractor demographics and definition of a strategy to seek additional minority and women owned business vendors.

APPENDIX I Title VI Program Accomplishments for 2004

1. Employee Education Form distributed to all City General employees in June
2. PSAs to general public in June via 5 Star Radio, stating policy on non-discrimination
3. Post-project site visit by TDOT Civil Rights Unit: Finding that City/Street Department was in compliance with provisions of Title VI.
4. Completed Title VI Self-Surveys for: Tn DHS, TEMA, Tn Dept of Finance and Administration (Internal Auditor), Tn Dept of Ag/Forestry Division, Tennessee Commission on Children and Youth
5. Submitted draft version of Title VI Plan to TDOT Civil Rights staff for review