

Program

**RESOLUTION NO. 2016- 10**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ADOPTING A TITLE VI/NONDISCRIMINATION POLICY AND PLAN FOR SUBRECIPIENTS IN THE LOCAL AGENCY PROGRAM (LAP); PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS,** the City of Dade City has previously qualified as a participant in the Florida Department of Transportation, Local Agency Program (LAP); and

**WHEREAS,** the City is currently preparing an application to requalify for the LAP program and desires to adopt an official Title VI Nondiscrimination Policy to establish a formal discrimination complaint policy and procedure for LAP grant and other state and federally funded transportation projects; and

**WHEREAS,** the City Commission has reviewed the proposed Title VI Nondiscrimination policy which is attached to this Resolution as Exhibit "A" and desires to adopt the new Policy in order to investigate and eliminate any potential discrimination in the transportation decision-making program.

**WHEREAS,** the City Commission further authorizes the City Manager to submit the Dade City Title VI/Nondiscrimination Policy and Plan for Subrecipients in the Local Agency Program (LAP) to the Florida Department of Transportation as part of the City's application for LAP grant funding.

**NOW, THEREFORE,** BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AS FOLLOWS:

**SECTION 1.** The above recitals are true and correct and incorporated herein by reference.

**SECTION 2.** The City of Dade City Commission has reviewed and hereby adopts the *Dade City Title VI/Nondiscrimination Policy and Plan for Subrecipients in the Local Agency Program (LAP)* attached to this Resolution as Exhibit "A" and made a part hereof.

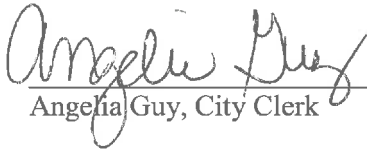
**SECTION 3.** Conflicts. All resolutions or parts of resolutions in conflict with any of the provisions of this resolution are hereby repealed to the extent of the conflict.

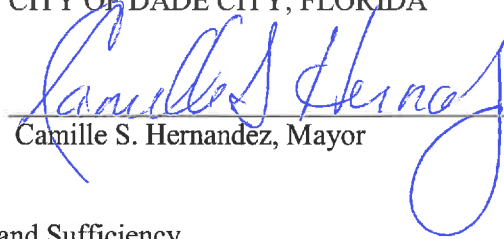
**SECTION 4.** This Resolution shall become effective immediately upon its adoption.

**DONE AND RESOLVED** this 26th day of April, 2016 by the City Commission of the City of Dade City, Florida.

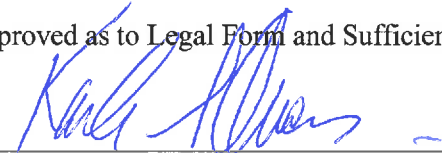
ATTEST:

CITY OF DADE CITY, FLORIDA

  
\_\_\_\_\_  
Angelia Guy, City Clerk

  
\_\_\_\_\_  
Camille S. Hernandez, Mayor

Approved as to Legal Form and Sufficiency

  
\_\_\_\_\_  
Karla S. Owens, City Attorney

**APPENDIX**  
**" A "**

## **DADE CITY TITLE VI/NONDISCRIMINATION POLICY AND PLAN FOR SUB-RECIPIENTS IN THE LOCAL AGENCY PROGRAM (LAP)**

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### **Policy Statement:**

The City of Dade City values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City believes that the best programs and services result from careful consideration of the needs of all of its communities when those communities are involved in the transportation decision making process. Thus, the City of Dade City does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

### **Complaint Procedures:**

The City of Dade City has established a discrimination complaint procedure as adopted in Chapter 58, Article II, Sections 58-31 through 58-41 of the Dade City Code of Ordinances, and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of the City's programs, services or activities may file a complaint with the Community Development Director:

Contact: Michael Sherman, AICP, Community Development Director  
Address: 38020 Meridian Avenue, Dade City, Florida 33525  
Email: [msherman@dadecityfl.com](mailto:msherman@dadecityfl.com)  
Phone: (352) 523-5050  
Fax: (352) 523-1422

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact Community Development Director, Michael Sherman for assistance.

The Community Development Director will respond to the complaint within thirty (30) days and will process the complaint in compliance with Chapter 58, Article II of the Dade City Code of

Ordinances. Should the City be unable to satisfactorily resolve a complaint, the City will forward the complaint, along with a record of its disposition to District 7, Florida Department of Transportation (FDOT).

The Community Development Director has full access to the City Manager who works directly for the City Commission. The City Manager has full authority to discuss or schedule discrimination hearings before the City Commission in accordance with Chapter 58, Article II of the Dade City Code of Ordinances. However, should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to the Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation  
Equal Opportunity Office  
ATTN: Title VI Complaint Processing  
605 Suwannee Street MS 65  
Tallahassee, FL 32399

**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 of Dade 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 ask that requests be made at least three (3) calendar days prior to the need for accommodation. Questions, concerns, comments or requests for accommodation should be

made to Community Development Director Michael Sherman, AICP, whose full contact information is set forth on Page 1 above.

**Limited English Proficiency (LEP) Guidance:**

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services or activities;
- The frequency with which LEP individuals come in contact with these programs, services or activities;
- The nature and importance of the program, service, or activity to people's lives, and;
- The resources available to the City and the likely costs of the LEP services.

The Pasco County Metropolitan Planning Organization (MPO) has previously thoroughly analyzed these factors and has determined that LEP services may be required from time to time. Therefore, as a member of the Pasco County MPO, the City of Dade City hereby adopts by reference the LEP portion only of the Pasco County MPO LEP Plan and Title VI Complaint Procedure effective December 2011, as subsequently amended, and has committed to the following:

- Full compliance with the procedures set forth in the Pasco County MPO LEP Plan; and
- The City will maintain a list of employees who competently speak Spanish and other languages and who are willing to provide translation and/or interpretation services; and
- Distribute this list to staff that regularly has contact with the public; and
- Provide notification in all public buildings, meeting agendas, public meeting notices and on public involvement event signage of the availability of LEP assistance.

The City understands that its community profile is changing and the four factor analysis may reveal the need for more or varied LEP services in the future. As such, it will annually examine its LEP plan to ensure that it remains reflective of the community's needs.

Persons requiring special language services should contact the Community Development Director, Michael Sherman, AICP whose full contact information is set forth on Page 1 above.

**Public Involvement:**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City of Dade City must have the input of its public. The City spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The City holds a number of transportation meetings, workshops and other events open to the public and which are designed to gather public input on project planning and construction. Further, the City attends and participates in other community events to promote its services to the public. Finally, the City is constantly seeking ways of measuring the effectiveness of its public involvement. Persons wishing to request special presentations by the City, volunteer in any of its activities, or offer suggestions for improvement of City public involvement may contact:

Name: City Manager William C. Poe, Jr.  
Address: 38020 Meridian Avenue, Dade City, FL 33525  
Email: wpoe@dadecityfl.com  
Phone: (352) 523-5050  
Fax: (352) 523-1422

**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 transportation programs, services and activities. The City accomplishes this through the use of census data, various driver and readership surveys from Pasco County and the MPO, 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 its 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 any federal regulations.

**Assurances:**

Every three years, 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 Hall.