



★ CITY OF ★
GLENN HEIGHTS

Title VI
Non-Discrimination Plan

City of Glenn Heights

1938-C South Hampton Rd

Glenn Heights, TX 75154

972.223.1690

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Introduction

Title VI of the Civil Rights Act of 1964 assures 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 benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance." Title VI has been broadened by related statutes, regulations, and executive orders.

Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons as a result of projects which are undertaken with federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed in February of 1994, requires federal agencies to achieve environmental justice as part of their mission by identifying disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. Environmental Justice Initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice.

Also, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance. As a recipient of federal financial assistance in its transportation and other improvement projects, the City of Glenn Heights must provide access to individuals with limited ability to speak, write, or understand the English language.

The City of Glenn Heights must not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level. Therefore, the primary goals and objectives of City of Glenn Heights's Title VI Non-Discrimination Plan are:

1. To assign responsibilities and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and pertinent directives.

2. To ensure that people affected by the City's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level.
3. To prevent discrimination in City programs and activities, whether those programs and activities are federally funded or not.
4. To establish procedures for identifying impacts in any program, service, or activity that may create an adverse impact on any person because of race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level.
5. To establish procedures to review Title VI compliance of specific program areas.
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in a City-provided service, project, program, or activity.

Discrimination Under Title VI

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is "disparate treatment." Disparate treatment is defined as treating similarly situated persons differently because of their race, color, or national origin.

The second type of illegal discrimination is "disparate impact." Disparate impact discrimination occurs when a "neutral procedure or practice" results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City of Glenn Heights's efforts to prevent such discrimination must address, but not be limited to, a program's impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the encompassing functions of planning, project development and delivery, right-of-way acquisition, construction, and research.

Title VI - Non-Discrimination Assurances

The City of Glenn Heights (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 Code of Federal Regulations (CFR) Part 21 (entitled Non-discrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964);
- 28 CFR section §50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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 otherwise subjected to discrimination under any program or activity," for which the Recipient receives federal financial assistance from US. DOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted U.S. DOT programs:

1. The Recipient agrees that each "activity," facility/ or "program," as defined in §§ 21.23(b) and 21.23(e) or 49 C.P.R § 21 will be (with regard to an "activity") facilitated, or will be (with

regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids. Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all USDOT programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Recipient, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and Appendix E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the recipient receives federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods.

- a. the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this assurance, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the U.S. DOT access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the U.S. DOT. You must keep records, reports, and submit the material for review upon request to U.S. DOT, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Recipient gives this assurance in consideration of and for obtaining any federal grants, loans, contracts, agreements, property, and/or discounts, or other federal aid and federal financial assistance extended after the date hereof to the recipients by the U.S. DOT under all Department of Transportation Programs. This assurance *is* binding on Texas, other recipients, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in all Department of Transportation programs.

The person(s) signing below is/are authorized to sign this assurance on behalf of the Recipient.



Clifford Blackwell, CGFO, MPA
City Manager
City of Glenn Heights

6-18-25

Date



City of Glenn Heights Title VI Policy Statement

The City of Glenn Heights, Texas, as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any City programs or activities.

Date: June 17, 2025

A handwritten signature in black ink that reads "Clifford W. Blackwell".

Clifford Blackwell, CGFO, MPA

City Manager

Authorities

Title VI of the Civil Rights Act of 1964, (42 U.S.C. 2000d et seq., 78 stat. 252

This statute provides 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 otherwise subjected to discrimination under any program or activity receiving federal financial assistance."

The 1970 Uniform Act (42 U.S.C. 4601)

This statute prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federally assisted programs or activities.

Federal Aid Highway Act of 1973 (Section 324, Title 23 U.S.C.)

Provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Section 504 of the Rehabilitation Act of 1973

Prohibits discrimination based on a handicap/disability.

The Civil Rights Restoration Act of 1987

This statute restored the intent of Title VI and the broad, institution-wide scope and coverage of nondiscrimination statutes to include all programs and activities of federal-aid recipients, subrecipients, and contractors, whether those programs and activities are federally funded or not.

49 CFR Part 2

U.S. Department of Transportation (U.S. DOT) Regulations for the Implementation of Title VI — requires assurances from states that nondiscrimination under any program or activity for which the recipient receives federal assistance from the U.S. DOT, including the Federal Highway Administration (FHWA) will be prevented.

Executive Order No. 12898

Addresses federal actions to address Environmental Justice in minority populations and low-income populations.

Executive Order No. 13166

Addresses the improvement of access to services for persons with Limited English Proficiency.

Executive Order No. 12250

Department of Justice Leadership and Coordination of Non-Discrimination Laws

28 CFR 50.3

Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964

Organization & Staffing

The City of Glenn Heights Title VI/Nondiscrimination Plan has been created in accordance with state and federal rules and falls within the scope and responsibilities of the HR/ADA Officer. The HR/ADA Officer serves as the Title VI/Nondiscrimination Coordinator for the City of Glenn Heights. With support from the Director of Human Resources, the Title VI Coordinator is responsible for all aspects of the City's Title VI/Nondiscrimination Program and has been delegated sufficient authority and responsibility to effectively carry out the duties assigned to this position.

The City of Glenn Heights organizational chart, included as Attachment J, depicts the relationship the Title VI/Nondiscrimination Coordinator has with the Director of Human Resources.

Staffing

The HR Generalist is responsible for administering the City's Title VI/Nondiscrimination Program and reports to the Director of HR and has direct access at any time.

Title VI/Nondiscrimination Coordinator

The Title VI/Nondiscrimination Coordinator works to ensure there is a demonstrated commitment on the part of Human Resources Office to enforce Title VI and is responsible for overall Title VI program implementation. Specifically, this person has the authority and responsibility to implement the Title VI program by:

- Recommending, developing, disseminating, monitoring, and pursuing policies and guidelines on the implementation of Title VI;
- Providing leadership, guidance, and technical assistance to program areas having significant impacts on the public and businesses, which are referred to as federal program areas, in carrying out their Title VI responsibilities;
- Reviewing, evaluating, and monitoring programs related to Title VI and effectuating changes to ensure consistency and program effectiveness;
- Ensuring that all complaints of discrimination or complaints alleging non-compliance with Title VI are processed, investigated, and resolved in a fair and timely manner in accordance with Title VI and federal operating regulations; and
- Advising the HR Director concerning significant developments in the implementation of the City of Glenn Heights's Title VI/Nondiscrimination Program.

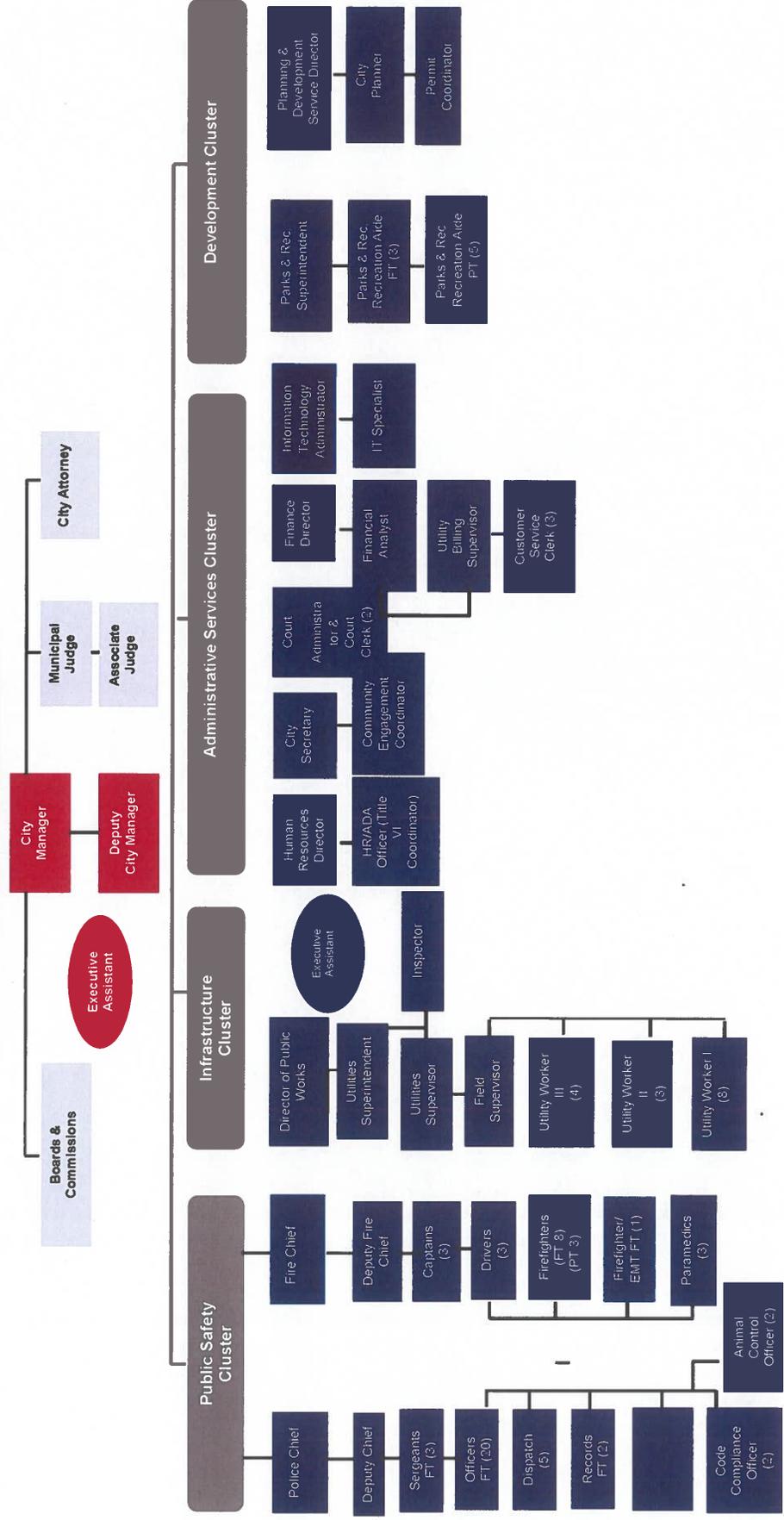
Interdisciplinary Approach

The City of Glenn Heights's Title VI/Nondiscrimination Plan relies on an interdisciplinary approach for maintaining compliance with Title VI. The Title VI Coordinator works with other department directors in ensuring compliance with Title VI/Nondiscrimination requirements.



Citizens of Glenn Heights

Mayor and City Council



Program Review Procedures

Internal Title VI reviews will be performed annually in the form of a Title VI questionnaire. The internal review is a questionnaire tailored with general and program specific questions that focus on gathering information about the implementation of Title VI/Nondiscrimination requirements. Once the questionnaire is completed, the information will be summarized and transferred in an report.

Process for implementing and completing the review:

- Program areas identified as part of Title VI/Nondiscrimination Plan will be evaluated annually.
- Title VI/Nondiscrimination Coordinator will review each questionnaire response and analyze the data to determine if any discriminatory trends exist. In the event that deficiencies are identified, the Title VI Coordinator will submit a corrective report and work closely with that program area or department to resolve the issue.
- Where an issue requires corrective action, the Title VI Coordinator will work with the program area or department to schedule and complete the corrective actions.

Findings

The findings will be used to determine what areas Title VI Coordinator may need to provide additional technical assistance and identify strategic goals for the next year.

Special Emphasis Program Areas

Special emphasis program areas are those areas where specific demographic groups might face disproportionate barriers or discrimination.

Finance Department

The Finance Department is responsible for the creation and administration of negotiated contracts. This department will monitor contracting procedures and activities for practices that adhere to the Title VI/Nondiscrimination Plan. In addition, the Finance Department will ensure that federal-aid construction contracts include the required language, provisions, and attachments that are required for compliance with Title VI. Some considerations for internal review will include:

- Number and amount federally funded construction and professional service contracts awarded at the City of Glenn Heights;
- Demographic information on business owners with professional service contracts; and
- Description of procedures to ensure federally required nondiscrimination language is in all federal-aid contracts.

The Finance Department is also responsible for procuring a variety of professional services for City projects. They establish procedures regarding the bidding and award process to ensure it is being conducted in compliance with Title VI and ensure bid proposals and consultant contracts include, when required, Title VI language.

Planning/Economic Development

Planning/Economic Development coordinates the acquisition of land to build, widen or enhance highways. This department will monitor property acquisition for practices that adhere to the Title VI/Nondiscrimination Plan. Planning/Economic Development will ensure that policies and procedures for property acquisition are applied in a fair, equitable and nondiscriminatory manner in accordance with the Uniform Relocation Act of 1970. Some considerations for internal review will include:

- Demographics of relocatees and other beneficiaries of the Real Estate Administration compensation and/or relocation assistance program;
- Data regarding the appraisal process, including just compensation offers and supporting documentation;
- Information on accommodations provided to LEP persons and frequency of interpretation services provided; and
- Data on right of way acquisition and relocation contracts including award amounts and demographic data on consultant firm ownership.

Public Works

The Public Works Department oversees the design and placement of signs, signals, pavement markings and intelligent systems. This department also develops traffic safety initiatives to reduce fatalities and serious injuries from motor vehicle crashes. The Public Works Department will monitor projects and activities for practices that adhere to the Title VI/Nondiscrimination Plan. Some considerations for internal review will include:

- Demographic profiles of project areas identified for the placement of traffic safety activities and internal procedures for maintaining Title VI compliance; and
- Demographic data regarding the distribution of services in minority and low-income population areas requiring signs, ADA accommodations, signals pavement markings and lighting improvements

Subrecipient Review Procedures

The vision of the City of Glenn Heights is to be welcoming, safe and vibrant community that blends its small-town charm with urban amenities. It aims to be a place where families can thrive, with a focus on improving infrastructure, promoting economic development, and encouraging community engagement. As the sub-recipient of federal transportation funds, the City of Glenn Heights must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, religion, national origin (including Limited English Proficiency), age, sex, disability, or income level sex. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The City of Glenn Heights shall also ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. The City of Glenn Heights, as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City of Glenn Heights will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

Data Collection, Reporting and Analysis

To identify trends or patterns of discrimination due to race, color, national origin, age, sex, disability, income, and English language proficiency) within those areas, the following will be used to evaluate, monitor processes, and create strategies:

- Data Collection
- Reporting
- Analysis
- Community engagement
- Accessibility for Limited English Proficient (LEP) individuals

Data Collection

Statistical data on race, color, national origin, sex, age, and disability, income, and English proficiency, of participants in and beneficiaries of the City of Glenn Heights programs will be gathered annually and analyzed to determine the transportation investment benefits and burdens to the public, including minority and low-income populations. Beneficiaries include relocatees, impacted citizens, and affected communities. Collecting, analyzing, and maintaining statistical data are crucial elements of the Title VI Program because they constitute an effective mechanism by which to numerically verify the distribution and impact of program funding.

Each **program area** is responsible for collecting Title VI/Nondiscrimination-related data and analyzing the data annually to identify and address any trends or patterns of discrimination. Data collection is key to ensuring that transportation programs, services, facilities and projects effectively meet the needs of “all persons” without discrimination. Based on Title VI implementing regulations, each program area is required to:

1. Provide for the collection of data and information to demonstrate effective enforcement of Title VI;
2. Collect data about beneficiaries;
3. Analyze the data and information collected;
4. Identify potential discrimination to eliminate if found; and
5. Take affirmative measures to ensure nondiscrimination.

Program areas are responsible for collecting data on race, color, national origin, age, sex, disability, income, and English proficiency, as it pertains to their potential interaction with the public. Additional data can include language spoken other than English and income status.

Potential sources of data and analysis tools include:

- Census Data
- North Central Texas Council of Governments
- Land Use Plans
- Geographic Information Systems

Reporting

Internal Title VI reviews are performed annually. Data analysis summary results will be included in the Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report.

Analysis

Once the Title VI data is collected, the data must be analyzed for identifying patterns of discrimination or the potential for discrimination. Each program area is responsible for analyzing the data collected and recommending corrective action, as appropriate to the Title VI Coordinator. A pattern of discrimination may result from a specific process, or as the result of a process or procedure being implemented in a discriminatory manner.

When determining compliance with Title VI, each program area may consider the following:

- The way services are or will be provided and the related data necessary for determining whether any persons are, or will be denied such services on the basis of their protected class as defined by Title VI authorities;
- The population eligible to be served by race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level
- The location of existing or proposed facilities connected with the program, and related information adequate for determining whether the location has, or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination;
- The present or proposed membership by race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level, in any planning or advisory body which is an integral part of the program; and
- Where determination of location is involved, the requirements and steps used or proposed to guard against unnecessary impact on persons on the basis of race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level

Training

The City of Glenn Heights will ensure that its staff understand Title VI of the Civil Rights Act of 1964 and how it may apply to their work. The following options are available for providing training:

Review of the City of Glenn Heights Title VI Plan

- Attendance at any available Title VI trainings provided by the Texas Department of Transportation, U.S. Department of Transportation or its applicable operating administrations, or the U.S. Department of Justice.
- Viewing the video Understanding and Abiding by Title VI of the Civil Rights Act of 1964 produced by the U.S. Department of Justice

Glenn Heights will maintain records indicating that staff have received sufficient training on a periodic basis.

Limited English Proficiency (LEP) Plan

On August 1, 2000, President William J. Clinton signed Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency to clarify Title VI of the Civil Rights Act of 1964. The purpose of this order is to ensure accessibility to programs and services for otherwise eligible persons who are not proficient in the English language.

This executive order states that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation "LEP," or Limited English Proficient. The Executive Order states that:

"Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities."

Not only do all federal agencies have to develop LEP plans as a condition of receiving federal financial assistance, but recipients also must comply with Title VI and LEP guidelines of the federal agency from which funds are provided.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies to nonprofits and organizations. Title VI covers a recipient's entire program or activity. This means all parts of a recipient's operations are covered, even if only one part of a recipient's organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

Federal law requires that people who are LEP have meaningful access to federally conducted and federally funded programs and activities. Moreover, federal agencies are required to ensure that recipients of federal financial assistance provide meaningful access to their LEP constituencies.

The City of Glenn Heights follows Executive Order 13166 in identifying and engaging limited English proficient (LEP) populations to ensure their involvement and knowledge of programs and activities in and around their community. A Limited English Proficient person is defined as one who does not speak English as his or her primary language and has a limited ability to read, write, or understand English. The City of Glenn Heights' approach for engaging Limited English Proficient individuals is to provide interpretation services to individuals who request them if reasonable accommodations can be made. In addition, the City of Glenn Heights proactively identifies communities with high concentrations of Limited English Proficient persons and employs tactics and strategies to effectively engage them in the planning process.

Compliance and Enforcement Procedures

Identifying and Eliminating Discrimination

The City of Glenn Heights will actively pursue the prevention of Title VI deficiencies and will take the necessary steps to ensure compliance with all administrative program requirements. To further enhance the ability to identify and eliminate patterns of discrimination, the city will ensure that information regarding Title VI roles and responsibilities is properly disseminated.

City personnel will conduct compliance reviews to: 1) ensure compliance with Title VI; 2) provide technical assistance when needed in the implementation of Title VI/Nondiscrimination Program; and 3) correct deficiencies, when found to exist. When conducting Title VI compliance reviews, any deficiencies will be communicated in writing with the remedial action agreed upon by City staff and all other parties involved. Efforts to secure voluntary compliance will be undertaken at the outset in every noncompliance situation and will be pursued through each enforcement action. The city will seek the cooperation of its program areas in correcting deficiencies found during the review.

Title VI Information Dissemination

The City of Glenn Heights disseminates its Title VI Nondiscrimination Policy Statement, Title VI Nondiscrimination Plan, and complaint procedures to employees and the public, by including the policy statement on the City's website. This information is also available from the Title VI Coordinator. Title VI information shall be prominently and publicly displayed in the Administrative Offices of the City of Glenn Heights at 1938-C South Hampton Rd, Glenn Heights, TX 75154, and every facility with access to the public.

Subcontracts and Vendors

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

Title VI Complaint Procedure

This Complaint Procedure is established to meet the requirements of the Title VI of the Civil Rights Act of 1964. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level in the provision of services, activities, programs, or benefits by the City of Glenn Heights. The City's Administrative Directives govern employment-related complaints of discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem including whether it is related to race, color, national origin (including Limited English Proficiency), age, sex, disability, or income level. Alternative means of filing complaints will be made available for persons with disabilities upon request.

Within 15 calendar days after receipt of the complaint, the Title VI Coordinator or his/her designee will contact the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the initial contact, the Title VI Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the City of Glenn Heights and offer options for substantive resolution of the complaint.

If the complaint is related to transportation, then the City shall forward the complaint to the City Engineer, Public Works, or TxDOT within 10 days.

If the response by the Title VI Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will contact the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Title VI Coordinator or his/her designee, appeals to the City Manager or his/her designee, and responses from these two offices will be retained by the City of Glenn Heights for at least three years.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 180 calendar days after the alleged violation to:

Sir Fabian Freeman
Human Resources/ ADA Officer
City of Glenn Heights
1938-C S. Hampton Rd.
Glenn Heights, TX
75154
972-223-1690
Email: sirfabian.freeman@glennheightstx.gov

Complaint Logs

The Title VI Coordinator shall maintain a log of any external discrimination complaints or lawsuits filed naming the City of Glenn Heights, which alleges discrimination with respect to Title VI concerns. The log shall include information on each complainant to include:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment, etc.
- The identity of the complainant.
- The recipient.
- The race, color, national origin, age, sex, disability, income, or English language proficiency of the complainant.
- The nature of the complaint.
- The dates the complaint was filed.
- A summary of the allegation.
- The date the investigation was completed.
- The disposition.
- The date of the disposition, including whether the parties to a lawsuit have entered into a consent decree.
- Any other pertinent information (such as age or disability).

Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, Title VI complaints or lawsuits and related documentation, compliance records, and records of correspondence to and from complainants, and Title VI investigations. The records shall be maintained for a period of ten years or pursuant to the requirements of the Texas Library Archives Records Retention Schedules, whichever is longer.

Public Involvement

The Public Involvement demonstrates how the City, working with TxDOT and their mandated process, provides opportunities for public review and comment at key decision points during the citywide transportation improvement planning process. The process consists of open discussion of planning documents in local government forums, public meetings, informational exhibits, published advertisements and, if required, a Public Hearing.

All City projects follow the Texas Open Meetings procedures which require a Public Meeting to provide the public with information on the project and its likely impact on the project area.

Public Involvement and Consultative Tools

Besides the Public Meeting process, the City uses a number of methods to communicate information regarding projects and opportunities for public and stakeholder participation in the planning process:

- Newsletters and direct mailings
- Media releases
- Visualization presentations
- Local community public meetings
- TxDOT's interactive internet site
- Social media such as Facebook

Public Involvement Considerations

Public Involvement is an ongoing aspect of the project planning process that encourages and solicits public input and provides the opportunity for the public to become fully informed about project development. Public Involvement considerations include:

- Types of Public Involvement Procedures
- Specialized Public Involvement — Cultural Resources
- Public Involvement Following Project Approvals
- Notices and Media Releases

Types of Public Involvement Procedures

Meetings to discuss the recommended projects are advertised allowing any interested citizen to provide input in the project planning and programming process. In some instances, these meetings can be considered adequate Public Involvement for minor projects constructed in existing right of way and/or general maintenance projects. However, depending on the type and complexity of the project, public concerns, associated social economic, and environmental factors, additional Public Involvement may be required. Types of additional Public Involvement efforts may include:

- **Planning and Zoning Meeting** — These meetings are held with property owners who may be affected. Planning and Zoning meetings typically focus on land use and zoning matters and are mandated by both state and local regulations to occur before a project can proceed. Due to their formal nature, these meetings follow a standardized format. They often include agenda items that require a public hearing, allowing residents the opportunity to provide input and feedback on proposed development.
- **Public Meetings** — Public meetings are held to inform the public and provide a forum for a free exchange of project views and concerns. Public meetings occur as early as TxDOT determines it feasible to assure public input in project planning, location, and design alternatives. Public meetings include meetings with interested citizens, the general public, or local, neighborhood, or special interest groups.
- **Opportunities for Public Hearing** — An opportunity for public hearing is advertised to determine if any interested citizens desire TxDOT to hold a public hearing for a proposed project. This is a minimum requirement for projects requiring a substantial change in layout or function of the roadway or connecting roadways or requiring measurable adverse impact. If no requests for public hearing are received by the deadline, the district will submit a certification to that effect signed by the Engineer or his/her designee.
- **Public Hearings** — Public hearings are held to present project alternatives. They also serve to encourage and solicit public comment on the location, design, and environmental analyses of a project

Public Involvement Following Project Approvals

Additional Public Involvement (opportunity, public hearing, public meeting, or limited meeting) is scheduled when:

- Substantial change occurs in the project (major design changes, changes in right of way requirements, etc.).
- Substantial unanticipated development occurs in the project area.
- New significant social, economic, and environmental effects are identified as project related.

- An unusually long time passes before major steps are taken to advance the project. Major steps include authority to acquire Right of Way and issuance of construction Letter of Authority.

Notices and Media Releases

Notices and media releases will follow The City of Glenn Heights guidelines and policies. This may include:

- Publishing Notices — Official notices are published in local general circulation newspapers, regional newspapers (if there is no local newspaper) and special interest newspapers such as neighborhood, ethnic, foreign language. If the predominant language of an area is not English, notices will be published in the predominant language.
- Publication Requirements — The opportunities for public hearing notice are published approximately 30 days prior to the deadline for submission of written requests for holding a public hearing and at a minimum, a public hearing notice will be published at least 30 days before the day of a public hearing.
- Other Forms of Publicity — Other forms of publicity include temporary signs, leaflets posted in public locations, media releases, notices mailed to residents etc.
- Media Releases — Media releases can be used any time to publicize meetings or other information about projects. Once the Public Involvement process is complete, project planning and development decisions are to be publicized through press releases to inform the public about the project. Any changes to a transportation project may require additional Public Involvement.
- Notice of Construction — The District will send a notice of impending project construction to landowners abutting the roadway within the project limits, local governments, and public officials. Projects that involve the addition of at least one travel lane or construction on a new location require notices of construction. The notice is sent at least 90 days prior to the proposed letting date.

Community Outreach

Community Outreach is a requirement of Title VI recipients and sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected population, the public involvement process, and the resources of the recipient.

The following community outreach efforts are being made:

- The Title VI plan will be located on The City of Glenn Heights's website.
- The City of Glenn Heights's website is available in three languages: English and Spanish.
- City election notices are provided in English and Spanish as required by Title 16, Chapter 272 of the Texas Elections Code.
- All City of Glenn Heights City Council meetings are open to the public and follow Title 5, Subtitle A, Chapter 551 of the Texas Open Meetings Act.
- Employment notices are posted in the City's Human Resources Department and other high-profile locations in accordance with Federal and State laws. All notices are posted in both English and Spanish.

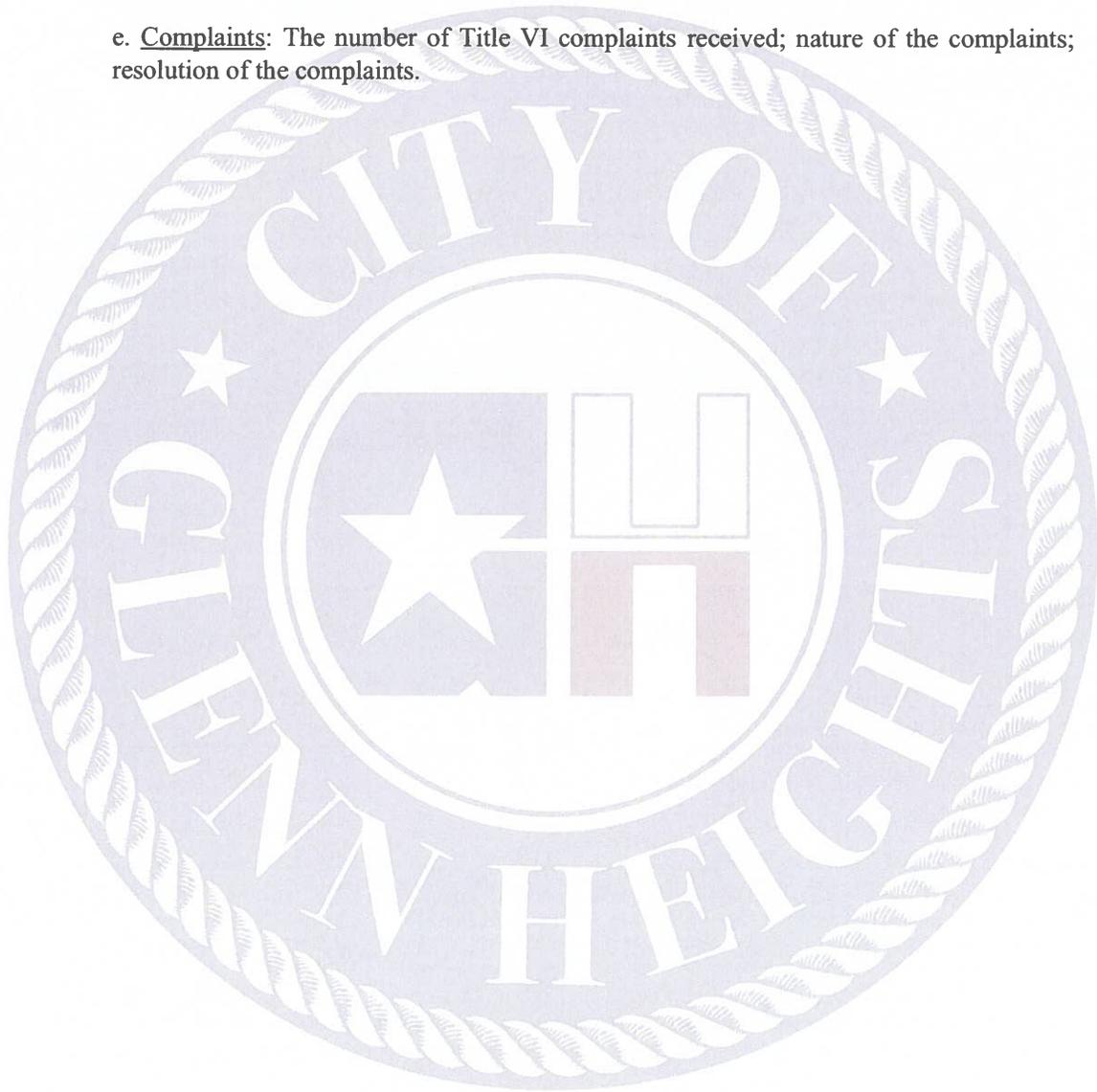
Annual Work Plan and Accomplishment Report Process

1. The City's Title VI Plan and Policy Statement will be published on the City's website. The Policy Statement will also be posted in conspicuous locations.
2. The City of Glenn Heights will provide language assistance when requested.
3. City personnel will be made aware of the LEP procedure and the Title VI complaint procedure.
4. City facilities will be open to the public and will offer services in compliance with the Americans with Disabilities Act.
5. The following data will be periodically collected and reviewed by the Title VI Coordinator and transmitted upon request to state officials:
 - a. Boards and Commissions: The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities.
 - b. Public Meetings: The number of Public Meetings or Open Houses directly related to federally funded planned projects; how meeting dates and times are communicated to the general public and to individuals directly affected by the meetings.

c. Construction Projects: The number of federally funded construction projects; number of minority contractors bidding, and the number selected; verification that Title VI language was included in bids and contracts for federally funded each project.

d. LEP Needs: If possible, number of requests for language assistance or number of instances in which language assistance was required, and the outcome of these requests.

e. Complaints: The number of Title VI complaints received; nature of the complaints; resolution of the complaints.



APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in federally assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin) age, sex, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, national origin age, sex, or disability.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. Cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporations of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will

take action with respect to any subcontract or procurement as the Recipient, or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.



APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the City of Glenn Heights will accept title to the lands and maintain the project constructed thereon in accordance with all applicable federal statutes, the Regulations for the Administration of all Department of Transportation programs, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. S 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Glenn Heights all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Glenn Heights and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the City of Glenn Heights.

The City of Glenn Heights, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin (including Limited English Proficiency) age, sex, disability, or income level, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the City of Glenn Heights will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction]. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Glenn Heights pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin age,sex, disability, or income level, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the City of Glenn Heights will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. *

C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the City of Glenn Heights will have the right to enter or re-enter the lands and facilities thereon, and the above-described lands and facilities will there upon revert to and vest in and become the absolute property of the City of Glenn Heights and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the City of Glenn Heights pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, national origin age, sex, disability, or income level, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin age, sex, disability, or income level, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the City of Glenn Heights will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Nondiscrimination covenants, the City of Glenn Heights will there upon revert to and vest in and become the absolute property of the City of Glenn Heights and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. S 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. S 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. S 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. S 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. S 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. S 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. SS 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. S 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).