CITY OF FERNLEY
CITY COUNCIL
AGENDA REPORT

Meeting Date: January 6, 2021

REPORT TO:	Mayor and City Council
REPORT THRU:	Daphne Hooper, City Manager
REPORT FROM:	**Michael Toombs, Deputy City Manager**
REVIEWED BY:	Brandi Jensen, City Attorney
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT: Yes: ☐ No: ☒	**CURRENTLY BUDGETED:** Yes: ☐ No: ☒	**FUND/ACCOUNT:**

ACTION REQUESTED: ☐Consent ☐Ordinance ☐Resolution ☒Motion ☐Receive/File

AGENDA ITEM: Staff Report (For Possible Action):
Approval of the City of Fernley's Title VI Implementation Plan.

Business Impact (per NRS Chapter 237):
☐   A Business Impact Statement is Attached.

☒   A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

Agenda Item Brief:
Recipients of public funding from Federal Highway Administration (FHWA), and the Nevada Department of Transportation (NDOT) are required to develop policies, programs, and practices that ensure Federal Transit dollars are used in a manner that is nondiscriminatory as required under Title VI. The City of Fernley must have a Title VI Plan adopted by City Council.

See attached report for background, analysis, alternatives.

RECOMMENDED MOTION:

A.   "I move to approve the City's Title VI Implementation Plan."

ALTERNATIVES:

None – as subrecipient of Federal funds provided by NDOT via FHWA, program is required to receive funds.

PROJECT SUMMARY:

Subrecipients of public funding from Federal Highway Administration (FHWA), and the Nevada Department of Transportation (NDOT) are required to develop policies, programs, and practices that ensure Federal Transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how the City of Fernley incorporates nondiscrimination policies and practices in providing services to the public.

BACKGROUND:

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the 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 (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, and or contractors whether those programs and activities are Federally funded or not

Executive Order 13166 placed renewed emphasis on Title VI issues, to ensure meaningful and equal access in programs and activities to persons with Limited English Proficiency (LEP).

This plan designates a Title VI Coordinator, which has been assigned to the Deputy City Manager. This position is responsible for the implementation of the plan to ensure all actions taken by the City follow Title VI of the Civil Rights of 1964 and all regulations, policies, and laws regarding non-discrimination. Further, plan implementation will include a full review of contracts, policies, and practices to ensure compliance with these regulations. The City will establish an annual training program and data collection processes for compliance.

LEGAL IMPLICATIONS:
Title VI of the Civil Rights Act of 1964
EO 13166

FINANCIAL IMPLICATIONS:
A small amount (up to $1,000) could be spent to provide services required under Title VI. Costs associated with implementation, training, and other needs will be included in the FY 2021-2022 budget and beyond.

ATTACHMENTS:
City of Fernley Title VI Implementation Plan