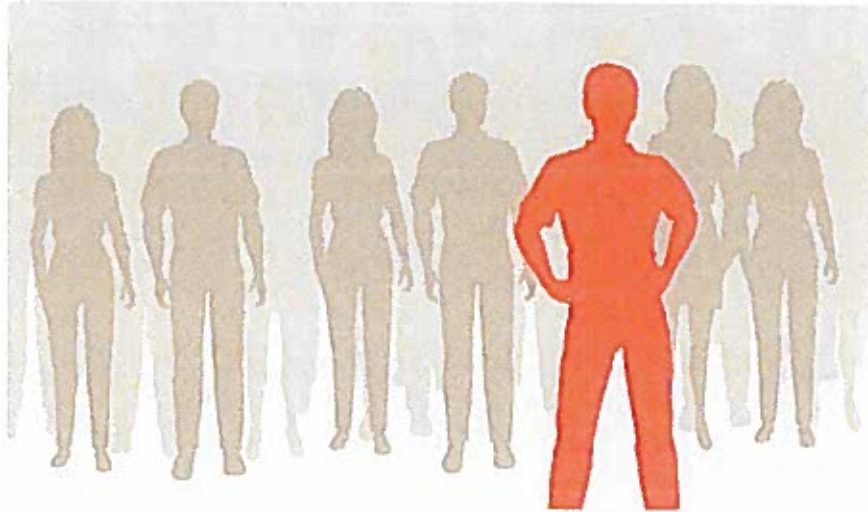


CITY OF DETROIT
TITLE VI
NON-DISCRIMINATION PLAN



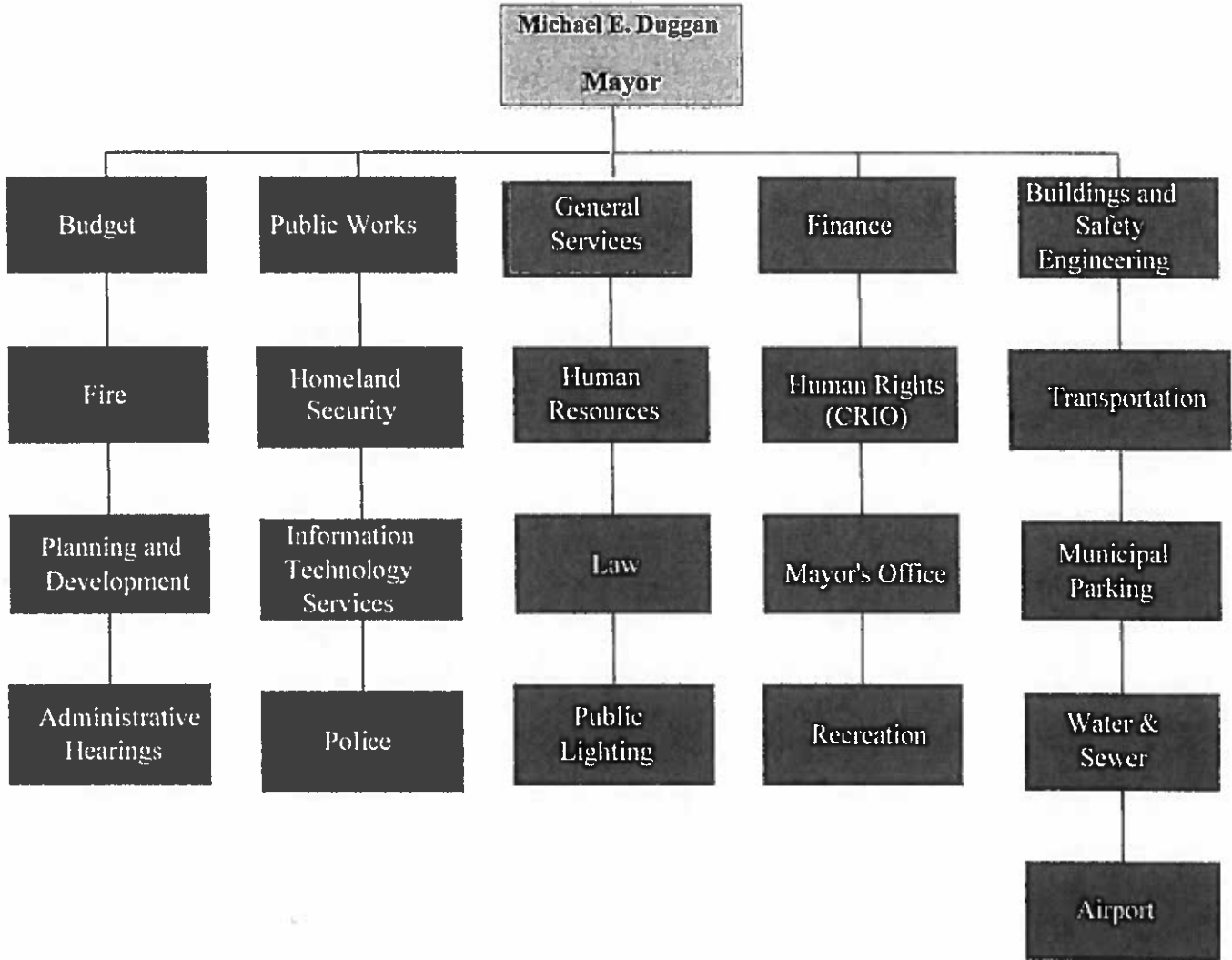
Civil Rights, Inclusion, and Opportunity Department
2 Woodward Avenue, Suite 1240
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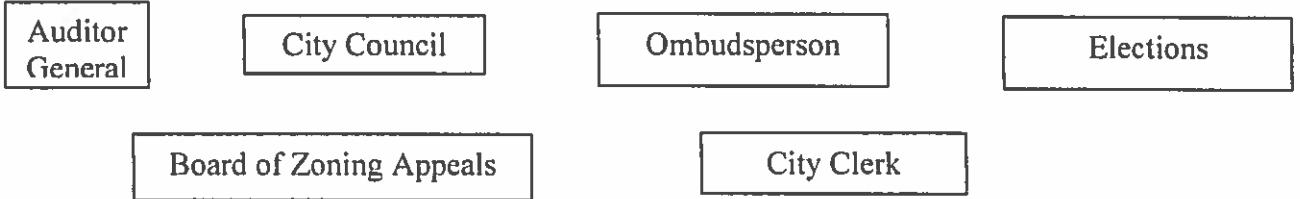
Organizational Chart

Executive Branch



**Michael E. Duggan
Mayor, City of Detroit**

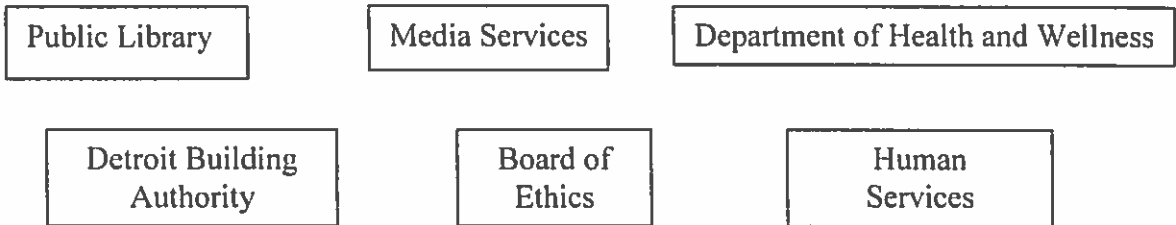
Legislative Agencies



Judicial Agency



Non-Departmental



INTRODUCTION

The City of Detroit, also known as the Motor City, is the birthplace of the automobile and the “Motown Sound”. Detroit developed from a small fur trading post to a world-class industrial powerhouse and became the fourth largest American city by the mid-20th century. Detroit, settled in 1701, is one of the oldest cities in the Midwest. Pursuant to the provisions of the State of Michigan Constitution, Detroit is a home rule city (self-governing in its local matters) with significant independent powers. In accordance with the 2012 City Charter (“Charter”), the City is led by two (2) branches of government: the Executive Branch, which is headed by the Mayor, and the Legislative Branch, which is headed by nine (9) elected members of the Detroit City Council. The Mayor, as chief executive of the City, has control of and is accountable for the Executive Branch of City government. The Charter grants the Mayor broad managerial powers, including appointment of most department directors and deputy directors.

The City of Detroit is a municipal organization that recognizes its subordination to the citizens of Detroit. The City shall provide public peace, health and safety of persons and property within its jurisdictional limits. The people have a right to expect action by the City’s officers in seeking to advance, conserve, maintain and protect the integrity of the human, physical and natural resources of this city from encroachment and/or dismantlement. The City has an affirmative duty to secure the equal protection of the law and equality of opportunity for all persons, including minority populations, the elderly, low income populations, and person with disabilities, and those who traverse the City. Subsequently, no person shall be denied the enjoyment of civil or political rights or be discriminated against in the exercise thereof because of race, color, creed, national origin, age, disability, sex, sexual orientation, gender expression or gender identity.

Title VI of the Civil Rights Act of 1964, is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives Federal assistance. Specifically, Title VI 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 its mission by identifying disproportionately high and adverse human health or environmental effects of its 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, the City of Detroit must provide access to individuals with limited ability to speak, write, or understand the English language. The City of Detroit will 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, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin. Therefore, the primary goals and objectives of the City of Detroit's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the City of Detroit's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the City of Detroit's 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 illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the City of Detroit;
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 the City of Detroit services, programs or activities.

As the sub-recipient of Federal funds, the City of Detroit 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, sex, socio-economic status, or geographical location. 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 Detroit 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 Detroit, as a sub-recipient who distributes Federal funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City of Detroit 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.

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, national origin, sex, disability, or age.

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 Detroit’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 overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The City of Detroit has developed this Title VI Plan to assure that services, programs, and activities of the City of Detroit are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

**CITY OF DETROIT – TITLE VI
NON-DISCRIMINATION POLICY STATEMENT**

The City of Detroit reaffirms its policy to allow all individuals the opportunity to participate in Federal financially assisted services and adopts the following provision:

“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.” In applying this policy, the City of Detroit and its sub-recipients of Federal fund shall not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual’s receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others;
5. Adopt or use methods of administration, which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with Federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way, which would limit or impede access to a Federally-funded service or benefit.

The City of Detroit will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in

the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

The City of Detroit designates **Lesa C. Kent**, as the **Title VI Coordinator**. The Title VI Coordinator will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of Detroit complies with the Title VI regulations and pursues prevention of Title VI deficiencies or violations.

Inquiries concerning the City of Detroit and Title VI may be directed to:

Lesa C. Kent,
Title VI Coordinator
Coleman A. Young Municipal Center,
2 Woodward Avenue -Suite 1240,
Detroit, Michigan 48226
Phone: (313) 224-2942 or (313) 224-4950
Fax: (313) 224-3434
E-mail: Kentl@detroitmi.gov.



Michael E. Duggan, Mayor
City of Detroit



Portia L. Roberson
Group Executive, Civil Rights
City of Detroit

**CITY OF DETROIT
TITLE VI ASSURANCES**

The City of Detroit (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-Assisted Programs for the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives; that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, 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 received Federal financial assistance from the U.S. Department of Transportation, including the Federal Highway Administration, and hereby gives assurances that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) and (b) of the Regulations.

More specifically, and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the Federal Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

"The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Sub-title A, Office the Secretary, Part 21, Nondiscrimination in federally assisted programs of the U.S. Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full 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. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall 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 shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway 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 shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom it delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient acknowledges that interested parties may have the right to seek judicial enforcement to any matter arising under the Act, the Regulations, and this assurance.

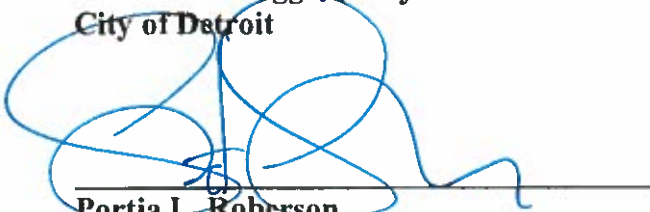
This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Michael E. Duggan, Mayor
City of Detroit



Date



Portia L. Roberson
Group Executive, Civil Rights



Date

AUTHORITIES

Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h);

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), 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 (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Federal Aid Highway Act of 1973, 23 USC 324: No person shall on the ground 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 under this title or carried on under this title.

Age Discrimination Act of 1975, 42 USC 6101: No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.

Americans With Disabilities Act of 1990 PL 101-336: No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

Section 504 of the Rehabilitation Act of 1973: No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.

USDOT Order 1050.2: Standard Title VI Assurances

EO12250: Dept. of Justice Leadership and coordination of Non-discrimination Laws.

EO12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

28 CFR 50.3: Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

EO13166: Improving Access to Services for Persons with Limited English Proficiency.

DEFINITIONS

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to: (See Appendix E for additional discussion of “significant”)

- Bodily impairment, infirmity, illness or death
- Air, noise and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms or non-profit organizations
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City of Detroit programs, policies and activities

Federal Assistance – Includes grants and loans of Federal funds; the grant or donation of Federal property and interests in property; the detail of Federal personnel, Federal property or any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any Federal agreement, arrangement or other contract which has, as one of its purposes, the provision of assistance.

Limited English Proficiency - Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the City of Detroit.

Low-Income – A person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <http://aspe.hhs.gov/poverty/>).

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City of Detroit program, policy or activity.

Minority – A person who is:

- a. *Black* – A person having origins in any of the black racial groups of Africa;
- b. *Hispanic* – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- c. *Asian American* – A person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or

d. *American Indian and Alaskan Native* – A person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City of Detroit program, policy or activity.

Non-Compliance – A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

Persons – Where designation of persons by race, color or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

Program – Includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of Federal financial assistance or provided by others through contracts or other arrangements with the recipient.

Recipient - Any State, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

Significant Adverse effects on Minority and Low-Income Populations – An adverse effect that:

- a. Is predominantly born by a minority population and/or a low-income population; or
- b. Will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Sub-Recipient – Any agency such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

ADMINISTRATION – GENERAL

The City of Detroit designates Lesa C. Kent, as the Title VI Coordinator (hereinafter referred to the “Title VI Coordinator”). Mrs. Kent shall have lead responsibility for coordinating the administration of the Title VI and related statutes, programs, plans, and assurances.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the department for which the alleged unequal treatment or discrimination occurred. Notification of any received complaints or issues will be timely forwarded to the City’s Title VI Coordinator. Complaints may also be filed directly with the City’s Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection: Statistical data on race, color, national origin, English language ability and sex of participants in and beneficiaries of the City of Detroit programs; e.g., impacted citizens and affected communities will be gathered and maintained by the City of Detroit. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City of Detroit does have special emphasis programs at this time.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the City Title VI Coordinator. Priority for conducting reviews will be given to those recipients of Federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the recipients’ adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to relevant U.S. Department of Transportation (USDOT) modes upon request.

Annual Reporting Form: The City Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to the Michigan Department of Transportation (MDOT), Civil Rights Program Unit via the Sub-Recipient Annual Certification Form (MDOT form #0179) by October 5th.

Title VI Plan Updates: If updated, a copy of Title VI Plan will be submitted to the MDOT, Civil Rights Program Unit, as soon as the update has been completed, or as soon as practicable, and no later than 30 days if significant changes are made.

Public Dissemination: The City of Detroit will disseminate Title VI Program information to the City of Detroit employees and to the general public. Title VI Program information

will be submitted to sub-recipients, contractors and beneficiaries. Public dissemination will include inclusions of Title VI language in contracts and publishing the Title VI Plan within 90 days of approval on the main page of the City of Detroit's internet website, at www.detroitmi.gov.

Remedial Action: The City of Detroit, through the Title VI Coordinator will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiencyⁱ, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and 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 encounterⁱⁱ. 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 are all federal agencies required to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

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.

The City of Detroit receives funds from the US Department of Transportation via the Federal Highway Administration and has developed a complete and separate LEP Plan.

For more information with regarding our policies on LEP, a copy of our LEP plan can be found on our website at www.detroitmi.gov or a complete copy of the City of Detroit LEP Plan document can be requested from:

City of Detroit
Civil Rights, Inclusion and Opportunity Department
Coleman A. Young Municipal Center, Suite 1240
Detroit, Michigan 48266
313-224-4950 Office
313-224-3434 Fax
Email: crio@detroitmi.gov

ENVIRONMENTAL JUSTICE

Compliance with Title VI includes ensuring that no minority or low income population suffers “disproportionately high and adverse human health or environmental effect” due to any “programs, policies and activities” undertaken by any agency receiving Federal funds. This obligation will be met by the City of Detroit in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City of Detroit will use U.S. Census data to identify low income and minority populations.

Where a project impacts a small number or area of low income or minority populations, the City of Detroit will document that:

- 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 project’s impact is unavoidable,
- The benefits of the project far out-weigh the overall impacts; and
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low income population groups are present in the project area, the City of Detroit will document how the conclusion was reached. If it is

determined that one or more of these population groups are present in the area, the City of Detroit will administer potential disproportionate effects test.

The following steps will be taken to assess the impact of project on minority and/low income population groups:

STEP ONE: Determine if a minority or low income population is present within the project area. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there is minority population and/or low income population groups present, proceed to Step Two.

STEP TWO: Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.

STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.

STEP FOUR: If after mitigation, enhancements and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:

Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?

Question 3: Considering the overall public interest, is there a substantial need for the project?

Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?

STEP FIVE: Include all findings, determinations or demonstrations in the environmental document prepared for the project.

DEPARTMENTAL ROLES AND RESPONSIBILITIES

The following sections describe the programmatic responsibilities of City departments and agencies whose services are directly or indirectly impacted by Title VI and related statutes.

I. HUMAN RIGHTS (CIVIL RIGHTS, INCLUSION & OPPORTUNITY [CRIO]) DEPARTMENT

The Human Rights (CRIO) Department investigates complaints of unlawful discrimination against any person on the basis of race, color, creed, national origin, age, handicap, sex, or sexual orientation in violation of any ordinance or any law within the City's jurisdiction to enforce, and secure equal protection of civil rights without discrimination. The department will achieve the City of Detroit civil rights directive and adhere to the provisions of Federal and State Civil Rights statutes, and provide a work environment that is free from improper or unwelcome harassment on the basis of race, color, creed, national origin, age, religion, marital status, handicap, public benefit status, sex or sexual orientation.

The Human Rights (CRIO) Department by City Charter serves as an alternative dispute resolution agency. The department is responsible for addressing barriers and/or discrimination issues that adversely affect the well-being and image of the City of Detroit, its residents, visitors and employees.

The Human Rights (CRIO) Department provides oversight to ensure non-discrimination in any program, service, or activity within the city of Detroit, and to ensure that all program areas are in compliance with Title VI and related State and Federal civil rights regulations.

The City's Title VI Coordinator is assigned to the Human Rights (CRIO) Department and is responsible for the following duties:

- Monitor and review citywide and department programs, policies, and activities to determine Title VI compliance in primary and special emphasis areas.
- Participate in Title VI reviews of the Detroit Department of Transportation conducted by the Michigan Department of Transportation (MDOT).
- Collect and review statistical data (race, color, sex, age, disability or national origin) of participants and beneficiaries of State highway programs, e.g., relocates, affected citizens, and impacted communities, to prevent or eliminate potential disparate impact or disparate treatment discrimination.
- Conduct awareness training on Title VI, Environmental Justice, LEP and other related statutes for City of Detroit employees, and sub-recipients of Federal transportation funds to identify, prevent and eliminate discrimination.
- Prepare a yearly report of Title VI accomplishments and goals, as required by Federal authorities.
- Update Title VI Program Guidelines as necessary to ensure maximum effectiveness and compliance.

- Develop and maintain an internal and external website for dissemination of Title VI information and related statutes, directives, and regulations to the general public and in languages other than English.
- Draft and develop correspondence, literature, publications, and brochures for dissemination to the public, and in languages other than English based on community demographics.
- Ensure completion and dissemination of the LEP plans.
- Establish procedures for promptly resolving deficiency status and reduce to writing the appropriate remedial action. Ensure deficiency status is corrected within a period not to exceed 90 days.
- Receive, promptly process, and resolve Title VI complaints and provide assistance to authorities when the complaints are against the City of Detroit.
- Ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance.

II. BUILDINGS AND SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

The Buildings Safety Engineering and Environmental Department safeguards public health, safety and welfare by enforcing construction, property maintenance, environmental compliance and zoning codes, which will preserve and enhance property values and promote a quality of life to make Detroit a preferred place to reside and conduct business.

The Buildings and Safety Environmental Department employs a team of State Certified Trade Inspectors, Plan Reviewers, Engineers, Administrative and Operational Staff Personnel who collectively:

- Facilitate zoning review process prior to establishment of new uses in all zoning districts.
- Perform plan review of construction documents for new construction, alteration or rehabilitation of existing structures.
- Issue building and trade permits for construction and demolition.
- Perform Pre-Sale inspections of one and two family dwellings prior to sale as required by law.
- Perform annual inspections of all structures required by the Property Maintenance Code.
- Aggressively combat blight by issuing blight violations and proactively barricading dangerous structures.
- Revoke business licenses and zoning for violations of codes through the show cause process.
- Manage the demolition process for obsolete, damaged and/or abandoned buildings that pose an imminent danger to the public.

- Develop and implement programs that support sustainable development initiatives focusing on Brownfield Redevelopment and green initiatives.
- Obtain funding for clean-up of contaminated sites.
- Ensure internal procedures are updated as necessary to maintain Title VI compliance.
- Report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

III. FINANCE DEPARTMENT

The Finance Department is responsible for maintaining the City's financial solvency, and providing finance-based services to City departments.

The Finance Department's principal responsibilities focus upon safeguarding the City's financial position by maximizing revenues, controlling expenditures, managing risk exposure, monitoring debt parameters and reporting financial information.

In accordance with the Financial Stability Agreement (FSA), the Finance Department reports to the Chief Financial Officer (CFO). Under the direction of the CFO, the Finance Department will be responsible for adhering to monthly reporting requirements including accounts payable, cash flow actual and forecast, and revenue and expense reporting. The Department is also responsible for participating in semi-annual Revenue Conferences, and in the preparation of the annual budget and Triennial Budget preparation.

The Finance Department is comprised of various divisions. The **Administrative Division** sets and maintains policies and procedures to be used throughout the Department. The **Assessments, Treasury and Income Tax Divisions** are responsible for property valuation and for collecting property taxes, income taxes and utility users taxes owed to the City. The **Accounts Division** is responsible for maintaining accounting controls, financial analysis, publishing the city's annual Comprehensive Annual Financial Report (CAFR), performing pre-audits of expenditures, and processing all payments including payrolls. The **Purchasing Division** is responsible for the processing of City purchase orders and contracts. The **Risk Management Division** protects the assets and earning power of the City from loss or destruction, administers various safety programs and is responsible for maintaining the self-insurance Risk Management Fund. The **Debt and Disbursements Division** is responsible for financing the City's capital needs and those of quasi-public agencies, administration of the City's deferred compensation plan, and for investing all City funds, excluding Pension funds. The **Pension Division** is responsible for the administration of the employee pension and retirement systems.

The Purchasing Division is responsible for ensuring fairness in the contracting process, ensuring that contracts are properly executed and that complaints involving delinquent payment are addressed promptly and appropriately. The division also ensures that contracts are awarded appropriate and in accordance with the City of Detroit Guidelines.

A. Purchasing Division

1. Monitors Federal-aid construction/consultant contracts and sub-contracts to ensure they contain Title VI assurances.

2. Ensure that the appropriate training special provisions are included in prime and sub-contractor contracts.
3. Provide a listing of contractors and sub-contractors to the Title VI Coordinator to monitor and ensure that they are in compliance with Title VI.
4. Work with the City's Title VI Coordinator to review corrective plans prepared by contractors when areas of deficiency with regard to Title VI deficiencies are identified.
5. Report construction contract complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

The Finance Department will ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

IV. DEPARTMENT OF TRANSPORTATION

The mission of the Detroit Department of Transportation is to provide public transit services that are reliable, clean, customer focused, fiscally responsible, safe and secure.

The Detroit Department of Transportation (DDOT) operates the bus system within the City of Detroit.

- DDOT is the largest transit provider in the State of Michigan operating over 1,200 miles of routes and providing service to over 38 million passengers annually.
- DDOT's primary facilities include the Rosa Park Transit Center, a passenger transit station located in downtown Detroit; an Administration Building located at 1301 East Warren, which includes the Central Shop heavy repair facility and plant maintenance building. DDOT also maintains three other satellite terminals with light repair garages and storage bays.
- DDOT's active fleet consists of 262 fixed-route coaches, which serves 48 bus routes in the City of Detroit. The department maintains approximately 6,000 bus stops and 174 bus shelters
- DDOT provides Americans with Disabilities Act (ADA) complementary Para transit services for disabled customers through Detroit Metro Lift. Detroit Metro Lift utilizes multiple transportation providers who provide lift-equipped Para transit vehicles and sedans to provide service to more than 1,000 passenger trips per day.

The Detroit Department of Transportation (DDOT) is primarily responsible for assuring that all the public transportation programs managed by DDOT are implemented in accordance with Title VI. Each program area will ensure Federal funds are equitably distributed to the sub-recipients in accordance with Title VI and that all sub-recipients that receive Federal funds through DDOT comply with Title VI requirements. The DDOT Administration has appointed a Title VI Liaison to assist with this responsibility. The Title VI Liaison works as a liaison between DDOT and

the MDOT Title VI Statewide Coordinator, DDOT and the Citywide Title VI Coordinator as well as between DDOT and the Federal Transit Administration (FTA) Region V Civil Rights Specialist, for technical support related to Title VI requirements.

Additionally, DDOT provides administrative services to the Detroit Transportation Corporation (DTC), operator of the Detroit People Mover.

The DDOT will ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

The following information will be provided in an annual report to the Title VI Coordinator.

1. Number of construction contracts awarded and the dollar amount.
2. Number of contractors defaulting on contracts with Disadvantage Business Enterprise (DBE) percentages
3. Number of DBE contractors or sub-contractors defaulting on contracts.
4. Title VI complaints received during the last fiscal year.

V. DEPARTMENT OF PUBLIC WORKS

The Department of Public Work's (DPW) mission is to provide excellence in the delivery of essential environmental and infrastructure services, thereby ensuring a safe and clean environment for our customers in a cost effective manner. The department's core deliverables are to ensure a cleaner environment, a sound infrastructure and a safer means of travel within the city.

DPW is comprised of five (5) divisions and the Greater Detroit Resource Recovery Authority (GDRRA). These divisions are Administration, Solid Waste, Street Maintenance, Traffic Engineering, and City Engineering.

The **Administrative Division** provides overall management and direction to all divisions of the department and houses the Street Administrator, who oversees all street funded DPW operations, which includes the Street Maintenance, Traffic Engineering and the majority of the City Engineering Divisions. The **Solid Waste Division** provides for the collection and disposal of waste generated by residential homes and commercial establishments in the city, and related code enforcement, engaging accepted industry standards to collect, process and dispose of refuse, yard waste and recyclable material. The **Street Maintenance Division** provides street and alley repairs, major street cleaning, snow removal, residential street resurfacing and facilitates street closures. The **Traffic Engineering Division** provides for the installation and maintenance of traffic control devices, traffic signals, parking control devices, geometric improvements and pavement markings. The **City Engineering Division** is responsible for regulating work performed in the public right of way, along with providing design review and construction engineering and inspection services as required.

DPW monitors Federal-aid planning, scoping, surveying, geotechnical, design, right-of-way acquisition, traffic, construction, and other highway (motorized and non-motorized) activities assigned to the City of Detroit to ensure compliance with Title VI provisions.

DPW also monitors Federal-aid planning, scoping, surveying, geotechnical, design, right-of-way acquisition, traffic, construction, and other highway (motorized and non-motorized) contracts and sub-contracts to ensure the sub-recipients comply with Title VI provisions.

DPW will ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

VI. GENERAL SERVICES DEPARTMENT

The General Services Department (GSD) supports General Fund operating departments by managing municipal leases, operating municipal facilities, grounds, urban forestry and fleet, and managing the inventory of major field operations.

The GSD has four divisions and one section: Grounds Maintenance Division, which maintains all city-owned grounds, parks, right of ways, vacant lots and the urban forest; Fleet Management Division which procures, maintains and makes available appropriate vehicles for General Fund operations; Facilities Management Division, which performs space planning, building operations and maintenance, engineering work, and lease or sales of city-owned facilities; and Administration, which performs the business functions of the department and receives, organizes, stores, secures and tracks usage of materials for major city field operations.

The Security Section, which reports to the Director, provides on-site and remote monitoring as well as incident response and investigative services.

The General Services Department will ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

VII. AIRPORT

The Airport Department continues to evolve during economically challenging times by structurally balancing; bringing costs in line with revenue and improving services. The emerging strategy is to unleash the enterprise power of the Coleman A. Young International Airport by identifying and capturing new streams of capital and operating revenue through a Public-Private Partnership.

The Airport Department operates the Coleman A. Young International Airport, which encompasses approximately 300 acres of land, bounded by Gratiot and Grinnell on the south, Conner on the east, French Road on the west and Mt. Olivet Cemetery on the north. There are two runways: the east/west runway (7/25) is 4,025 feet by 100 feet wide and the north/south runway (15/33) is 5,090 feet by 100 feet wide.

The Coleman A. Young International Airport includes: the Air Carrier Terminal, Executive Terminal (including 14 large hangar bays), 129 small aircraft hangars and 145 based aircraft. It handles more than 75,000 aircraft operations and 1.5 million pounds of cargo annually.

The airport staff is responsible for the administration, operations, and maintenance of the airport. In addition, there are additional personnel employed at Coleman A. Young International Airport. The primary employers are the Airport Department, Barnstormers FBO, Air Eagle, Enterprise, City Aviation, and the Detroit Fire Department.

The airport hosts a number of interesting programs for youth and adults, including:

- Civil Air Patrol (High School)
- Wild Blue Wonders (Middle School)
- Experimental Aircraft Association

They also provide infrastructure for one of the premiere high school aviation programs in the nation at B.O. Davis High School.

The Airport will ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

VIII. LAW DEPARTMENT

The Law Department strives to deliver exceptional and efficient legal counseling and representation to the Executive and Legislative branches of City government as mandated by the City Charter.

The Law Department is headed by the Corporation Counsel, who is appointed by the Mayor (with approval by City Council, 2011 Charter revised). The Law Department is comprised of five divisions: 1) Administration, 2) Governmental Affairs, 3) Litigation, 4) Labor & Employment, and 5) Transactions and Economic Development. Each division, with the exception of the Administration Division, is responsible for a discrete area of the law and is made up of several sections.

The Law Department is required, by Charter, to represent the City of Detroit in all civil actions or proceedings filed against the city. The Corporation Counsel may also prosecute any action or proceeding in which the city has a legal interest when directed to do so by the Mayor. The Corporation Counsel is the city prosecutor and shall institute, on behalf of the people, cases arising from the provisions of the charter or city ordinances, and prosecutes all actions for the recovery of fines, penalties and forfeitures.

The Law Department is also responsible for providing advice and opinions to the Mayor, a member of City Council or the head of any city agency; approving all contracts, bonds and written instruments; and drafting, upon the request of the Mayor or any member of City Council, any ordinance or resolution for introduction before City Council. In accordance with the Financial Stability Agreement, the Law Department is required to

prepare a Pending Litigation report on a quarterly basis to be provided to the Financial Advisory Board.

The Law Department will ensure that all contracts under the purview of this Policy contain the requisite language, as required by law and that internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

IX. WATER AND SEWERAGE DEPARTMENT(S)

The Water and Sewerage Department's (DWSD) mission is to exceed our customers' expectations through innovative treatment and transmission of water and wastewater, and the provision of services that promote healthy communities and economic growth.

The Water Supply System is administratively part of the Detroit Water and Sewerage Department while maintained as a separate fund in the City of Detroit's accounting system. The department operates five water treatment plants and twenty booster (re-pumping) stations and nineteen reservoirs. Of these five water plants, two plants are located in Detroit and one each is located in Allen Park, Dearborn and Port Huron. There are three sources of raw water supply -- Detroit River at Fighting Island, Detroit River at Belle Isle and Lake Huron north of Port Huron. Dowd's five water treatment plants pump an average of 600 million gallons of clean drinking water each day.

The Water Supply System's primary role is to provide potable water delivered at various points in the system at adequate pressure to meet our customers' needs. The water provided is in conformance to applicable standards as required by Michigan's Safe Drinking Water Act. The department furnishes sufficient water pressure and pipeline service to assure acceptable fire protection.

The water system serves a total population of nearly 4 million people in Detroit and in 125 other communities within a 1,011 square mile service area in southeastern Michigan. The main administrative offices are located at 735 Randolph in downtown Detroit. Approximately 3,400 miles of transmission and distribution mains within the City of Detroit, and 402 miles of transmission lines in the remaining service area are owned and maintained by the department.

DWSD will ensure internal procedures are reviewed and updated as necessary to maintain Title VI compliance. They will report complaints with potential Title VI implications to the City of Detroit Title VI Coordinator immediately upon receipt.

TITLE VI COMPLAINT PROCESS

I. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding City of Detroit programs, activities, and services as required by statute.

II. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the City of Detroit for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

III. Roles and Responsibilities

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

IV. Filing a Complaint

The complainant shall be reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City of Detroit programs, activities, and services; including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of Federal and State funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City of Detroit or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator's office. In all situations, the employees of the City of Detroit must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints.

Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written Statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

1. An anonymous complaint that is too vague to obtain required information
2. Inquiries seeking advice or information
3. Courtesy copies of court pleadings
4. Newspaper articles
5. Courtesy copies of internal grievances

V. Investigation

Investigation Plan: The Title VI Coordinator or Department Designee shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s)
- Basis for complaint
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation time line
- Remedy sought by the complainant(s)

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained, unless required by law to disclose relevant information.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- If a Title VI complaint is received on a MDOT related contract against the City of Detroit, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of Detroit, the complaint and any pertinent information should immediately be forwarded to the MDOT, Civil Rights Program Unit.

Investigation Reporting Process:

- Complaints made against a City of Detroit sub-recipient should be investigated by the City following the internal complaint process.
- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the office of Mrs. Lesa C. Kent for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Title VI Coordinator makes a determination of “probable cause” or “no probable cause” and prepares the decision letter.

Prohibition Against Retaliation:

The laws enforced by the City of Detroit prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. Any person that believes they have been subjected to retaliation or intimidation separate from the discrimination alleged in their complaint should contact:

City of Detroit
Civil Rights, Inclusion and Opportunity Department
Coleman A. Young Municipal Center, Suite 1240
Detroit, Michigan 48266
313-224-4950 Office
313-224-3434 Fax
Email: crio@detroitmi.gov

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the MDOT, Civil Rights Program Unit within 90 days of the date the complaint was received.

Records

All records and investigative working files are maintained in a confidential area. Records are kept for three (3) years.

APPENDIX A – CITY OF DETROIT TITLE VI PROGRAM

[TO BE INSERTED IN ALL TRANSPORTATION RELATED FEDERAL-AID CONTRACTS]

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 shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), 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, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of sub-contractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when Contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation 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 sub-contractor or supplier shall be notified by the contractor of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department of the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event the contractor’s noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall 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. Cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B – CITY OF DETROIT TITLE VI PROGRAM

TRANSFER OF PROPERTY

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Michigan, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quitclaim and convey unto the State of Michigan all the right, title and interest of the Department of Transportation in and to said lands described Exhibit “A” attached hereto and made a part hereof.

(HABENDUM CLAUSE)*

TO HAVE AND TO HOLD said lands and interests therein unto the State of Michigan, and its successors forever, subject, however, the covenant, 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 shall be binding on the State of Michigan, its successors and assigns.

The State of Michigan, 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 shall on the grounds of race, color, national origin, 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 State of Michigan shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.

**Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.*

APPENDIX C – CITY OF DETROIT TITLE VI PROGRAM

PERMITS, LEASES AND LICENSES

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Michigan Department of Transportation, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, the Michigan Department of Transportation shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Michigan Department of Transportation 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 effectuate the purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.*

APPENDIX D - TITLE VI COMPLAINT FORM

City of Detroit
TITLE VI COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 States 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 otherwise be subjected to discrimination in any program, service, or activity receiving Federal assistance.” This form may be used to file a complaint with the City of Detroit based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. **Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.**

If you need assistance completing this form, please contact the Civil Rights, Inclusion and Opportunity Department at 313-224-4950 or by email at crio@detroitmi.gov

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Please explain your relationship with the individual(s) indicated above: _____

Name of agency and department or program that discriminated:

Agency or department name: _____

Name of individual (if known or if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Date(s) of alleged discrimination:

Date discrimination began _____ Last or most recent date _____

ALLEGED DISCRIMINATION:

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

____ Race

____ National Origin

____ Color

____ Sex

____ Age

____ Income

____ Disability

Explain: Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

Signature: _____ Date: _____

Please return completed form to: Civil Rights, Inclusion and Opportunity Department, Coleman A. Young Municipal Center, Suite 1240, Detroit, MI 48226, 313-224-4950 Office, 313-224-3434 Fax, Email: crio@detroitmi.gov

Note: The City of Detroit prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City of Detroit. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.

APPENDIX E – CITY OF DETROIT TITLE VI PROGRAM

DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

(a) *Context*. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.

(b) *Intensity*. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by the Human Rights Director.

**APPENDIX F – CITY OF DETROIT TITLE VI PROGRAM
PROGRAM COMPLIANCE/PROGRAM REVIEW GOALS FOR CURRENT
PLAN YEAR**

1. The City of Detroit’s Title VI Plan will be communicated to all City Department Directors who will review the plan with departmental employees.
2. The City of Detroit’s Title VI Plan will be published on the main page of the City’s website, www.detroitmi.gov, within 90 days of approval.
3. Appendix A will be included in all city contracts as outlined in the Title VI Plan.
4. The language in No. 2 of the City of Detroit’s Title VI Assurance will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements as outlined in the Title VI Plan.
5. Procedures for responding to individuals with LEP will be implemented.
6. All City employees will be trained or made aware of the LEP and Title VI policies and complaint procedures.
7. A review of City facilities will be conducted in reference to compliance with the American Disabilities Act.
8. The following data will be collected and reviewed by the Title VI Coordinator and included, where appropriate, in the annual report submitted to MDOT.
 - a. **Boards and Commissions:** The number of vacancies; how vacancies are advertised and filled; the number of applicants; the representation of minorities will be evaluated.
 - b. **Public Meetings:** The number of open meetings and how meeting info. is communicated to the public and to individuals affected by the meeting.
 - c. **Construction Projects:** The number of construction projects, number of minority Contractors bidding and the number selected; verification that Title VI language was included in bids and contracts for each project.
 - d. **LEP Needs:** The number of requests for language assistance that were requested or required and the outcome of these requests.
 - e. **Complaints:** The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
 - f. **Timeliness of Services:** The number of requests for services; amount of time from request to when service was delivered; number of requests denied.
 - g. **Right of Way/Imminent Domain:** The number of such actions and diversity of individual affected.
 - h. **Program Participants:** Racial Data of program participants where possible.

* The executive order verbatim can be found online at <http://www.usdoj.gov/crt/cor/Pubs/eolep.htm>

* Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons. Federal Register December 14, 2005 (Volume 70, Number 239)