

# CITY OF GRESHAM TITLE VI PLAN

## I. Introduction

As the recipient of federal financial assistance, the City of Gresham is required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. The City of Gresham has adopted a Non-Discrimination Agreement and this document provides a summary of required actions by staff in order to comply with Title VI and related statutes.

## II. Policy Statement

The City of Gresham assures that no person shall, on the race, color, national origin, limited English proficiency, sex, income, age or disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of its programs or activities, whether or not they are federally funded. The City of Gresham (City) has executed a NON DISCRIMINATION POLICY STATEMENT. The Nondiscrimination Policy Statement applies to the City, its sub-recipients, contractors and consultants.

## III. Legal Authority

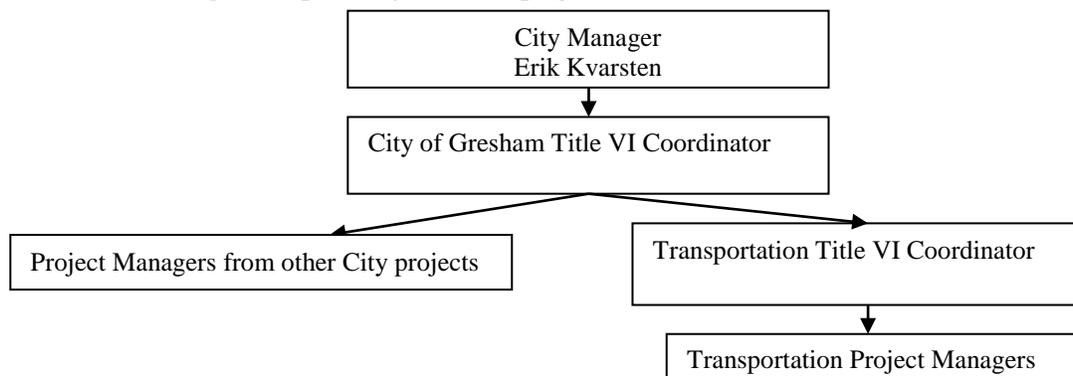
Title VI of the 1964 Civil Rights Act and related statutes and regulations (“Title VI”) provides that no person in the United States shall, on the ground of race, color, national origin, limited English proficiency, sex, income, age or disability be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance (42 USC 2000d to 2000-4) (23 CFR Part 200 and 49 CFR Part 21). A summary of Legal Authority can be found on Attachment A.

## IV. Title VI Coordinator and Organization

The Title VI Coordinator and Transportation Title VI Coordinator will monitor and ensure the compliance of City programs and activities subject to Title VI. The City of Gresham Title VI Coordinator will implement the administrative procedures set forth in Exhibit B-1. The Transportation Division will implement the guidelines set forth in Exhibit B-2. The Transportation Title VI Coordinator will monitor and ensure compliance with the guidelines set forth in Exhibit B-3.

## V. Title VI Organizational Chart

Title VI Coordinator must have direct access to the City Manager with authority and responsibility to implement the Title VI program. The Title VI Program must be an independent position to be able to maintain its independence, objectivity and impartiality in the discharge of its nondiscrimination responsibilities. An independent position is also required to prevent potential conflict between other operational interests and the Title VI mission and to be able to develop, issue and enforce City-wide policies on civil rights impartially without prejudice and bias.



**VI. Website**

[www.greshamoregon.gov/titlevi](http://www.greshamoregon.gov/titlevi) contains public information about Title VI.

**VII. Complaints**

Any person who believes that they have been discriminated against or denied benefits of any program provided by the City on the basis of race, color, national origin, limited English proficiency, sex, income, age or disability, may file a complaint within 180 days of alleged discrimination or when the alleged discrimination became known to the complainant.

## **Attachment B-1**

### **City of Gresham Title VI Coordinator's Administration Responsibilities**

#### Training and Distribution of Information

- Attend Title VI trainings at the Federal and State level as available.
- Provide information to staff and contractors about Title VI trainings as available such as:
  - <http://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?category=civilrig>.
  - <http://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?category=civilrig>.
  - [http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/gbi\\_practices.cfm](http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/gbi_practices.cfm)
  - <http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/publications.cfm>
  - [http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/title\\_vi\\_training/index.swf](http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/title_vi_training/index.swf)
- Provide Title VI information and/or training to applicable City employees, contractors, sub-recipients, and program, City liaisons, and general public.

#### Project Development and Administration

- Promote and raise awareness of Title VI concerns in all phases of project
- Ensure project managers incorporate public involvement at all phases of project
- Ensure Nondiscrimination Contract Provisions are included in applicable project contracts

#### Public Participation

- Involve and encourage citizen participation at all stages of project development and admin
- Ensure project managers promote public participation at all phases per Attachment B-4

#### Complaints

- Refer persons with reports of complaints to the complaint process.
- Oversee resolution of formal and informal complaints
- Maintain a list of investigations and complaints.
- Forward complaints against the City to ODOT below or other federal agency, as applicable:  
ODOT, Civil Rights, Title VI Officer, MS 31, 355 Capitol St. NE, Salem, OR 97301
- Investigate non-City complaints; submit to ODOT Civil Rights w/in 60 days of file date

#### Title VI Related Programs

- Promote compliance w/ Limited English Proficiency (LEP), NEPA and Environmental Justice

#### Data Collection and Documentation

- Collect Title VI related data from Transportation's Title VI Coordinator and other non-transportation project managers, as applicable, as shown in Attachment B-4.
- Log observed disparity in protected peoples treatment by City, contractors, or subcontractors.

#### Monitoring

- Develop reporting tools and report on data collected, as required by ODOT and Feds.

#### Reporting

- File an annual Title VI Accomplishments Report highlighting accomplishments and changes to the program in the preceding federal fiscal year.
- Monitor Transportation Title VI Self Assessments and reviews as applicable.
- Assess the program effectiveness, procedures, staffing, and resources available
- Correct Title VI issues discovered or identified by ODOT or FHWA or other federal agency within 90 days from when issue was identified.

## **Attachment B-2**

### **Transportation Title VI Compliance**

#### **A. Program Development (Planning)**

- Work with METRO, the local governmental agency that serves as a forum for cooperative transportation decision making for the Portland metropolitan area, to ensure Title VI concerns are included in planning phase.
- Incorporate public involvement into the Program Development (Planning) phase
- For non-Metro related projects, make sure Title VI concerns are included in the planning phase.

#### **B. Project Development (NEPA, Permitting and Design)**

- Verify and assist Project Manager's collection of demographic information related to the project and document that information as part of the NEPA process.
- Incorporate public involvement into the Program Development (Planning) phase

#### **C. Right of Way / Consultant Contracting**

- Verify the hiring of consultants for right of way acquisition follows public contracting rules
- Document any observed disparity in treatment by consultants or other parties and forward to the Title VI Coordinator, if any
- Persons with reports of complaints shall be referred to the complaint process.

#### **D. Advertising, Bid and Award.**

- Develop ODOT bid and contract templates for LAG projects to ensure process complies with local, state and federal procurement laws.

#### **E. Construction**

- Follow Construction Manual and comply with local, state, and federal public contracting laws.

**G. Public Involvement** – Below are a list of options City staff can use to inform the public, including Title VI protected populations, about the planning and implementation of City projects:

#### Website

- [www.GreshamOregon.gov](http://www.GreshamOregon.gov) – The City maintains an extensive website, which is updated regularly and contains general information on the City's duties, programs, calendars for public meetings and events, agendas and minutes, contact information for staff.
- <http://www.GreshamOregon.gov/transportation> contains information about specific transportation projects and other public works, capital improvement projects, or other City expenditures.
- [www.GreshamOregon.gov/titlevi](http://www.GreshamOregon.gov/titlevi) contains information about Title VI, including a citizen comment and complaint form.
- Publications – Throughout the year, the City produces many publications, including a quarterly newsletter, reports and maps as part of its work program. Nearly all of this information can be accessed by the public through the City website.

#### Press Releases

- Work with communication to issue press releases to regional, local and multicultural news outlets as applicable.

### Public Meetings.

- Meetings and work sessions of the City Council and City boards and commissions are open to the public. Time for citizen comments is reserved at council meetings.
- Meeting dates, times and agendas are posted in advance on the City's website.
- Council meetings and work sessions are televised and webcast by MetroEast/Community Media, a local public access channel. Live broadcasts and replays are available at [www.GreshamOreogn.gov/videos](http://www.GreshamOreogn.gov/videos)
- Establish meeting locations at City Hall or other neighborhood centers convenient to a project. Meeting locations need to be in close proximity to transit service, be wheelchair accessible and have interpretation or listening devices, or other ADA accommodations are available when requested in advance or if the need is anticipated.

### Opportunities for public comment

- The City and DES provide opportunities for comment on a range of plans, programs and projects. Public comment periods are typically advertised through email notices, web and newspaper advertisements, and social media. Comments are accepted by phone, fax, email, US mail and in person at meetings.

### Staff contact.

- Contact information for staff is generally provided on the City's website and specifically provided on project fact sheets, brochures and postcards, as well as on meeting agendas. Staff attends public meetings and is available to answer questions and take comments.

### Mailings

- DES routinely uses email, brochures, letters and/or postcards to keep the public informed of the City's programs, projects, public comment periods, meetings and publications.

### Events

- Events such as workshops, open houses and forums are held regularly, as needed. Depending on the event, notice of these events may be made by email, postcard, newsletter, letter, newspaper advertisements, social media and on the City's website. Meeting locations are chosen so they are wheelchair accessible and interpretation or listening devices can be provided when requested or a need is anticipated.

## **Attachment B-3**

### **Transportation Title VI Coordinator's Administration Responsibilities**

#### Training and Distribution of Information

- Attend Title VI trainings at the Federal and State level as available.
- Provide information to staff and contractors about Title VI trainings as available such as:
  - <http://www.fhwa.dot.gov/federal-aidessentials/catmod.cfm?category=civilrig>.
  - [http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/gbi\\_practices.cfm](http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/gbi_practices.cfm)
  - <http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/publications.cfm>
  - [http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/title\\_vi\\_training/index.swf](http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/title_vi_training/index.swf)
- Provide Title VI information and/or training to applicable transportation employees, contractors, sub-recipients, and program, City liaisons, and general public.

#### Project Development: Bid, Grant and Contract Monitoring (Transportation)

- Follow Title VI Transportation procedures set forth in Attachment B-2.
- Ensure that Title VI Nondiscrimination Contract Provisions are included in applicable contracts.
- Ensure consultant & contractor selection follows local, state and federal public contracting laws.

#### Public Participation

- Encourage citizen participation including participation of Title VI protected groups and perform outreach at all phases of project, including Program Development, Project Development, Right of Way, and Ad, Bid, and Award.
- Ensure project manager's complete documentation for each project on Attachment B-4
- Encourage participation of Title VI protected groups in order to create awareness and address physical accessibility, language issues and others.

#### Title VI Related Programs

- Promote project compliance with Limited English Proficiency (LEP), NEPA and Environmental Justice (EJ)

#### Data Collection and Documentation

- Collect data from transportation project managers as shown in Attachment B-4.

#### Monitoring and Reporting

- Develop reporting tools and report on data, monitoring and compliance to ODOT.

#### Reporting

- Work with Title VI Coordinator to provide below reports to ODOT or FHWA:
  - Prepare and submit for review and approval a triennial Title VI Report as required by USDOT to ODOT.
  - Oversee Transportation Title VI Self Assessments and reviews as needed.
  - Assess the program effectiveness and the office's administrative procedures, staffing, and resources available for Title VI compliance.
  - Correct Title VI issues discovered or identified by ODOT or FHWA within 90 days from when issue was identified.

**Attachment B-4: PROJECT PUBLIC OUTREACH AND INVOLVEMENT**

**PROJECT PUBLIC OUTREACH AND INVOLVEMENT**

Department \_\_\_\_\_ Division \_\_\_\_\_  
 Project \_\_\_\_\_ Project Manager \_\_\_\_\_  
 Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
 Phase of Project  Program Development  Project Planning  Design  Construction

List the number of public meetings, the dates held, and steps taken to notify individuals who may be affected by City actions as a result of the meeting(s)

Complete the below information for public meetings, if applicable.

Public notice sent for land use actions (if any) Date \_\_\_\_\_ Type of notice \_\_\_\_\_  
 List of Recipients (generally) \_\_\_\_\_

Meeting Date (if any) \_\_\_\_\_ Description of outcome \_\_\_\_\_

\_\_\_\_\_

Planning Commission: Date \_\_\_\_\_ Description of outcome \_\_\_\_\_

\_\_\_\_\_

Council Adoption: Date \_\_\_\_\_ Description of outcome \_\_\_\_\_

\_\_\_\_\_

Other public outreach action taken: Date \_\_\_\_\_ Description of outcome \_\_\_\_\_

\_\_\_\_\_

For all Projects determined to create an impact to the public:

- Place notification on City website
- Send an information notice in English to the all neighborhood association presidents.
- Send an information notice translated into Spanish to the following neighborhood associations if they are impacted by the project:

<input type="checkbox"/> ASERT	<input type="checkbox"/> Mt. Hood	<input type="checkbox"/> North Central	<input type="checkbox"/> North Gresham
<input type="checkbox"/> Northeast	<input type="checkbox"/> Rockwood	<input type="checkbox"/> Wilkes East	

If the Project Manager is aware that the impacted neighborhood has a substantial Russian population as set forth in the "Title VI Data Collection" form, translate the notice to Russian and send to the neighborhood association or a relevant community contact.

Below are a list of community groups or locations that might be frequently attended by low income, minority, elderly, or other Title VI protected citizens impacted by the project. Setting up information tables or posting notices at these location can help provide outreach and encourage public participation from Title VI protected citizens.

- Public Library located at 385 NW Miller Ave, 97030;
- Rockwood Library, 17917 SE Stark St, Portland, OR 97233, (503) 988-5396
- El Programa Hispano, 138 NE 3rd Street, Suite 140, 503-669-8350;
- YWCA of Greater Portland, 600 NE 8th Street Suite 100, 503-988-3840;
- Human Solutions, 501 NE Hood Ave, Gresham, 503-405-7875;
- Rockwood Building, 17917 SE Stark St, Portland, OR 97233; (503) 988-5396
- Multnomah County Offices, 600 NE 8th St # 300, Gresham, OR, (503) 988-5155
- Walmart Neighborhood Market, 3900 W Powell Blvd, 503-405-1478;
- Walmart Neighborhood Market, 2444 E Powell Blvd, 503-492-4725;
- Ethnic groceries (to be located as applicable)
- Rockwood Community Health Center, 2020 SE 182nd Ave, 503-988-5400;
- Add churches in impacted neighborhoods \_\_\_\_\_

Describe any additional outreach:

Presented at community meetings \_\_\_\_\_ Date \_\_\_\_\_

Press releases \_\_\_\_\_  
 \_\_\_\_\_ Date \_\_\_\_\_

Story in Outlook or other newspaper \_\_\_\_\_ Date \_\_\_\_\_

Other: \_\_\_\_\_

**Attachment B-4: PROJECT PUBLIC OUTREACH AND INVOLVEMENT**

Department	Division
Project	Project Manager
Start Date	End Date

**Impacted or Benefitted Neighborhoods (check one or more that apply)**

X	NEIGHBORHOOD	PROTECTED GROUPS
	<b>Check the box to the left if the below neighborhood is impacted by the project</b>	<b>Below are the list of groups that have a greater than average population in the neighborhood based on the 2010 Census*</b>
	<b>ASERT</b>	Youth, Hispanic / Latino
	<b>CENTENNIAL</b>	Over 65 / Youth, Asian, Pacific Islander,
	<b>CENTRAL CITY</b>	Over 65 / Youth, Black, Pacific Islander, Rental / Low Income
	<b>GRESHAM BUTTE</b>	Over 65, Asian
	<b>GERSH. PLEASANT VAL</b>	Over 65
	<b>HOLLY BROOK</b>	Youth, Rental / Low Income
	<b>KELLY CREEK</b>	Youth
	<b>MT. HOOD</b>	Youth, Hispanic / Latino, Rental / Low Income
	<b>NORTH CENTRAL</b>	Over 65, Asian, Hispanic / Latino, Rental / Low Income
	<b>NORTH GRESHAM</b>	Over 65, Black, Asian, Hispanic / Latino, Pacific Islander
	<b>NORTHEAST</b>	Over 65, Hispanic / Latino, Rental / Low Income
	<b>NORTHWEST</b>	Over 65, Asian, Rental / Low Income
	<b>POWELL VALLEY</b>	Over 65 / Youth
	<b>ROCKWOOD</b>	Youth, Black, Hispanic / Latino, Pacific Islander, Rental / Low Income
	<b>SOUTHWEST</b>	None
	<b>WILKES EAST</b>	Over 65, Black, Asian, Hispanic / Latino, Pacific Islander, Rental Low / Income

**Possible Impacted or Benefitted Protected Groups (check one or more that apply)**

Based on the above chart, or other information received, which types of protected groups may be impacted or benefited by the subject project?	<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Income <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Sex
---	--

**Limited English Proficiency (LEP) (check one or more that apply)**

How many Limited English Proficiency (LEP) requests?	<input type="checkbox"/> 0 <input type="checkbox"/> 1 – 3 <input type="checkbox"/> 4 – 6 <input type="checkbox"/> 7 +
Describe the date of each request, the service requested, and the date of resolution	(attach additional sheet of paper, if needed)

**Complaints (check one or more that apply)**

Check box with # of discrimination complaints submitted to the City for this project. Describe resolution of each complaint and attach separate sheet of paper.	<input type="checkbox"/> 0 <input type="checkbox"/> 1 – 3 <input type="checkbox"/> 4 – 6 <input type="checkbox"/> 7 +
---	---