



Title VI Non-Discrimination Plan

Updated October 2025

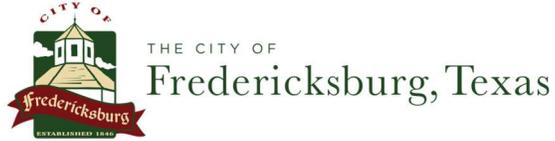
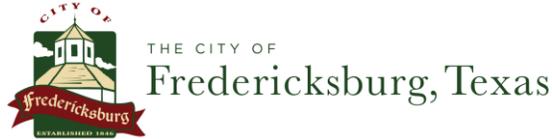


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ATTACHMENTS

- ATTACHMENT 1 - Signed Title VI Policy Statement
- ATTACHMENT 2 - Standard DOT Non-Discrimination Assurances & Appendices A-E
- ATTACHMENT 3 - Organizational Chart
- ATTACHMENT 4 - Complaint Form



INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Several other federal legal authorities supplement Title VI by extending protections based on age, sex, and disability. In addition, the Civil Rights Restoration Act of 1987 clarified Title VI enforcement by mandating that Title VI requirements apply to all programs and activities of federal-aid recipients regardless of whether any particular program or activity involves federal funds. Taken together, these laws require recipients and subrecipients of federal funds to ensure all programs and services are delivered to the public without discrimination.

The City of Fredericksburg (CITY), as a recipient of federal financial assistance, will ensure full compliance with Title VI of the Civil Rights Act of 1964; 49 C.F.R. Part 21 (Department of Transportation Regulations for the Implementation of Title VI of the Civil Rights Act of 1964); 49 C.F.R. Part 21; and related statutes and regulations. CITY acknowledges it is subject to and will comply with Federal Highway Administration Title VI Assurances.

This plan explains how CITY incorporates the requirements of Title VI and related legal authorities into its operations. The plan will be used as a reference for CITY and an informational resource for the public. The plan will be updated every 3 years after its adoption and publication to reflect changes in Title VI compliance operations.

DISCRIMINATION UNDER TITLE VI

It is the responsibility of every CITY employee to prevent, minimize, and eradicate any form of discrimination. There are two types of discrimination prohibited under Title VI and its related statutes: (1) disparate treatment that alleges similarly situated persons are treated differently because of their race, color, or national origin (i.e., intentional discrimination); and (2) disparate impact/effects when a facially neutral policy, procedure, or practice results in different or inferior services or benefits to members of a protected group. The focus of disparate impact is on the consequences of a decision, policy, or practice rather than the intent.

Prohibited forms of discrimination may include, but not be limited to, the following:

- The denial of services, financial aid, or other benefits provided under a program;
- Distinctions in the quality, quantity, or manner in which a benefit is provided;
- Segregation or separation of persons in any part of the program;
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others;
- Differing standards or requirements for participation;
- Methods of administration that directly or indirectly, or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination; or
- Discrimination in any activities or services related to a highway, infrastructure or facility built or repaired in whole or in part with federal funds.

CITY's efforts to prevent such discrimination must address, but not be limited to, how a program or activity:

- Impacts the public;
- Provides accessibility;
- Provides equal access to benefits;
- Encourages participation;
- Provides services equitably;
- Initiates contracting and training opportunities;



- Investigates complaints;
- Allocates funding; and
- Prioritizes projects.

AUTHORITIES

The authorities applicable to CITY Title VI/Nondiscrimination Program include:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. §2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- **49 CFR Part 21** (entitled Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964);
- **23 CFR Part 200** (FHWA's Title VI/Nondiscrimination Regulation);
- **28 CFR Part 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964); and,
- **Texas Administrative Code §9.4, Civil Rights – Title VI Compliance**

TITLE VI POLICY STATEMENT

It is the policy of CITY that no person 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 in any operation of CITY as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of CITY, including its contractors and anyone who acts on behalf of CITY. This policy also applies to the operations of any department or agency to which CITY extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

The nondiscrimination statement signed by the City Manager of the CITY, is included as Attachment 1.

STANDARD DOT ASSURANCES

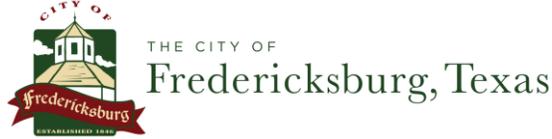
The U.S. DOT requires that federal financial assistance be provided on the condition that the recipient provides an assurance that its programs and activities will be conducted in compliance with Title VI of the Civil Rights Act of 1964. The requirement is located at 49 CFR 21.7(a). To support the implementation of this requirement, the U.S. DOT provided an assurances agreement in U.S. DOT Order 1050.2A that federal fund recipients and subrecipients must sign as a condition of receiving federal financial assistance.

The assurances agreement provides specific non-discrimination language, CITY, is required to include in bid solicitations or requests for proposal, contracts, and real estate agreements. CITY is committed to ensuring the necessary language is used as prescribed in the assurances agreement.

In accordance with this requirement, CITY has signed the U.S. DOT Standard Title VI/Non-Discrimination Assurances and Appendices A-E. The document is attached as Attachment 2.

ORGANIZATION AND STAFFING

The City Manager of the CITY is responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 C.F.R. Part 200 and 49 C.F.R. Part 21.



CITY has assigned the City Secretary, Leticia Vacek, to perform the duties of the Title VI Coordinator and ensure implementation of the agency’s Title VI program. The Organizational Chart is attached as Attachment 3.

The Title VI Coordinator, with assistance from other city staff and departments, is assigned the responsibility for implementing, monitoring, and ensuring the CITY’s compliance with Title VI regulations. Title VI responsibilities are as follows:

- Maintaining and updating the Title VI plan on the CITY’s behalf;
- Ensuring city employees receive necessary Title VI training;
- Ensuring prompt processing of Title VI complaints and referral to Texas Department of Transportation;
- Developing procedures for the collection and analysis of statistical data;
- Review internal policies and, where applicable, include Title VI and related requirements; and
- Developing Title VI information for dissemination internally and externally;

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

- Attendance at any available Title VI trainings provided by the Texas Department of Transportation, U.S. Department of Transportation or its applicable operating administrations, or the U.S. Department of Justice.
- Viewing the video ‘Title VI at TxDOT’ produced by TxDOT. This training provides a general Title VI overview as well as TxDOT specific information.
- Viewing the video ‘Understanding and Abiding by Title VI of the Civil Rights Act of 1964’ produced by the U.S. Department of Justice

The City will ensure that staff have received sufficient training during new employee orientation activities and periodically thereafter.

PRIMARY PROGRAM AREA DESCRIPTIONS & REVIEW PROCEDURES

The City Manager is responsible for ensuring the implementation of the CITY’s Title VI program. The Title VI Coordinator, Leticia Vacek, will assist in the overall administration of the program, plan and assurances. The CITY engages in the following program areas:

| Program Area and General Description | Title VI/Non-Discrimination Concerns and Responsibilities | Review Procedures for Ensuring Non-Discrimination |
|---|---|--|
| <p>Right of Way Management: The Engineering Department reviews and approves city projects, including developments and infrastructure. They ensure compliance with safety standards, review studies, and collaborate with agencies like TxDOT, TCEQ, TWDB, FEMA & HCUWCD to plan for future needs, serving Fredericksburg residents and assisting with projects.</p> | <p>The Current Ordinance contains no Title VI provisions for Right of Way Management.</p> | <p>In an effort to meet the needs of entities that will be affected by the Right of Way Ordinance, City Staff will meet with the various entities to participate in the drafting of an amended ordinance.</p> <p>City Staff will review and implement comments and suggestions made by the entities and create a new and comprehensive Right of Way Management Ordinance that will</p> |



| | | |
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| | | accommodate the entities' need to use the Public Rights of Way to provide services to the public while allowing the City to insure that the public safety is maintained and that public inconvenience is minimized; to protect the City's infrastructure investment; to facilitate work within the Public Rights of Way; and to fairly and responsibly protect the public health, safety, and welfare. |
| Contracts & Purchasing: Develops and manages contracts and contracting opportunities, including specifications, bidding process, and contract execution. | Maintaining an open and fair bidding process for all contracts. | Title VI Assurances will be included in all contracts. Purchasing Department will review contracts for necessary Title VI language. |
| Maintenance: Services city-owned utilities and roadways within city right-of-way, including, but not limited to, providing: Utility & roadway repair, street signage, mowing, sanitation services, electric, water, & sewer service. | Ensuring no communities are subject to a disparate lack of maintenance services based on a protected class. | Engineering & Public Works Department reviews plans to ensure that no protected class communities have disproportionately benefited or been harmed by the delivery of essential city utility services. |
| Program Area and General Description | Title VI/Non-Discrimination Concerns and Responsibilities | Review Procedures for Ensuring Non-Discrimination |
| Public Engagement: Coordinates public engagement activities for planning and project development, as well as relationship-building engagement activities. | Comprehensive public participation to ensure all stakeholders have an opportunity to voice their opinions. | The City Manager hosts the 'Coffee with the City Manager' series monthly for all city residents to discuss any topic or voice concerns to city staff. This event is in-person at a large public meeting space and live-streamed and recorded for those who cannot attend. The City maintains a meeting calendar as well as an archive of all public notices, agendas, & announcements on the webpage. City leadership hosts town hall events throughout the year where city staff go to neighborhoods to speak directly with residents. All neighborhoods within the city |



| | | |
|---|---|---|
| | | limits are visited in small sections to create a more personal setting. |
| Planning: Short-term and long-term planning of transportation projects. | Ensuring there is no disproportionate impact of transportation projects or lack of transportation on individuals or groups based on a protected class status. | Appropriate city staff work together to review all transportation plans against the Comprehensive Plan adopted in 2024 to ensure the best outcome for all city residents. |
| Program Area and General Description | Title VI/Non-Discrimination Concerns and Responsibilities | Review Procedures for Ensuring Non-Discrimination |
| Parks & Recreation: Coordinates recreation activities and provides facilities for all city residents. | Disproportionate impact of recreational activities for all. | <p>The City manages a multitude of public recreation spaces made available to all residents and visitors, including,</p> <ul style="list-style-type: none"> ● Several public parks are located throughout town. Each with different facilities including hiking, basketball courts, skating, tennis, pickleball, soccer, baseball & softball. ● Two public pools. ● Outdoor open-air and indoor air-conditioned pavilions. ● Dog park. ● Lady Bird Johnson Golf Course |



THE CITY OF
Fredericksburg, Texas

| | | |
|--|--|--|
| | | <ul style="list-style-type: none"> Fredericksburg Nature Center, equipped with a Handicapped Accessible Trail that provides visitors of all abilities with access to the trail. |
|--|--|--|

| Program Area and General Description | Title VI/Non-Discrimination Concerns and Responsibilities | Review Procedures for Ensuring Non-Discrimination |
|--|--|--|
| <p>Limited English Proficiency (LEP)</p> | <p>Languages in the community spoken other than English.</p> | <p>Sign interpretation and language translators or other special assistance are made available through the City Secretary's office and must be requested 48 hours in advance by contacting the City Secretary's Office at (830) 997-7521.</p> <p>Implement a Language Resource page that promotes public access to essential information and services in languages other than English.</p> <p>Continually monitor and evaluate efforts to provide language access.</p> <p>Maintain a list of bilingual staff and the languages they interpret or translate.</p> <p>Notice of Rights: In accordance with 23 CFR 200.9(a)(12), the City of Fredericksburg is required to develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English. Notice of the City of Fredericksburg Title VI policies and procedures are listed in many places such as City Hall, Municipal Court and other public facing buildings.</p> |

| | | |
|--|--|--|
| | | <p>Notification to Beneficiaries: The City of Fredericksburg’s website is continuously updated to ensure Title VI information is readily accessible to the public. The website informs the public of their rights under Title VI and provides information on how to file a complaint. Title VI information available on the City of Fredericksburg’s website includes:</p> <ul style="list-style-type: none"> • City of Fredericksburg Title VI/Nondiscrimination Plan • Title VI and Related Statutes Nondiscrimination Statement (English and Spanish) • Title VI Nondiscrimination Assurances • TxDOT’s External Discrimination Complaint Form (English and Spanish) • Title VI Poster |
|--|--|--|

Annual Reviews - All programs will be reviewed annually to assure effectiveness in their compliance of Title VI provisions. This is in addition to the day-to-day monitoring. The Title VI Coordinator and program representatives will coordinate efforts to ensure equal participation in all their programs and activities at all levels.

Remedial Action - CITY will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance with program administrative requirements. If irregularities occur in the administration of the federal-aid highway program's operation, whether internally or with contractors, corrective measures will be taken to resolve Title VI issues within a period not to exceed 90 days.

Sources of data and analysis tools include:

- Census Data
- American Community Survey
- School Districts
- Forms or Surveys from the public
- Boards & Committees

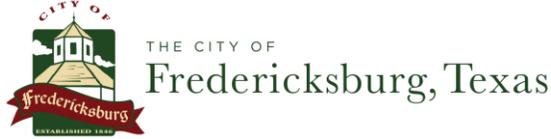


- Field Observations

DATA COLLECTION AND ANALYSIS

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

| Program Area | Type of Data Collected & Process for Collecting | Purpose for Collecting the Data) |
|-------------------|---|--|
| Right of Way | Collecting demographic data from property owners who may be subject to right of way activities by including inputs for demographic data on the appropriate form(s). | Ensuring right of way activities do not disproportionately affect individuals or groups based on a protected class status. |
| Contracting | Identifying contractors who are a Disadvantaged Business Enterprise (DBE) Historically Underutilized Business (HUB) Small Business Enterprise (SBE) | Ensuring equal opportunity in contracting to all individuals and groups. |
| Planning | Reviewing data from the U.S. Census Bureau and other credible sources to determine demographic make-up of the local community. | Ensuring project impacts do not disproportionately impact any individuals or groups based on a protected class status. |
| Public Engagement | Reviewing data from the U.S. Census Bureau and other credible sources to determine demographic make-up of the local community. Providing demographic questionnaires to public engagement participants and including demographic questions in public surveys. | Ensuring communications and interactions with the public sufficiently reach all local demographics. |
| Maintenance | Reviewing maintenance activities by geography and demographic makeup of communities receiving the maintenance services. | Ensuring no communities are subject to a disparate lack of maintenance services based on a protected class. |



PUBLIC ENGAGEMENT

The City of Fredericksburg provides notifications by mail for any ordinance changes, utility bill stuffers for various announcements, and posts information and notifications of all public meetings/hearings to public facing buildings. These avenues ensure all citizens can receive important information.

In keeping with evolving technology, the City of Fredericksburg also uses social media to spread important information quickly and effectively to all residents. Platforms like Instagram, Facebook, and X, allow the City of Fredericksburg to communicate and interact directly with residents in real time, bypassing traditional media channels. The City’s Public Information Officer uses social media for the following purposes,

- Emergency Alerts –safety tips and updates from local emergency services
- Public Service Announcements
- City Project Updates – construction, road closures, and future projects
- Transparency – Public meeting updates and reminders, decisions affecting the public
- Event Promotion and Engagement – announcements regarding community events, town hall meetings, festivals and recreation programs

By using social media, the City of Fredericksburg can reach residents quickly and directly. The digital approach supports the City’s reasonable efforts to provide information to all residents.

LIMITED ENGLISH PROFICIENCY (LEP)

The American Community Survey is the source of population information to be used in the program. To determine the languages spoken by our citizens, staff pulled data tables from the 2023 American Community Survey Table DP02 Languages Spoken at Home.

| City of Fredericksburg, Texas | | | |
|--|----------|-----------------|---------|
| Table DP02 Languages Spoken at Home - ACS 2023 | | | |
| Label | Estimate | Margin of Error | Percent |
| Population 5 years and over | 10,956 | ±150 | - |
| English only | 9,633 | ±462 | 87.9% |
| Language other than English | 1,323 | ±403 | 12.1% |
| Speak a language other than English | | | |
| Spanish | 980 | ±361 | 8.9% |
| Other Indo-European languages | 238 | ±123 | 2.2% |
| Asian and Pacific Islander languages | 105 | ±115 | 1.0% |
| Other languages | 0 | ±23 | 0.0% |

Source:

U.S. Census Bureau, U.S. Department of Commerce. "Selected Social Characteristics in the United States." *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP02*, <https://data.census.gov/table/ACSDP5Y2023.DP02?q=DP02&g=160XX00US4827348>.

The U.S. Department of Justice LEP Guidance advises each agency to "take reasonable steps to ensure 'meaningful' access to LEP individuals to the information and services they provide." It further explains that the identification of "reasonable steps to ensure meaningful access" will be contingent on a number of factors.

Among the four factors to be considered are:

1. The number or proportion of LEP persons in the eligible service population,
 - a. Fredericksburg has an estimated 12% of citizens with LEP. 8.9% of individuals speak Spanish.
2. The frequency with which LEP individuals come in contact with City services,
 - a. Requests for interpretation/translation services will be documented.
3. The importance of the service provided by the program,
 - a. Provides meaningful access to information for those with LEP.
4. The resources available to the City.
 - a. The City's access procedures allow citizens to request translation and interpretation services through the City Secretary's office. Translators and interpreters are available upon request with advanced notice.

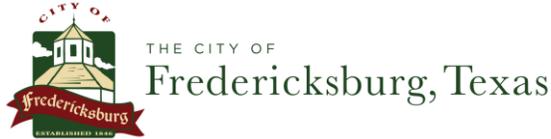
Access Procedure for Persons with Limited English Proficiency (LEP)

The City of Fredericksburg makes every effort to provide translation and interpretation services to all individuals including those with limited English proficiency. When a need has been identified by the City or City receives a request, the City shall make every effort to provide services requested in a timely manner. The City will pay for the translation of vital documents and interpreter services.

Sign interpretation and language translators or other special assistance related to any public meeting or vital document are made available through the City Secretary's office and must be requested 7-10 days in advance by contacting the City Secretary's Office at (830) 997-7521.

For election processes, the City utilizes translation and interpretation services via the Verity Duo Standalone Universal Ballot Marking Device. This device can be used by all voters, including those with disabilities or voters needing assistance.

Annual Reviews – The City will continue to monitor and update its procedures to ensure accurate LEP needs are met. When a significant number or portion of the population needs information in a language other than English to participate in federally funded programs, City shall take reasonable steps to provide information in appropriate languages.



TITLE VI COMPLAINT PROCEDURES

Scope of Title VI Complaints

No person or groups of persons shall, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by CITY, and its contractors on the grounds of race, color, or national origin.

The scope of Title VI covers all internal and external activities of CITY.

The following types of actions are prohibited under Title VI protections (See 49 C.F.R. 21.5):

- Excluding individuals or groups from participation in programs or activities
- Denying program services or benefits to individuals or groups
- Providing a different service or benefit or providing them in a manner different from what is provided to others
- Denying an opportunity to participate as a member of a planning, advisory or similar body that is an integral part of the program
- Retaliation for making a complaint or otherwise participating in any manner in an investigation or proceeding related to Title VI of the Civil Rights Act of 1964

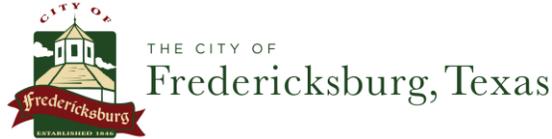
The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. Any person who believes they, or any specific class of persons, to be subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FHWA. Complaints related to the Federal-aid highway program may be filed with TxDOT, FHWA Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the USDOT Departmental Office of Civil Rights, or the USDOJ. CITY will ensure that all complaints are sent to the appropriate authority for disposition.

Complaints alleging violations of Title VI by subrecipients may be filed by mail, fax, in person, or e-mail directly with the following local, state and federal agencies:

City of Fredericksburg
Leticia Vacek, Title VI Coordinator
126 W Main Street
Fredericksburg, Texas 78624
lvacek@fbgtx.org

A complaint should contain the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant's contact information including, if available: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin, etc.);
- The names of specific persons and respondents (e.g., agencies/organizations) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.



Citizens may also use the City’s Title VI Complaint Form. This document is attached as Attachment 4. Additionally, complaints filed against the subrecipient may also be filed with TxDOT or FHWA at:

Texas Department of Transportation (TxDOT)

Civil Rights Division
Attn: Title VI Program Administrator
125 E. 11st Street
Austin, TX 78701

Federal Highway Administration - Texas Division (FHWA)

Attn: Civil Rights Specialist
300 E. 8th St.
Austin, TX 78701

Federal Highway Administration (FHWA)

Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590

Complaints and investigation files are confidential. The contents of such files will only be disclosed to appropriate City personnel, state and federal authorities in accordance with Federal and State laws. FHWA makes the final decision regarding any complaint. CITY will retain files in accordance with records retention schedules and all Federal guidelines.

The City of Fredericksburg maintains a complaint log to document all activity related to the complaint. Information captured includes:

- Complainant’s name, and if provided, race, color, and national origin;
- Respondent’s name;
- Basis(es) of the discrimination complaint;
- Allegation(s)/Issue(s) surrounding the discrimination complaint;
- Date the discrimination complaint was filed;
- Date the investigation was complete;
- Disposition;
- Disposition date; and
- Other pertinent information.



TITLE VI AND RELATED NONDISCRIMINATION STATEMENT

The City of Fredericksburg, Texas, as a recipient of Federal financial assistance and in accordance Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any City program or activity.

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Clinton Bailey, City Manager
City of Fredericksburg, TX
126 W. Main St.
Fredericksburg, TX 78624

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from U.S. DOT, including the Federal Highway Administration.

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) or 49 C.P.R § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all _____ and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

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

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

assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

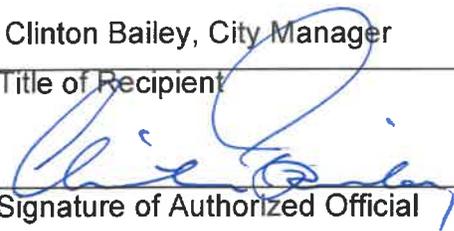
By signing this assurance, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the U.S. DOT access to records, accounts, documents, information, facilities, and staff.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

The Recipient gives this assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. DOT under all

Department of Transportation Programs. This assurance is binding on Texas, other recipients, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in all Department of Transportation programs. The person(s) signing below is/are authorized to sign this assurance on behalf of the Recipient.

Clinton Bailey, City Manager

Title of Recipient



Signature of Authorized Official

9/26/25

Date

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the FHWA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of

another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies, and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Clauses for Deeds Transferring United States Property

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

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

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto _____ and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another

purpose involving the provision of similar services or benefits and will be binding on the _____, its successors and assigns.

The _____, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or 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 _____ will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

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

Clauses for Transfer or Real Property Acquired or Improved Under the Activity, Facility, or Program

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

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

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

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

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, _____ will have the right to enter or re-enter the lands and

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

facilities thereon, and the above-described lands and facilities will there upon revert to
and vest in and become the absolute property of the _____
and its assigns. *

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

**Clauses for Construction/Use/Access to Real Property Acquired
Under the Activity, Facility, or Program**

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

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

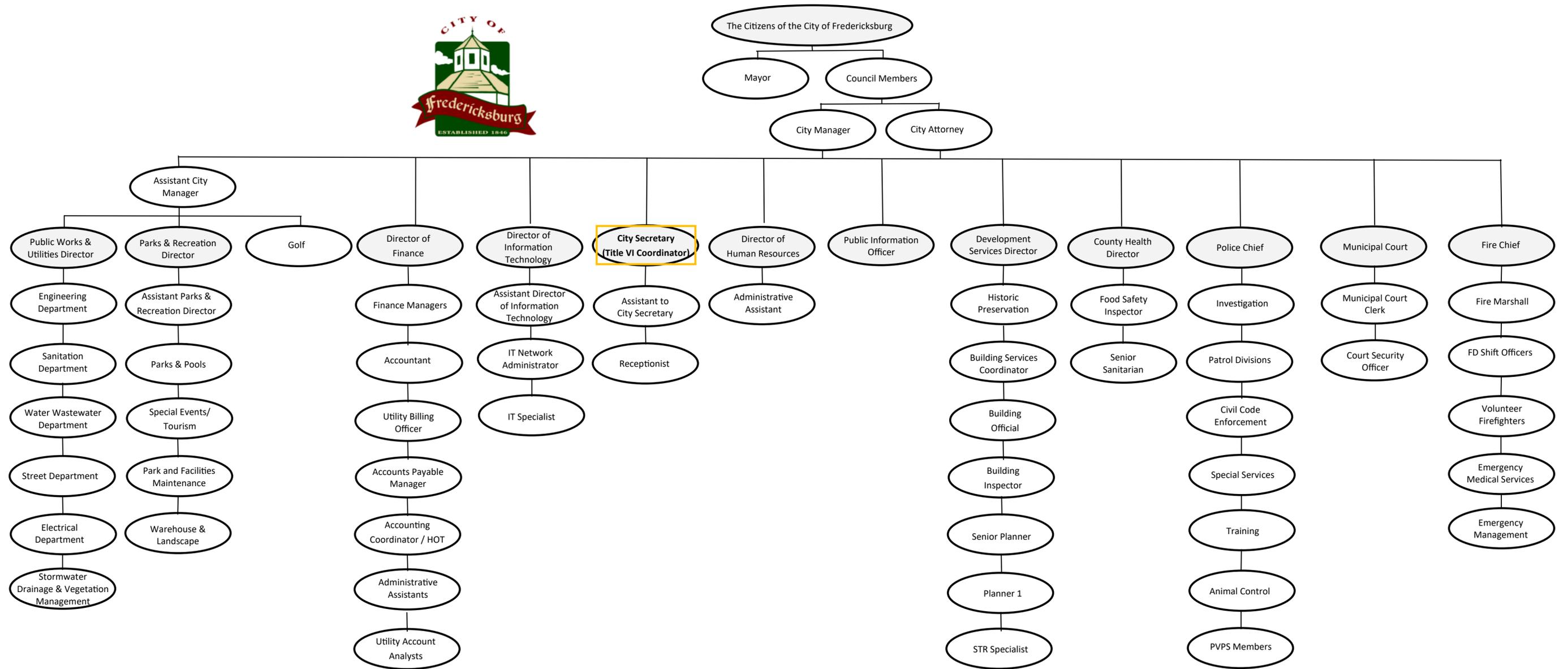
*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

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

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).





Title VI and ADA Complaint Form

Last Name: _____ **First Name:** _____
Mailing Address: _____
City: _____ **State:** _____ **Zip Code:** _____
Phone Number: _____ **Alternative Phone Number:** _____
Email: _____

Please indicate the basis of your complaint:

- Race _____ National Origin _____
 Color _____ Disability _____

Date and place of alleged discriminatory actions. Please include the earliest date of discrimination and the most recent date of discrimination.

How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages, if necessary)

The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

Names of individuals responsible for the discriminatory action(s):



Title VI and ADA Complaint Form

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional pages, if necessary).

| | Name | Email: | Telephone |
|----|------|--------|-----------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- U.S. Department of Transportation _____
- Federal Highway Administration _____
- Federal Transit Administration _____
- Office of Federal Contract Compliance Programs _____
- U.S. Equal Employment Opportunity Commission _____
- U.S. Department of Justice _____
- Other _____

Have you discussed the complaint with any City employee? If yes, provide the name, position, and date of discussion.

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.



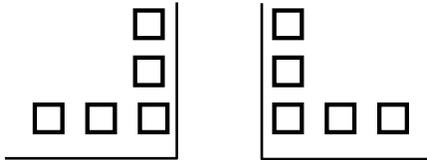
Title VI and ADA Complaint Form

Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation.

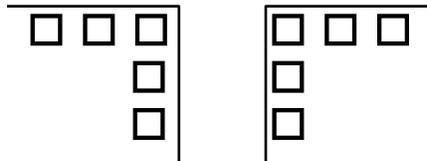
For ADA Complaints only, please provide the following information:

If applicable, please provide a description and the exact location of the non-accessible feature.

Street Name: _____



Street Name: _____



Please provide comments, suggestions, or other information that may assist us in providing a better service to you.



Title VI and ADA Complaint Form

We cannot accept an unsigned complaint. Please sign and date the complaint form below.

Complainant's Signature

Date

You can email this form to **lvacek@fbgtx.org** or mail it to:

**City of Fredericksburg
Title VI Coordinator
126 W. Main Street
Fredericksburg, TX 78624**

FOR OFFICE USE ONLY

Date Complaint Received: _____ **Case #:** _____

Processed by: _____ **Date Referred:** _____

Referred to: USDOT FHWA FTA OFCCP Other _____



Formulario de Denuncia de Discriminación Externa

Apellido: _____ **Nombre:** _____
Dirección: _____
Ciudad: _____ **Estado:** _____ **Código Postal:** _____
Teléfono: _____ **Teléfono Alternativo:** _____
Correo Electrónico: _____

Indica por favor la(s) base(s) de su queja:

- Raza _____ Edad _____
 Color _____ Discapacidad _____

Fecha y lugar de la(s) presunta(s) acción(es) discriminatoria(s). Favor de incluir la primera fecha de la presunta discriminación y la fecha más reciente de la presunta discriminación.

¿Cómo se discriminó contra usted? Describa la naturaleza de la acción, decisión o las circunstancias de la presunta discriminación. Explique, de la manera mas clara posible, que sucedió y porqué cree usted que su estatus protegido fue un factor en la discriminación. Incluya como otras personas fueron tratadas de distinta manera que usted. (Adjunte hojas adicionales de ser necesario).

La ley prohíbe intimidación o represalias contra cualquier persona ya sea por tomar acción o por participar en la toma de acción para asegurar los derechos protegidos por estas leyes. Si usted siente que se han tomado represalias en su contra, aparte de la presunta discriminación mencionada anteriormente, favor de explicar las circunstancias a continuación. Explique la acción que usted tomó que cree sea la causa de la presunta represalia.

Nombre de los individuos responsables de la(s) acción(es) discriminatoria(s):



Formulario de Denuncia de Discriminación Externa

Nombre de personas (testigos, compañeros de trabajo, supervisores u otros) a quienes podamos contactar para obtener información adicional para respaldar o aclarar su queja: (Adjunte hojas adicionales de ser necesario).

| | Nombre | Correo Electrónico | Teléfono |
|----|--------|--------------------|----------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

¿Alguna vez ha presentado, o tiene la intención de presentar, una queja con respecto a esta situación con cualquiera de las organizaciones que se mencionan a continuación? De ser así, favor de proporcionar las fechas en que se presentaron. Marque todas las que apliquen.

- Departamento de Transporte de los EE.UU. _____
- Administración Federal de Carreteras de los EE.UU. _____
- Administración de Transporte Federal de los EE.UU. _____
- Oficina de Programas de Cumplimiento de Contratos Federales de los EE.UU. _____
- Comisión para la Igualdad de Oportunidades en el Empleo de los EE.UU. _____
- Tribunal Federal o Estatal de los EE.UU. _____
- Otros _____

¿Ha hablado sobre la queja con algún personal de la ciudad? De ser así, favor de proporcionar el nombre y puesto de la persona y la fecha en la que tuvo la conversación.

Explique brevemente que remedio, o acción está usted buscando por la presunta discriminación.



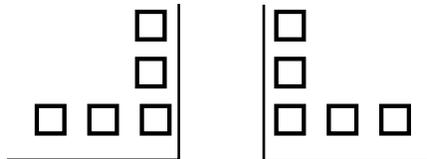
Formulario de Denuncia de Discriminación Externa

Favor de proporcionar cualquier información adicional y/o fotografías, si son pertinentes, que usted crea ayudaran el la investigación.

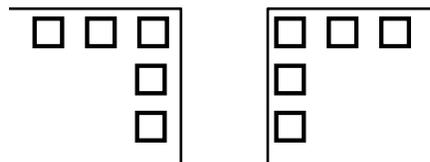
Por favor incluya la siguiente información solo para las Denuncias de Discriminación:

Si es pertinente, favor de incluir una descripción y el local exacto donde no se tiene accesibilidad.

Nombre de la calle: _____



Nombre de la calle: _____



Por favor incluya comentarios, sugerencias y cualquier otra información que nos pueda ayudar en proveerle un mejor servicio..



Formulario de Denuncia de Discriminación Externa

No podemos aceptar una queja sin firma. Favor de incluir su firma y la fecha a continuación:

Firma del Demandante

Fecha

Puedes enviar esto por correo electrónico a **lvacek@fbgtx.org** o enviar forma firmada al:
City of Fredericksburg
Title VI Coordinator
126 W. Main Street
Fredericksburg, TX 78624

FOR OFFICE USE ONLY

Date Complaint Received: _____ **Case #:** _____

Processed by: _____ **Date Referred:** _____

Referred to: USDOT FHWA FTA OFCCP Other _____