



CITY OF FREDERICKSBURG, TEXAS

TITLE VI COMPLAINT PROCEDURES

It is the policy of the City of Fredericksburg, Texas ("City") to employ its best efforts to ensure that all programs, services, activities, and benefits are implemented without discrimination. The City's Human Resources Department provides information and services related to basic human rights, including notice of the City's anti-discrimination ordinance and employment and accommodation laws. The City's Engineering Department has procedures related to the formal investigation of transportation related Title VI complaints.

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin, or other protected class, may file a written complaint with the City. Furthermore, the City prohibits intimidation, coercion, or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI. Complaints to the City may be submitted by mail, email, or delivered in person, to the City Secretary's office at:

City of Fredericksburg
Attn: Title VI Coordinator
126 W. Main St.
Fredericksburg, TX 78624
830.997.7521
Email - sgoodwin@fbgtx.org

The City will ensure that all complaints of discrimination are promptly investigated. Following an investigation, the City will attempt to resolve such complaints, and take corrective action within sixty (60) days of a finding of a substantiated complaint in a final report. If the investigation indicates that the discrimination may affect persons other than the complainant, the corrective action shall include those other affected persons. Upon completion of each investigation, City staff will inform every complainant of all avenues of appeal. While this procedure is directed at the processing of Title VI complaints, as a general proposition, complaints alleging either discriminatory impact or effect in the context of other applicable laws will follow the complaint processing described below. All complaints must be in writing and signed by the complainant, or his/her representative, before City investigative action can be initiated.

Acceptance of the Complaint: Each Title VI complaint received by the City will be entered into the City's Title VI Discrimination Complaint Log. All external transportation related discrimination complaints filed under Title VI against the City, in which the City or its sub-recipients are named as the respondent, will be forwarded to TxDOT for investigation within 10 (ten) calendar days. Additionally, all transportation related discrimination complaints filed against the City, as a Federal-aid sub-recipient of transportation

related grants, or against contractors performing said work for the City, shall be investigated by the City to determine validity and severity of the complaint. The City will then prepare an internal report on its initial findings for City Manager.

Internal Investigation: Once it is determined that a complaint warrants further investigation, the City will conduct a factual investigation to determine whether the action at issue constitutes discrimination based on race, sex, color, age, national origin, handicap, or other protected class. The investigating officer will:

- Initiate the investigation within ten (10) working days of receiving the assignment from City Manager to investigate.
- Inform the complainant of rights, including the right to have a witness or representative present during any interview of complainant, and right to submit any documentation to City that complainant perceives as relevant to proving complaint.
- Determine which witnesses will be contacted and questioned.
- At the conclusion of the investigation, prepare a final report for City Manager within one hundred and twenty (120) calendar days of the date the complaint was received by the City.

The investigating officer's report shall include:

- A summary of the complaint.
- A statement of each allegation raised by the complainant, and a response to each of the allegations.
- Citations to relevant federal, state, and/or local laws, rules, regulations, and/or guidelines influencing the decision.
- Description of the investigation, including a list of the persons contacted and a summary of the interviews conducted.
- A statement of the investigator's findings and recommendations.

If, based on the foregoing investigation, the City concludes that there is no discrimination, the complaint will be dismissed. If there is a finding of disparate impact, the City will propose a plan for mitigating the disparate impact. If the City elects to submit a plan for mitigating the disparate impact, the proposed mitigation will be shared with the complainant and all parties will be so notified. Assuming that assurances are provided regarding implementation of the mitigation plan, no further action on the complaint will be required. The City shall make a good faith effort to complete an investigation under this Title VI Complaint Procedures within one hundred and twenty (120) days of the City's initial receipt of the complaint. If additional time for the investigation is needed, the complainant will be advised of said extension. The City shall issue a final report with findings on each complaint filed, and deliver a copy of said report to the Complainant.

Appeals Procedures: The complainant has the right to appeal all written reports to the City Manager (and/or TxDOT when applicable). The appeal must be perfected by Complainant submitting written notice of appeal to the City Manager, within thirty days (30) days of Complainant's receipt of the City's final report. The appeal must specifically cite the portion(s) of the finding(s) with which the complainant disagrees, and his/her reason(s) for the disagreement. After a review of the entire record, a written final appeal determination will be issued by the City Manager within sixty (60) calendar days of initiation of appeal.

Recordkeeping Requirements: The City will ensure that all records relating to the City's Title VI Complaint Procedures are maintained according to the records retention requirements of the City and the State of Texas. The City Secretary will maintain a log of all complaints and appeals.