

TITLE VI  
IMPLEMENTATION PLAN  
City of Frankfort

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## I. GLOSSARY OF COMMON TERMS

“Beneficiary or recipient” means the individual or organization for which federal funds are intended.

“Implementation plan” means the Title VI implementation plan developed and maintained by City of Frankfort to ensure compliance with 42 U. S. C. § 2000d et. seq. and KRS 344.015.

“Title VI Compliance Officer” means City of Frankfort employee designated by the Responsible Official to coordinate all Title VI activities of City of Frankfort.

“Responsible Official” means the person identified in Section IV, infra.

## II. OVERVIEW

The City of Frankfort has adopted a plan to improve access to services for persons with Limited English Proficiency, as required by Executive Order 13166. The provisions of City of Frankfort’s LEP plan are incorporated in this plan as though set forth fully herein.

## III. SCOPE OF TITLE VI APPLICABILITY TO PROGRAMS AND ACTIVITIES

The City of Frankfort affords all individuals the opportunity to benefit from programs administered by the City of Frankfort.

A. Title VI of the Civil Rights Act of 1964 (42 U. S. C. § 2000d) provides:

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.

B. 34 C. F. R. § 100.1, 100.2, and 100.3 implement the provisions of the federal statute.

C. KRS 344.015 § 1(2) states:

Each local agency shall:

(a) Develop a Title VI implementation plan by January 1, 1995. If required by Title VI or regulations promulgated thereunder, the implementation plan shall:

1. Be developed with the participation of protected beneficiaries; and
2. Include Title VI implementation plans of any sub-recipients of federal funds through the state agency;

(b) Submit a copy of the implementation plan to the Auditor of Public Accounts and the Human Rights Commission; and

(c) Submit annual Title VI compliance reports and any implementation plan updates to the Auditor of Public Accounts and the Human Rights Commission by July 1, 1995, and each July 1 thereafter.

The federal statute codified as 42 U. S. C. § 2000d and state statute KRS 344.015 provide the authority for the development of this plan and describe the extent of the authority.

Title VI applies to discriminatory acts based on race, color, or national origin and specifically prohibits the exclusion of individuals or groups from participation in, or enjoying the benefits of, federal programs. Title VI does not provide relief for discrimination based on age, sex, disability, geographic location, or wealth.

#### IV. RESPONSIBLE OFFICIAL

William May, Mayor of City of Frankfort, has overall responsibility for implementation, compliance and reporting with respect to Title VI. Inquiries related to these activities should be directed to:

Mayor William May  
PO Box 697  
Frankfort, KY 40602  
(502) 875-8500

#### V. STATEMENT OF ASSURANCES

The City of Frankfort, its Staff, any sub-recipients of federal funds under grants administered by the City of Frankfort and all other parties involved with such grants are in compliance with all provisions of Title VI of the Civil Rights Act of 1964 (42 U. S. C. § 2000d).

A. Each sub-recipient of federal funds under grants administered by the City of Frankfort shall have agreed in writing to adopt the City of Frankfort's Title VI plan, or

B. If the sub recipient's Title VI plan differs from the City of Frankfort's plan, the sub-recipient's Title VI plan shall be available for review from the Responsible Official.

#### VI. PROGRAMS OR ACTIVITIES SUBJECT TO TITLE VI

A. U.S. Housing and Urban Development's Community Development Block Grant (CDBG) program. Funds are designated for the following program areas:

- Housing
- Community Projects
- Public Services
- Public Facilities
- Economic Development
- Community Emergency Relief Fund

The U.S. Department of Housing and Urban Development (HUD) funded Community Development Block Grant (CDBG) program for the City of Frankfort to provide assistance to communities for use in

revitalizing neighborhoods, expanding affordable housing and economic opportunities, providing infrastructure and/or improving community facilities and services.

- B. The Land and Water Conservation Fund (LWCF) provides federal grant funds to protect important natural areas, to acquire land for outdoor recreation and to development or renovate public outdoor recreation facilities such as campgrounds, picnic areas, sports & playfields, swimming facilities, boating facilities, fishing facilities, trail, natural areas and passive parks.

Potential Beneficiaries: Cities and counties, state and federal agencies are eligible to apply for funding. The maximum grant amount is \$75,000. The minimum amount is \$5,000. It is a 50% matching reimbursement program.

- C. The Recreational Trails Program provides grant funds to develop and renovate recreation trails for both motorized and non-motorized use. It does not fund equipment such as mowers and gators. Potential Beneficiaries: Eligible applicants are city and county governments, state and federal agencies, and non-profit organizations.

- D. The ARC is a federal-state economic development program. To assist in the economic development of Appalachia through a diversity of projects in the areas of public infrastructure (water, sewer, solid waste, housing, and telecommunications), human resource development (education/workforce development, affordable/accessible healthcare, and leadership development) and business/entrepreneurial development.

Potential Beneficiaries Local governments, special districts, and non-profit entities that include Kentucky's 51 most eastern and south-central Counties are eligible to apply for the grant dollars. Thirty-two "distressed" counties also have access to a separate restricted allocation of funds.

- E. The National Forest Receipts program provides "pass-through" funds to counties. The State Local Finance Officer receives notice of wire transfer from the US Department of Agriculture Forest Service for funds to be distributed annually to various counties.

## VII. COMPLAINT PROCEDURES

### A. COMPLAINT PROCEDURES

#### 1. How a complaint shall be filed

Complaints in relation to alleged discrimination under Title VI of the Civil Rights Act of 1964 may be filed using the forms attached in the Appendix. If an individual refuses to submit a written complaint, the compliance officer shall record the information orally from the individual and shall provide a copy to the individual with a request that the information be confirmed by the complainant.

A complaint may be filed by anyone who believes that the City of Frankfort has discriminated against a participant, beneficiary, or a class of beneficiaries on the basis of race, color, or national origin.

Complaints must be filed within one hundred eighty (180) days of the activity which prompts the filing of the complaint.

#### 2. Where to file a complaint

Complaints in relation to alleged discrimination under Title VI of the Civil Rights Act of 1964 may be filed with City of Frankfort's Title VI compliance officer (Grants Manager).

#### 3. Time frame within which the complaint shall be processed by the agency; and upon receipt of a written complaint, the compliance officer shall review the complaint and shall file, within seven (7) days, a concise statement with the Responsible Official regarding the nature of the complaint and the steps to be taken to investigate or resolve the complaint.

#### 4. Withdrawal of a complaint;

A complainant may withdraw a complaint at any time before final action by filing with the compliance officer a written statement of his or her desire to withdraw the complaint.

### B. INVESTIGATIONS, REPORT OF FINDINGS, HEARINGS AND APPEALS.

#### 1. Investigations

Upon receipt of the complaint by an individual or at the time the compliance officer becomes independently aware of actions which may constitute a violation of Title VI, the compliance officer shall take necessary action within thirty (30) days to investigate and recommend specific actions to resolve the complaint. A report shall be filed by the compliance officer with the Responsible Official within that period.

2. Report of Findings

The complainant shall be notified in writing of the results of the investigation and any actions taken.

The City of Frankfort shall attempt to maintain the confidentiality of the complaint and the name of the complainant.

The complainant shall be notified in writing, within 30 days of the resolution of a complaint, by the Responsible Official or the Title VI compliance officer of the resolution of a complaint. A statement of corrective action shall include specific statements of actions to be taken or prohibited actions and shall include a timetable for implementation.

3. Hearings and Appeals

A complainant may file a written appeal from the Responsible Official's resolution of the complaint within 30 days of the receipt of the written notice of resolution. Appeals shall be directed to the Mayor of City of Frankfort and shall be set forth in writing. The complainant shall be notified of the final resolution of the complaint within 60 days of the Mayor's receipt of the appeal.

A complainant filing a written appeal may request an in-person hearing before the Mayor of the City of Frankfort. Such request shall be set forth in writing and shall be submitted contemporaneously with the written appeal. The complainant shall be notified of the date, time and place of the hearing within 15 days of the City of Frankfort's receipt of the request.

VIII. COMPLIANCE

- A. The City of Frankfort shall make every effort to regulate, monitor, review, and report on the federal programs to assure compliance.
  
- B. Upon a finding by the City of Frankfort of noncompliance, the City of Frankfort shall take the following actions with regard to:
  - 1. Processing  
The compliance officer shall immediately notify the Responsible Official in writing of the Violations held to constitute noncompliance with Title VI and of the steps necessary to correct these violations.
  
  - 2. Reporting  
The compliance officer shall notify the sub-recipient or employee found to be in noncompliance, in writing within 30 days of the compliance officer's report of noncompliance, of the violations and corrective measures necessary to remedy the violations.
  
  - 3. Resolution  
The City of Frankfort shall attempt to secure voluntary compliance with Title VI. In the event that

efforts to secure voluntary compliance are not secured within a reasonable period of time, the compliance officer will notify the Responsible Official, in writing, of the recommended corrective action.

#### 4. Enforcement of corrective actions

The Responsible Official shall implement corrective actions within thirty (30) days of receipt and acceptance of the notification of recommended corrective action.

Employees or grant sub-recipients who refuse to voluntarily comply with Title VI or to take corrective actions required by the City of Frankfort shall face disciplinary action, or in the case of grant sub-recipients, may face termination or suspension of the contractual relationship with the City of Frankfort.

#### 5. Monitoring of programs

The City of Frankfort shall undertake to periodically monitor all programs funded through federal assistance for those sub-recipients who have been found by the City of Frankfort to be in non-compliance with Title VI.

### IX. TRAINING

The Title VI implementation plan will be made available via City Website to all City of Frankfort employees along with complaint procedures. Sub-recipients of grants will be notified of the Title VI implementation plan and complaint procedures at the time of any grant award.

The City of Frankfort may periodically hold Title VI training seminars for its employees, particularly for those individuals responsible for monitoring sub-recipients for Title VI compliance.

### X. GOALS AND EVALUATION PROCEDURES

The City of Frankfort endeavors to reevaluate its Title VI goals on an annual basis, as part of the process of reviewing the agency's Title VI plan. The plan shall, each year, set forth City of Frankfort's current goals and the process for evaluating and revising those goals and the agency's progress towards those goals.

#### A. Goals

1. Report compliance activities in a timely manner.
2. Respond to and investigate all complaints within the timeframe and in accordance with the procedures outlined in Section VII.
3. Give employees the opportunity to rate the plan to determine if the plan is adequate to address their needs and the requirements of Title VI.

#### B. Evaluation of Goals

1. The Advisory Committee (comprised of the Grants Manager and two other employees) shall, at each meeting, review the agency's goals and its progress towards these goals, and evaluate the effectiveness of the plan's provisions as they relate to these goals.
2. The Advisory Committee shall, at each meeting, establish a timeline for achievement of goals, and implement a process for monitoring the progress towards these goals.
3. The Advisory Committee shall, at each meeting, promulgate a written report of the agency's progress towards the identified goals.
4. The Advisory Committee shall, at each meeting, discuss and evaluate whether any corrective procedures are necessary to bring City of Frankfort closer to its goals

#### XI. PUBLIC NOTIFICATION

Three groups of people will receive notification of the City of Frankfort's Title VI plan, complaint forms, nondiscrimination policy, and programs and services: 1) City of Frankfort employees will have access to the implementation plan and the complaint procedures on the city website; 2) federal grants applicants and sub-recipients of federal grants who will be notified of Title VI requirements at the time of application and at the time of any grant award; and 3) members of the general public who request information via phone, fax, or email.

The City of Frankfort's Title VI Plan are available for review at the city office. Title VI application forms and checklists for sub-recipients are also available at the city office.

#### XII. RECORDKEEPING AND REPORTING

##### A. Complaints

1. The compliance officer will maintain a log of all complaints filed with City of Frankfort.
2. Grant personnel will certify annually that all sub-recipients have been notified of the Title VI implementation plan and complaint procedures.
3. The compliance officer will maintain copies of complaint forms and will ensure that they are available for use.

##### B. Reporting

1. Changes in the Title VI implementation plan will be provided to employees and sub-recipients as changes are made.
2. Changes in the Title VI implementation plan will be forwarded to the State Auditor as changes are made.
3. Grant personnel will maintain records of all sub-recipients in order that the City of Frankfort can determine if eligible parties are participating in the grants.

##### C. The changes made in sections VIII and IX of this plan are incorporated herein as part of City of Frankfort's recordkeeping and reporting procedures.

##### D. Participation data:

Because the City of Frankfort acts as an administrator or a pass-through source for sub-recipients of federal funds, the agency is unable to provide data showing the extent to which members of protected parties are participating in the Title VI programs and activities.

The City of Frankfort endeavors to ensure that each sub-recipient of federal funds is in full compliance with Title VI, and that each such entity ensures equal participation in programs funded by federal monies to protected parties.

XIII. MINORITY REPRESENTATION

Minority representation on Boards/Committees

BOARD/COMMITTEE	MEMBERS	MINORITY REPS	PERCENTAGE
City Commission	5	1	20%
Arch. Review Board	4	1	25%
Board of Adjustments	4	1	25%
Board of Ethics	3	0	0%
Board of Parks Comm.	7	1	14%
Capital City Museum**	11	1	9%
Civil Service Fire/Police	5	3	60%
Code Enforcement	5	1	20%
Electric and Water	5	1	20%
Forestry Advisory Board	7	0	0%
2 <sup>nd</sup> St. Form Based Code	6	1	16%
Housing Authority	4	1	25%
<u>CCEIDA (aka KCDC)</u>	3	0	0%
Tourism Commission	3	0	0%
Planning Commission	5	1	20%
Planning Sub-Committees			
*Landscape Committee	5	1	20%
*Subdivision Update	3	0	0%
*Zoning Update Comm.	2	1	50%

\*\* The Capital City Museum selects their own Board based on their 501c3 Bylaws.

B. Ensuring minority participation:

The City of Frankfort continues to attempt to identify and employ qualified minority applicants. Where minority representation in particular areas of the agency is low, the City of Frankfort endeavors to fill vacant positions with qualified minorities. Whenever a planning or advisory body, such as a board or committee is an integral part of City of Frankfort’s programs, City of Frankfort shall take such steps as are necessary to ensure that minorities are notified of the existence of such bodies and are provided equal opportunity to participate as members. Where members of a board or committee are appointed by the City of Frankfort and where minorities comprise at least 5% of the affected area or the surrounding community, the facility or agency will make efforts to appoint a minority representative to serve on the board or committee.

The City of Frankfort has also created a Title VI advisory committee to review and make recommendations regarding this implementation plan and to identify areas where improvement is needed. The advisory committee is currently composed of three (3) people. The advisory committee shall meet at least once each year.

The summary of race and national origins for the City of Frankfort includes the following employees:

RACE/NATIONAL ORIGIN	NUMBER	Percentage
White Females	127	20
White Males	452	72
Black Females	18	3
Black Males	30	5
Hispanic Females	2	Less than 1%
Hispanic Males	1	Less than 1%
American Indian Females	0	0
American Indian Males	0	0
Other Females	0	0
Other Males	2	Less than 1%
Total	632	100

**City of Frankfort  
315 West Second Street  
PO Box 697  
Frankfort, KY 40602  
Phone: (502) 875-8500  
Fax: (502) 875-8518**

**Complaint Under Title VI The Civil Rights Act of 1964**

To Title VI Coordinator:

I, \_\_\_\_\_, hereby file an official complaint against  
\_\_\_\_\_ located at

Name of Persons or Agency  
\_\_\_\_\_

Date of alleged discrimination: \_\_\_\_\_

Complainant's address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complainant's telephone number: \_\_\_\_\_.

Basis of complaint (use back of sheet if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**City of Frankfort**  
**315 West Second Street**  
**PO Box 697**  
**Frankfort, KY 40602**  
**Phone: (502) 875-8500**  
**Fax: (502) 875-8518**

**Report of Investigation**

I, \_\_\_\_\_, representing the City of Frankfort, have investigated the complaint filed on \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ alleging that discrimination occurred which was in violation of the provisions of Title VI of the Federal Civil Rights Act.

The results of the investigation were as follows:

- \_\_\_\_ A. The agency or person was found to be in violation of Title VI.
- \_\_\_\_ B. The agency or person was not found to be in violation of Title VI.
- \_\_\_\_ C. The complainant withdrew the complaint.

A copy of the investigative report is attached.

Withdrawal of Complaint (if applicable) \_\_\_\_\_

If the agency or person was found to be in violation of Title VI, a brief description of the remedial action taken to assure future compliance follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_