



City of Holland

Texas

Title VI

Nondiscrimination Plan

City of Holland
102 W Travis
Holland, Texas 76534
June 18, 2026

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President Lyndon B Johnson signing the Civil Rights Act of 1964 (REPLACE PHOTO AND CAPTION AS NEEDED)

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.

City of Holland, 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 of Holland* acknowledges it is subject to and will comply with Federal Highway Administration Title VI Assurances.

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

Discrimination under Title VI

It is the responsibility of every *City of Holland* 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 of Holland 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 of Holland* 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 of Holland* 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 of Holland* as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of *City of Holland*, including its contractors and anyone who acts on behalf of *City of Holland*. This policy also applies to the operations of any department or agency to which *City of Holland* 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 *City of Holland*, *City Administrator, Sandy Starks*, 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 of Holland*, is required to include in bid solicitations or requests for proposal, contracts, and real estate agreements. *City of Holland* is committed to ensuring the necessary language is used as prescribed in the assurances agreement.

In accordance with this requirement, *City of Holland* has signed the U.S. DOT Standard Title VI/Non-Discrimination Assurances and Appendices. The documents are attached as **Attachment 2** and **Attachment 3**.

Organization and Staffing

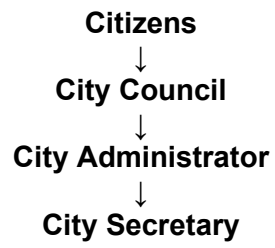
City Administrator is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 C.F.R. Part 200 and 49 C.F.R.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

City of Holland has assigned *Sandra Dickey, City Secretary*, to perform the duties of the Title VI Coordinator and ensure implementation of the agency's Title VI program.

The Title VI Coordinator is responsible for:

- Maintaining and updating the Title VI plan on the agency's behalf;
- Ensuring relevant agency staff 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;
- Developing a program to conduct Title VI reviews of program areas; and
- Developing Title VI information for dissemination internally and externally

City of Holland



Administration



Primary Program Area Descriptions & Review Procedures

The *City of Holland* engages in the following program areas:

Program Area and General Description	Title VI/ Non- Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Right of Way: Issues public right of way permits for construction, transportation, business, and other activities.	Public right-of-way permits and relocations should not create unfair burdens. Collecting demographic data from property owners who may be subject to right of way activities.	Reviewing permits and relocations to ensure nondiscrimination
Coordinates relocation of citizens whose property has been acquired for the right of way	Ensuring property owners impacted by right of way activities are made aware of their right to be free from discrimination on the basis of race, color, or national origin under the Title VI of the Civil Rights Act of 1964	Ensure demographic data is part of necessary right of way templates or forms. Ensure Title VI notice is consistently provided to property owners impacted by right of way activities
Contracting: Develops and manages contracts and contracting opportunities, including specifications, bidding process, and contract execution	Maintaining an open and fair bidding process for all contracts Ensure Title VI Assurances appendices are included in contracts as specified within the assurances document	Reviewing contracts for necessary Title VI language. Reviewing any available data on contract recipients to ensure nondiscrimination on contracting Reviewing bidding procedures to ensure nondiscrimination and equal opportunity.
Planning: Short- term and long -term planning of transportation projects	Ensuring comprehensive public participation to ensure all stakeholders have a chance to voice their opinions. Collecting demographic data from public engagement activities regarding demographics of public participants. Providing language access as needed.	Review planning decisions to ensure nondiscrimination. Reviewing public engagement activities periodically to determine whether engagement opportunities were offered to all communities. Documenting language access requests.
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. Collecting demographic data from public engagement activities regarding demographics of public participants. Providing language access as needed. Disseminating Title VI information to public to ensure they are aware of their rights to be free from discrimination.	Reviewing public engagement activities periodically to determine whether engagement opportunities were offered to all communities. Documenting language access requests.
Maintenance: Services roadways and right of ways, including, but not limited to, providing: Repair Signage Drainage/ snow and ice removal	Ensuring no communities are subject to a disparate lack of maintenance services based on protected class.	Reviewing resources provided to the community and determining whether any protected class communities have disproportionately benefited or been harmed by the delivery of maintenance services.

Data Collection and Analysis

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 field title report form.	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 questionnaire 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.

Potential sources of data and analysis tools include:

- Census Data
- American Community Survey
- School Districts
- Forms or Surveys from the public
- MPO Committees (e.g., Citizen Advisory Committees)
- Field Observations

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 of Holland*, 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 of Holland*.

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

How to File a Formal Title VI Complaint

Any person(s) or organization(s) believing they have been discriminated against on the basis of the protected classes stated above by *City of Holland* or its contractors may file a Title VI complaint.

Discrimination complaints **must be received no more than 180 days after the alleged incident** unless the time for filing is extended by the processing agency.

Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. 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 ongoing.

Complainants are encouraged to submit complaints directly to the Texas Department of Transportation (TxDOT).

Complaints can also be filed by completing and submitting *City of Holland's* Title VI Complaint Form available at www.cityofholland.org or by sending an email or letter with the necessary information to:

City of Holland

Mailing Address: 102 W Travis

Email: sdickey@hollandtx.gov

Phone: 254-657-2460

If necessary, the complainant may call the phone number above and provide the allegations by telephone. The Title VI Coordinator will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature.

Complaints can also be filed directly with the following agencies:

Federal Highway Administration

U.S. Department of Transportation Office of Civil Rights

HCR-20, Room EBI-320

1200 New Jersey Avenue, SE

Washington, DC 20590

Email: CivilRights.FHWA@dot.gov

Texas Department of Transportation

Civil Rights Division

Attn: Title VI Program Manager

125 E. 11th Street Austin, Texas 78701

After submitting a complaint, the complainant will receive correspondence informing them of the status of the complaint within ten (10) business days from *City of Holland* or other agency receiving the complaint.

Complaints received by *City of Holland's* Title VI Coordinator are forwarded to the TxDOT Office of Civil Rights (OCR). TxDOT OCR will forward the complaint to the FHWA Texas Division Office, along with a preliminary processing recommendation. The FHWA Texas Division Office will forward the complaint to FHWA Headquarters Office of Civil Rights (HCR).

FHWA HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints. There are four potential outcomes for processing complaints:

- **Accept:** if a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under the FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Texas Division Office a written notice that it has accepted the complaint for investigation.
- **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- **Procedural Dismissal:** if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Texas Division Office a written notice that it is dismissing the complaint.
- **Referral\Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

Complaints are not investigated by *City of Holland*. FHWA HCR is responsible for investigating all complaints. FHWA HCR may also delegate the investigation to TxDOT OCR, who would then conduct all data requests, interviews, and analysis and create a Report of Investigation (ROI). TxDOT OCR will have sixty (60) business days from the date the investigation is delegated to prepare the ROI and send it to HCR. HCR will review the ROI and compose a Letter of Finding based on the ROI.

For further information about the FHWA investigation process and potential complaint outcomes, please visit the [Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964](#)

Complaint Log

City of Holland 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

Notice of Rights

In accordance with 23 CFR 200.9(a)(12), *City of Holland* is required to develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English. Notice of *City of Holland* Title VI policies and procedures are listed in many places such as City Hall or our website www.cityofholland.org

Notification to Beneficiaries

City of Holland 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 *City of Holland Web site* includes:

- *City of Holland* Title VI/Nondiscrimination Plan
- Title VI Nondiscrimination Statement (English and Spanish)
- Title VI Nondiscrimination Assurances
- City of Holland Discrimination Complaint Form (English and Spanish)
- Title VI Poster
- *City of Holland* Language Assistance Plan

Public Involvement

It is the goal of *City of Holland* to provide continuous, effective and transparent access to all stakeholders. *City of Holland* strives to inform all stakeholders about proposed plans and projects and seeks input when appropriate. *City of Holland* utilizes the following methods to communicate information regarding upcoming activities and opportunities for public and stakeholder participation in the planning process

- *LOCAL COMMUNITY PUBLIC MEETINGS*
- *City of Holland Web SITE*

Traditionally underserved communities can find it more difficult to engage with decision making entities due to scheduling conflicts, lack of transportation to public involvement events, language barriers, lack of childcare, etc. Genuine public involvement takes place at all levels and so *City of Holland* aims to identify communities that may be affected by a project in order to plan appropriately and effectively for the potentially impacted groups. Sources of data used were listed above in the Data Gathering section. *City of Holland* specifically uses the following sources to identify minority and populations with limited English proficiency.

- *US CENSUS TABLE P9 - HISPANIC OR LATINO AND NOT HISPANIC OR LATINO BY RACE*
 - *ACS TABLE B16001 - LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER*

City of Holland will use the following techniques to ensure that all members of the community have the opportunity to participate in the decision-making process:

- *HOLDING MEETINGS AT DIFFERENT TIMES OR ON THE WEEKEND*
 - *HOLDING MEETINGS AT LOCATIONS IN NEIGHBORHOOD LIKE SCHOOLS OR PARKS*
- *TRANSLATING DOCUMENTS INTO LANGUAGES OTHER THAN ENGLISH*

Language Assistance and Limited English Proficiency

As a recipient or sub-recipient of federal US DOT funding, the City of Holland is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons. City of Holland follows Executive Order 13166 in identifying and engaging limited English proficient (LEP) populations to ensure their involvement and knowledge of programs and activities in and around their community.

Limited English Proficient (LEP) persons are defined as persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

City of Holland's policy for engaging Limited English Proficient Individuals is to provide translation services to individuals who request them, if reasonable accommodations can be made. In addition, the COMB proactively identifies communities with high concentrations of Limited English Proficient persons and employs tactics and strategies to effectively engage them in the planning process.

The City of Holland Language Assistance Plan includes the following elements:

1. The results of the Four Factor Analysis, including a description of the LEP population(s), served.
2. A description of how language assistance services are provided by language
3. A description of how LEP persons are informed of the availability of language assistance service COMB Nondiscrimination Plan
4. A description of how the language assistance plan is monitored and updated
5. A description of how employees are trained to provide language assistance to LEP persons

Four Factor Analysis Results: LEP Populations Served

Item #1- Number or proportion of LEP persons eligible to be served or likely to be encountered by the program: The greater the number or proportion of LEP persons served or encountered, the more likely language services are needed. For the assessment to be accurate it must also include all communities that are eligible for services or are likely directly affected by the district's programs or activities, not only those that live next to a project

One language meets the Safe Harbor threshold-Spanish. City of Holland is home to 1,300 people (11.1% of the population) who speak Spanish. The number of people who speak other languages and English less than very well all comprise under 0%.

Based on the limited population of Spanish speakers who also speak English less than very well, the City of Holland designates the following as Vital Documents which will be translated to Spanish: Title VI Policy Statement, Title VI Notice to the Public, Title VI Complaint Form, and Title VI Complaint Procedures.

Item# 2 - Frequency with which LEP individuals come in contact with the program: Consider how frequent encounters with LEP individuals may occur. Encounters with LEP individuals are documented by the district Title VI liaison in quarterly reports to the Civil Rights Division. Additionally, consider events or work projects in the next year, which may increase the frequency with which LEP encounters may occur.

Description of how Language Assistance Services are Provided, by Language

City of Holland has identified, developed, and uses the following:

The City of Holland will continue to update the LEP plan as required by U.S. DOT. At a minimum, the Title VI Plan will continue to be reviewed and updated every five (5) years in conjunction with the Title VI submission and use data from the U.S. Decennial Census or the American Community Survey as available, or when it is clear that the concentrations of LEP individuals are present in the City of Holland. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the City.
- Determination as to whether the need for translation services has changed.
- Determine whether the City of Holland has complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the City of Holland's failure to meet the needs of LEP individuals.

Item #3 - Nature and importance of the program, activity, or service provided by the program to people's lives: Some consideration should be given to TxDOT policies, programs, events and projects planned for the next year but generally the nature and importance of LEP encounters should be considered on a project-by-project basis.

Description of how LEP Persons are Informed of the Availability of Language Assistance Service

In order to ensure that LEP individuals are aware of the City of Holland language assistance measures, the City of Holland provides the following:

- Title VI Program including the Language Assistance Plan is made available on website.
- The City of Holland will provide all forms in English and Spanish.
- Front line personnel in various departments are sought out during the hiring process to have Spanish speaking skills

Item #4 - Resources available to the grantee/recipient or agency, and costs: TxDOT has both internal and external resources available to assist with translation and interpretation services.

Description of how the Language Assistance Plan is Monitored and Updated

a) City of Holland has many local agencies, organizations, law enforcement, local school districts and social service agencies that are available to assist with its LEP responsibilities.

b) City of Holland provides testing and a stipend to police officers and firefighters who are bilingual or

multilingual who use their skills in the community.

c) Any other need for translated documents or interpretation services will be provided on an as needed basis. That is, anyone requesting specific information in a non-English language will be provided it upon request the agency will use its internal resources to meet this need, when available. Otherwise, the city will reach out to external partner agency resources, or hire a translator or interpreter as needed.

d) City of Holland website has translation services available for Spanish by default Google Translate can be utilized to translate into more than 100 languages.

e) City of Holland strives to hire bilingual employees in various public-facing departments and customer service roles.

Training

City of Holland 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:

Review of the *City of Holland* Title VI Plan

- 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.
- **Description of how Employees are Trained to Provide Language Assistance to LEP Persons**
- The following training will be provided to the City of Holland staff:
- Information on the City of Holland's Title VI Procedures and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- How to handle or where to send a potential Title VI / LEP complaint
- Viewing the video [Understanding and Abiding by Title VI of the Civil Rights Act of 1964](#) produced by the U.S. Department of Justice

City of Holland will maintain records indicating that staff have received sufficient training on a periodic basis.

Complaint Form



DISCRIMINATION COMPLAINT FORM

When completed, mail this signed form to: City of
Holland, ATTN: Title VI Coordinator
P.O. Box 157, Holland, Texas 76534

Last Name		First Name	
Mailing Address		City	State Zip
Telephone	Alternate Telephone	Email Address	
Please indicate the basis of your complaint:			
Race	Age	National Origin	
Color	Gender	Disability	
Date and place of alleged discriminatory action(s). 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 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).			
Names of persons (witnesses, employees, or others) whom we may contact for additional information to support or clarify your complaint. (Attach additional pages if necessary)			



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 of Holland will ensure that all complaints are sent to the appropriate authority for disposition.

Complaints alleging violations of Title VI by subrecipients may be filed in writing directly with the following local, state and federal agencies:

City of Holland

Attn: Title VI Coordinator
102 W Travis

Holland, Texas 76534

Additionally, complaints filed against the subrecipient may also be filed with TxDOT or FHWA at:

Texas Department of Transportation
Civil Rights Division
Attn: Title VI Program Administrator
125 E. 11th Street
Austin, TX 78701

Federal Highway Administration - Texas Division
Attn: Civil Rights Specialist
300 E. 8th St.
Austin, TX 78701

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

Complaint and investigation files are confidential. The contents of such files will only be disclosed to

appropriate City of Holland personnel, state and federal authorities in
accordance with Federal and State laws. City of Holland _ _ _ _ _ will retain files
in accordance with records retention schedules and all Federal guidelines.

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 City of Holland will accept the easement 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 City of Holland 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 City of Holland 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

City of Holland, its successors and assigns.

The City of Holland

, 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 [.]

City of Holland

will interests [and]* (2) that

use the lands and 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, City of Holland will have the right 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, City of Holland 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 City of Holland
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 Non-discrimination covenants, City of Holland 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, City of Holland will there upon revert to and vest in and become the absolute property of City of Holland and its assigns. •

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:

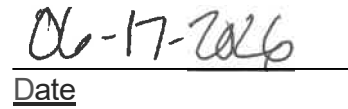
Pertinent Non-Discrimination Authorities:

- 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.F.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);
- 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).

The City of Holland, as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.


Signature of Authorized Official


Date