



MEMORANDUM

February 6, 2012

TO: Board of Mayor and Aldermen

FROM: David Parker, City Engineer/CIP Executive
Eric Stuckey, City Administrator *E. Stuckey*

SUBJECT: **Resolution 2012-02; A Resolution to Affirm Compliance
With Federal Title VI Regulations**

Purpose

The purpose of this memorandum is to provide the Franklin Board of Mayor and Aldermen (BOMA) with information to make an informed decision as the passage of Resolution 2012-02, A Resolution to Affirm Compliance with Federal Title VI Regulations.

Background

The City of Franklin has on numerous occasions and expects to on many more occasions to receive federal funding through grants on projects administered by the City. This federal funding can be provided to the City by way of a pass-through with any of a number of state agencies such as the Tennessee Department of Transportation (TDOT), the Tennessee Department of Environment and Conservation (TDEC), or others, or the funding may be directly with any of a number of federal agencies. Whether through a state agency or directly from a federal agency, the City has to affirm its compliance with the Federal Title VI regulations. Federal Title VI regulations were enacted through the Civil Rights Act of 1964 and essentially prohibit major forms of discrimination. The purpose of Resolution 2012-02 is for BOMA to so affirm compliance once in order to not slow down any grant application and approval process that may be forthcoming throughout this calendar year.

Financial Impact

None.

Options

1. Approve Resolution 2012-02 as provided; or
2. Provide an affirmation resolution for each grant as they are in their approval process.

Recommendation

Staff recommends Option 1 – approve Resolution 2012-02 as provided.

RESOLUTION 2012-02
A RESOLUTION TO AFFIRM COMPLIANCE WITH
FEDERAL TITLE VI REGULATIONS

WHEREAS, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground 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; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the City of Franklin receives federal funds for various projects through several state agencies such as the Tennessee Department of Transportation (TDOT) the Tennessee Department of Environment and Conservation (TDEC) and others, as well as some federal agencies directly; and

WHEREAS, by virtue receiving the federal funds through the state agencies, the Board of Mayor and Aldermen need to confirm that the City is in compliance with the regulations of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee:

SECTION 1. The Board of Mayor and Aldermen of the City of Franklin declares that the City is in compliance with the federal Title VI regulations.

SECTION 2. Any state agency providing pass through federal funds to the City, or any federal agency providing funds directly to the City may from time to time monitor the City's compliance with federal Title VI regulations.

SECTION 3. This Resolution shall take effect upon adoption, the public welfare requiring it.

Adopted this 28th day of February, 2012.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

By: _____
ERIC S. STUCKEY
City Administrator

By: _____
DR. KEN MOORE
Mayor