

RESOLUTION NO. 2022-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA, ADOPTING THE LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENCY PERSONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT COVID (CDBG-CV) PROGRAM AND OTHER FEDERALLY FUNDED GRANT PROGRAMS.

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) announced that the State of Florida would receive \$92 million in funding to help local governments prepare for, prevent, or respond to the health and economic impacts of the pandemic through HUD's Community Development Block Grant (CDBG-CV) Small Cities and Entitlement programs; and

WHEREAS, the Department of Economic Opportunity (DEO) is making \$42 million in funding available for Florida's non-Entitlement communities through the CDBG-CV Small Cities Program for communities that are eligible to participate in Florida's Small Cities CDBG Program; and

WHEREAS, the City of New Port Richey plans to apply for a grant under the Florida CDBG-MIT program and may from time-to-time apply for other federal grants, and as part of the requirements to be such a grant recipient, the City has an obligation to reduce language barriers that can preclude meaningful access by Limited English Proficient (LEP) persons to important government programs, services, and activities; and

WHEREAS, under the grant requirements the City is required to conduct a Four Factor Analysis using the documentation provided by the Florida Department of Economic Opportunity, to determine whether the City is required to submit to the Florida Department of Economic Opportunity a Language Access Plan to address the Language Access Policy, translation of required vital documents, and requirements for citizen participation.

NOW THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA, AS FOLLOWS:

SECTION 1. Adoption of the Language Access Plan. The City conducted the Four Factor Analysis in accordance with the Florida Department of Economic Opportunity requirements as further described in Attachment A and is required to submit to the Department a Language Access Plan to address the Language Access Policy, translation of required vital documents, and requirements for citizen participation. The City Council hereby approves and adopts the Language Access Plan for Limited English Proficiency Persons in the form attached hereto as Attachment A. The Mayor and the City Clerk are hereby authorized to take all actions necessary to provide the Language Access Plan to the Florida Department of Economic Opportunity in the form required by the Department.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon adoption.

DONE AND RESOLVED this 19th day of October, 2021.

ATTEST:

By: _____
Judy Meyers, CMC, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR
THE SOLE USE AND RELIANCE OF THE CITY OF
NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney

ATTACHMENT “A”

**FOUR-FACTOR ANALYSIS
and
LANGUAGE ACCESS PLAN
FOR LIMITED ENGLISH PROFICIENCY
PERSONS**

**COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

CITY OF NEW PORT RICHEY

Purpose: In compliance with Executive Order 13166, the City of New Port Richey has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.

History: Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

City of New Port Richey Four-Factor Analysis: The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the City of New Port Richey will undertake to guarantee access to the City of New Port Richey Community Development Block Grant (CDBG) programs by LEP persons.

1. Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

The City of New Port Richey utilized American Community Survey data Table(s)#S1602. Based on this data, the City of New Port Richey does meet the 1,000 or 5% LEP persons threshold for the Spanish Language.

2. The frequency with which the LEP persons come into contact with the program.

The proposed project includes sidewalk widening and lighting. Therefore, residents are not likely to have direct contact with the program and its staff.

3. The nature and importance of the program, activity, or service provided by the program.

The proposed project does not provide direct assistance to project area beneficiaries related to the widening and lighting of existing sidewalks; therefore, the nature of the activity or service is of significant importance to the proposed project area(s) residents.

4. The resources available and costs to the recipient.

Currently, there are free websites that can be utilized to translate some written materials. Additionally, local volunteers have been identified to provide oral translation services at public meetings and during conversations with LEP

residents during the implementation of the proposed project. Furthermore, many of the common forms used in the implementation of a CDBG project are available in multiple languages on the HUD and DOL websites. Additionally, translation activities are an eligible CDBG administrative expense. Therefore, limited LAP measures are reasonable given the resources available to the City of New Port Richey.

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**City of New Port Richey
Language Access Plan**

As a result of the preceding Four-Factor Analysis, the City of New Port Richey has identified the following types of language assistance to be provided on an as needed basis by the City of New Port Richey throughout the implementation of the CDBG program:

- All CDBG citizen participation documents, project-related resolutions, public notices, and amendments will be published in Spanish on bulletin boards at the City Hall and in public places throughout the proposed project area(s) and/or the community.
- Additionally, all published citizen participation advertisements will include a statement in Spanish indicating other program materials are available in Spanish upon request.
- All citizen participation notices will include a statement that translators will be available at public meetings upon prior request.
- If needed, a translator may be retained to provide oral translation in the field during the implementation of the project activities.
- If other populations of LEP persons are identified in the future, The City of New Port Richey will consider additional measures to serve the language access needs of those persons.

Adopted:

Attest

Date Adopted

Judy Meyers, City Clerk

Robert Marlowe, Mayor