

City of Black River Falls
COMMON COUNCIL – AGENDA

Tuesday – January 2, 2024 – 6:00 PM
City Hall – 101 S. Second Street, Black River Falls, WI

Join Zoom Meeting:

<https://us02web.zoom.us/j/81050807650?pwd=NEtVbWhMK05yeFZhSGJUSWxVbW9>

Or Dial: 1-312-626-6799

Meeting ID: 810 5080 7650

Password: cityhall

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Reading of the Minutes of the December 20, 2023 Special Common Council Meeting –
Action
5. Citizens in Attendance
6. Committee Reports:
 - a. Utility Commission December 18, 2023
7. Business Improvement District Update
8. Request to fill vacant full-time Patrol Officer position – Action
9. Request to fill vacant full-time Parks & Recreation Director position – Action
10. Title VI / ADA Non-Discrimination Plan – Action
11. Convene in to closed session for the purpose of considering performance evaluation data of a city employee over which the governmental body has jurisdiction or exercises responsibility which is authorized under Section 19.85(1)(c) of the Wisconsin Statutes –
Action
12. Reconvene in to open session to take or announce action, if any and if appropriate –
Action
13. Meetings: Committee of the Whole **Wednesday, January 17, 2024 6:00 PM**
14. Adjourn

Posted: December 28, 2023

The Common Council met in special session at City Hall in the City of Black River Falls on December 20, 2023 at 6:00 P.M. Alderpersons Olson, Dougherty, Gearing-Lancaster, Wussow, Brown, and Ammann were present. Alderperson E. Rave attended remotely. Alderperson M. Rave was excused. Mayor J. Eddy presided.

It was moved by Alderperson Brown, seconded by Alderperson Dougherty to dispense with the reading of the minutes of the December 5, 2023 Common Council meeting and approve as presented. Motion carried.

CITIZENS IN ATTENDANCE

There were no citizens in attendance.

There were no updates on the County Jail/Justice Center Project.

It was moved by Alderperson Wussow seconded by Alderperson Olson to place on file the minutes of the December 14, 2023 Business Improvement District (BID) Board meeting. Motion carried.

It was moved by Alderperson Ammann, seconded by Alderperson Dougherty to approve the Procurement Policy as presented. Motion carried.

The Department Head monthly reports were reviewed. Department heads present were Chad Duerkop, Darryl Nelson, Jody Stoker, Cara Hart, and Brad Chown. Jeremy Isensee was excused.

1. It was moved by Alderperson Dougherty, seconded by Alderperson Gearing-Lancaster to approve the Aquatic Center Valve Replacement & Leak Repair Contract with Neuman Pools, Inc. with cost not to exceed \$93,396.00 contingent on receiving a signed Memorandum of Understanding committing \$150,000 from a donor advised fund. Motion carried.
2. It was moved by Alderperson Brown, seconded by Alderperson Wussow to approve the Aquatic Center Gutter Renovation & Construction Joint Repair Contract with Neuman Pools, Inc. with cost not to exceed \$194,736.00 contingent on receiving a signed Memorandum of Understanding committing \$150,000 from a donor advised fund. Motion carried.
3. It was moved by Brown, seconded by Ammann to approve the Fire Department's request to fill the vacant full-time Paramedic shift 10:00am – 6:00pm. Motion carried.
4. The Street Superintendent advised the vendor contracted to add the attachments is having staffing issues like everyone else, so things are getting backed up. The grader is there and guessing we might receive it by end of next month.

It was moved by Alderperson Ammann, seconded by Alderperson Wussow to approve the revised 2024 Business Improvement District (BID) Operating Plan designating the Black River Area Chamber of Commerce to administer the plan contingent on the Chamber board approving it. Motion carried.

It was moved by Alderperson Dougherty, seconded by Alderperson Wussow to approve the vouchers for November 2023 Check #73226 - #73328 totaling \$272,039.76. Motion carried.

The City Administrator advised the beginning balance is slightly different (-\$85.34) than the ending balance from last month due to entries our accounting software representative made to adjust for some ARPA premium pay overpayments. These entries were posted back to August and October which results in revised ending balances. The balance presented in the November treasurer's report is accurate.

It was moved by Alderperson Wussow, seconded by Alderperson Dougherty to approve the City Treasurer's Report for November 2023. Motion carried.

It was moved by Alderperson Brown, seconded by Alderperson Olson to approve the Revenue & Expense Reports for November 2023. Motion carried.

It was moved by Alderperson Olson, seconded by Alderperson Wussow to adjourn. Motion Carried at 6:53 pm.

A. Brad Chown
City Administrator

BLACK RIVER FALLS UTILITY COMMISSION MEETING MINUTES

December 18, 2023

Utility Commission President John Lund called a meeting of the Black River Falls Municipal Utility Commission to order on December 18, 2023 at 4:27 p.m. in the Utility Conference Room at 349 South McKinley Street. Commissioners in attendance were Jeff Amo, Jay Eddy, Don Mathews, and Pete Olson. Also present were General Manager Casey Engebretson, Electric Supt. Kevin LaValley, and Garrett Aleckson (Banner Journal).

A motion was made by Commissioner Mathews and seconded by Commissioner Eddy to approve the minutes from the November 27, 2023 regular meeting.

Aye: Lund, Amo, Eddy, Mathews, and Olson
Motion carried.

A motion was made by Commissioner Olson and seconded by Commissioner Amo to approve the accounts payable vouchers; VC #41372; CK #41685 - #41753; EP #100778 - #100785 – Totaling \$1,056,465.69.

Aye: Lund, Amo, Eddy, Mathews, and Olson
Motion Carried.

The Commission reviewed the November 2023 arrears.

Casey Engebretson informed the Commission that water and wastewater staff completed flow and pressure measurements in various locations throughout the water system. This testing is the initial step in updating the water system study. The next phase includes modeling potential development areas to determine future water system infrastructure needs.

Casey Engebretson informed the Commission that the WWTP is working with a chemical supplier to test a new chemical for phosphorus reduction to replace the current rare earth chemical. The new chemical is less expensive, is expected to maintain lower sludge production, and has shown positive results from preliminary jar testing. WWTP staff is seeking a quote to use the new chemical on a trial basis.

Casey Engebretson presented the Commission with recommended donations for remaining 2023 Value of Public Power (VPP) Funds.

A motion was made by Commissioner Eddy and seconded by Commissioner Amo to approve the following donations from the VPP Funds:

- \$695 Community Contribution – BRF Parks & Rec for the All-Abilities Playground
- \$500 Economic Development – BR Downtown Association
- \$500 Economic Development – BR Area Chamber of Commerce
- \$1,000 School & Education Outreach – BRFHS Tech Education

Aye: Lund, Amo, Eddy, Mathews, and Olson
Motion Carried.

Casey Engebretson provided an update on the Forebay project. Casey collaborated with the WI Dept. of Natural Resources and the US Fish & Wildlife Service to conduct historical and endangered resources reviews. This review is complete as it was determined that the project will have "No Impact" on resources. Casey also stated that federal regulations require a plan review by the Federal Energy Regulatory Commission (FERC) for major maintenance projects on hydroelectric facilities. Casey reviewed the scope of work with the FERC. The FERC determined the project was considered minor maintenance, therefore, a detailed plan review was not necessary. Casey informed the Commission that we will proceed to bid as soon as the plans and bid documents are completed. Project financing will be discussed in the near future. The Utility received a Department of Energy Hydroelectric Generation Incentive, in the amount of \$50,755, which will be used to offset a portion of the costs of the project.

The next meeting is scheduled for January 29, 2024.

A motion was made by Commissioner Amo and seconded by Commissioner Olson to adjourn the meeting at 4:56 p.m.

Casey Engebretson, General Manager

comm.mtg.minutes.12.18.2023

Title VI Plan - Talking Points for Common Council Meeting

- ✓ FTA/WisDOT requires subrecipients to update their Title VI Plan every 5 years.
- ✓ The major Title VI Plan elements/requirements from 2018 to 2023 did not change.
- ✓ The 2023 Title VI Plan version includes the following:
 - Updated Notice of Nondiscrimination, Complaint Form, Public Involvement Activities, LEP Plan outlining Language Assistance Services
 - These updates were made using updated template information from WisDOT.
- ✓ After the Title VI Plan is signed, the city will update its website with current Title VI Plan information.

City of Black River Falls

Title VI/ADA Nondiscrimination Plan

Revised on: **(insert date plan is signed - TBD)**

Adopted by: City of Black River Falls Common Council

Original Plan

Adopted on: April 15, 2014

This plan is hereby adopted and signed by:

City of Black River Falls

Executive Name/Title: _____

Executive Signature: _____

As a recipient of USDOT Federal Transit Administration (FTA) funding, per [FTA Circular 4702.1B](#) the **City of Black River Falls** is required to prepare a Title VI/ADA Nondiscrimination Plan including the following elements:

- Evidence of Policy Approval
- Policy Statement, Log of Policy Updates, Contact Information/Program Administration
- Notice of Nondiscrimination (**Appendix 1**)
- Complaint Procedure (**Appendix 2**)
- Complaint Log (**Appendix 3**)
- Complaint Form (**Appendix 4**)
- Public Involvement Plan (**Appendix 5**)
- Limited English Proficiency (LEP) Plan (**Appendix 6**)
- Limited English Proficiency LEP Tools (**Appendix 7**)
- Demographic Representation Information (**Appendix 8**)

Policy Statement

The **City of Black River Falls** is committed to ensuring that no person is excluded from the participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by the **City of Black River Falls** in accordance with Title VI of the Civil Rights Act of 1964¹ and related nondiscrimination authorities.

The **City of Black River Falls** receives federal financial assistance to provide transportation service in the City of Black River Falls and surrounding area.

Policy Updates – Activity Log

The **City of Black River Falls** will review its policy on an annual basis to determine if modifications are necessary. The table below outlines the Title VI/ADA Plan reviews/revisions made by the **City of Black River Falls**.

The **City of Black River Falls** will discuss Title VI/ADA Nondiscrimination Plan requirements with its third-party transit providers on an annual basis to ensure compliance with civil rights requirements.

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Person Responsible	Notes
December 18, 2023	Updated Title VI/ADA Plan per WisDOT requirement. Revisions included updated Complaint Form, updated LEP Plan and Minority Representation Information with current US Census data	A. Brad Chown	Give a copy of signed plan to Transit Provider.
November 7, 2018	Update Title VI/ADA Plan	A. Brad Chown	
April 15, 2014	Develop Title VI/ADA Plan	A. Brad Chown	

¹ **Title VI of the Civil Rights Act of 1964** states “No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” – [Title 42 USC Section 2000d](#)

Contact Information/Program Administration

Chief Executive

The **City of Black River Falls'** Chief Executive will ensure compliance with [Title VI of the Civil Rights Act of 1964 \(42 U.S.C. 2000d\)](#) and the U.S. Department of Transportation implementing regulations.

Name:	A. Brad Chown
Email:	City.admin@blackriverfallswi.gov
Phone:	715-284-2315

Civil Rights Coordinator

The **City of Black River Falls'** Civil Rights Coordinator ensures Title VI/Nondiscrimination and LEP compliance in accordance with the **City of Black River Falls'** federally funded transportation activities. The Civil Rights Coordinator has other duties and responsibilities in addition to Title VI/Nondiscrimination and LEP compliance. This position has a direct reporting relationship and access to the **City of Black River Falls'** Chief Executive.

Name:	A. Brad Chown
Email:	City.admin@blackriverfalls.com
Phone:	715-284-5514

The Civil Rights Coordinator is responsible for initiating, monitoring, and ensuring compliance of the **City of Black River Falls'** nondiscrimination requirements, including the following activities:

- ✓ Program Administration
 - Ensure compliance with federal Title VI/Nondiscrimination and LEP requirements
 - Develop and implement the **City of Black River Falls'** Title VI/Nondiscrimination and LEP Plan
 - Update and maintain Title VI/Nondiscrimination and LEP program policies and procedures
- ✓ Complaints
 - Review, track, investigate and close Title VI/Nondiscrimination and LEP complaints
- ✓ Employee Training
 - Educate staff on Title VI/Nondiscrimination and LEP requirements and procedures
- ✓ Reporting
 - Prepare and submit Title VI/Nondiscrimination reports per state and federal regulations
- ✓ Public Dissemination
 - Notify the public of the **City of Black River Falls'** Nondiscrimination requirements via the **City of Black River Falls'** public area, on its website, in vehicles, etc.
- ✓ Oversight
 - Ensure contractors and lessees adhere to Title VI/Nondiscrimination and LEP requirements

Notice of Nondiscrimination

[FTA Title VI Circular 4702.1B](#) requires the **City of Black River Falls** as a recipient of federal financial assistance to notify the public of its obligations under U.S. DOT Title VI regulations and the protections against discrimination afforded to them by Title VI.

Title VI and ADA regulations require **City of Black River Falls** to inform the public of their rights under Title VI and ADA by posting a *Notice of Nondiscrimination*. The *Notice of Nondiscrimination* should be posted in the following locations: agency website, public areas of the agency office, and as applicable, inside vehicles, rider guides/schedules, and transit shelters/facilities.

The public notice must include a statement of nondiscrimination, information on how to request additional information about the agency's Title VI and ADA obligations, including information on how to file a complaint, the location of the complaint form, etc., and information on how to request Title VI and ADA information in another language.

The **City of Black River Falls'** *Notice of Nondiscrimination* is provided in the following locations:

- ✓ Agency website - <https://blackriverfallswi.gov/taxi-service/>
- ✓ Public area of the agency office – City Hall Entry Way Bulletin Board
- ✓ Inside vehicles

On English versions of the *Notice of Nondiscrimination*, a sentence is included in Spanish and Hmong to contact the **City of Black River Falls** at (715)284-5514 if additional information is needed in another language.

To view a copy of the **City of Black River Falls'** *Notice of Nondiscrimination*, please see **Appendix 1**.

Complaint Procedure, Complaint Log, and Complaint Form

The **City of Black River Falls**, as a recipient of federal financial assistance must develop a procedure for investigating, tracking, and resolving Title VI/Nondiscrimination and LEP complaints and make the procedures available to the public upon request.

Any person, group or firm that believes they've been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) by the **City of Black River Falls** may file a civil rights complaint.

Scope of Civil Rights Complaints

The scope of civil rights complaints covers all internal and external **City of Black River Falls** activities. Adverse impacts resulting in civil rights complaints can arise from many sources including the delivery of programs and services, or advertising, bidding, and contracts.

Complaints can originate as a result of project and program impacts on individuals or groups. Examples include social and economic impacts such as access to programs, activities and services, failure to maintain facilities and vehicles, traffic, noise, air quality, and accidents.

Complaints can also originate from individuals or firms alleging inability to bid upon or obtain a contract with **City of Black River Falls** for the furnishing of goods and services. Examples include advertising for bid proposals; prequalification or qualification requirements; bid awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, etc.

The **City of Black River Falls'** complaint procedure is shown in **Appendix 2** and made available in the following locations:

- ✓ Agency website, either as a reference in the *Notice of Nondiscrimination* or in its entirety
- ✓ Agency office – City Hall Entry Way Bulletin Board

Civil Rights Investigations

Recipients of federal financial assistance are required to maintain a list of any complaints alleging discrimination. The list shall include the date the civil rights complaint, investigation, or lawsuit was filed, a summary of the allegation(s), the status of the complaint, investigation, or lawsuit, actions taken by the recipient in response, and final findings related to the complaint, investigation, or lawsuit.

Appendix 3 is the **City of Black River Falls'** *Complain Log* procedure and tracking mechanism to investigate, track and resolve complaints.

Since the last update of this Title VI/ADA Nondiscrimination Plan, there has been no transportation related civil rights investigations, complaints, or lawsuits filed with the **City of Black River Falls**.

Complaint Form

City of Black River Falls' *Complaint Form* is shown in **Appendix 4**.

Public Involvement Plan

Recipients of federal financial assistance are required to develop a public involvement plan that includes outreach strategies and participation techniques to engage the public including minority, low-income, and limited English proficient (LEP) populations, as well as a summary of outreach efforts made since the last Title VI/ADA Nondiscrimination Plan.

While traditional means of seeking public involvement may not reach all individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions to provide opportunities for historically under-served populations to participate in transportation decision making efforts.

City of Black River Falls' *Public Involvement Plan* is shown in **Appendix 5**.

Limited English Proficiency (LEP) Plan

As a recipient of federal USDOT funding, the **City of Black River Falls** is required under [Title VI of the Civil Rights Act of 1964](#) and [Executive Order 13166](#) to develop and implement a plan to ensure accessibility to its programs and services for persons who are not proficient in the English Language.

City of Black River Falls' Limited English Proficiency (LEP) Plan is shown in **Appendix 6**.

The LEP plan outlines the policies and procedures the **City of Black River Falls** will use to address the needs of persons with limited English proficiency (LEP) that wish to participate in **City of Black River Falls** programs and services.

Demographic Representation Information

The **City of Black River Falls** understands that diverse representation on boards, councils, and committees help results in sound policy reflective of the needs of the entire population. [FTA Title VI Circular 4702.1B](#) requires recipients which have transportation-related, non-elected boards, advisory council or committees, or similar bodies, to report membership of these committees broken down by race and include a description of efforts made to encourage the participation of minorities on these committees.

City of Black River Falls' Minority Representation Information is shown in **Appendix 7**.

Notice of Nondiscrimination to the Public

City of Black River Falls' Notice of Nondiscrimination is posted in the following areas:

- ✓ Public area of the agency office
- ✓ Inside vehicles
- ✓ Rider Guides/Schedules

Notice of Nondiscrimination

City of Black River Falls

- ✓ The **City of Black River Falls** is committed to ensuring that no person is excluded from the participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by the **CITY OF BLACK RIVER FALLS** in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.
- ✓ Any person who believes they've been aggrieved by any unlawful discriminatory practice may file a complaint with the **City of Black River Falls**.
- ✓ For more information on the **City of Black River Falls'** civil rights program, and the procedures to file a complaint, contact (715)284-5514, city.admin@blackriverfallswi.gov (for hearing impaired, please use **Wisconsin Relay 711** - <https://wisconsinrelay.com>, or visit our administrative office at 101 South Second Street, Black River Falls, WI 54615. For more information, visit <https://blackriverfallswi.gov/taxi-service/>
- ✓ A complaint may also be filed directly with the following:
 - Wisconsin Department of Transportation (WisDOT), Taqwanya Smith, Senior Title VI and ADA Coordinator, Phone: (608) 266-8129, TTY (800) 947-3529, Fax: (608)267-3641, Email: taqwanya.smith@dot.wi.gov, 4822 Madison Yards Way, 5th Floor South, Madison, WI 535705.
 - U.S. Department of Transportation, Federal Transit Administration (FTA), Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590, Phone: 1-888-446-4511 or 711(Relay), email: FTACivilRightsCommunications@dot.gov
- ✓ If information is needed in another language, contact (715)284-5514.
Si se necesita informacion en otro idioma de contacto, (715)284-5514.
Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau (715)284-5514.

Website Statement:

The **City of Black River Falls** operates its programs and services without regard to race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in accordance with Title VI of the Civil Rights Act, Americans with Disabilities Act (ADA), and related nondiscrimination authorities. For more information on the **City of Black River Falls'** civil rights program, ADA obligations, and the procedures to file a complaint, contact city.admin@blackriverfallswi.gov, (715)284-5514. For hearing impaired, please use Wisconsin Relay 711 service <https://wisconsinrelay.com>.

Complaint Procedure

The **City of Black River Falls's** Complaint Procedure is made available in the following locations:

- ✓ Agency website, either as a reference in the *Notice of Nondiscrimination* or in its entirety
 - ✓ Agency office – City Hall Entry Way Bulletin Board
-

Any person who believes they've been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficient (LEP) by the **City of Black River Falls** may file a complaint by completing and submitting the **City of Black River Falls's** Complaint Form.

The Complaint Form may also be used to submit general complaints to the **City of Black River Falls**.

The **City of Black River Falls** investigates complaints received no more than 180 calendar days after the alleged incident. The **City of Black River Falls** will process complaints that are complete.

Once the complaint is received, the **City of Black River Falls** will review the complaint and work to resolve the complaint informally, if possible.

If the complaint warrants a formal civil rights complaint process, the **City of Black River Falls** will follow the steps listed in this complaint procedure. The **City of Black River Falls** may also use this formal procedure to address general complaints. If the **City of Black River Falls** determines it has jurisdiction the complainant will receive an acknowledgement letter stating the complaint will be investigated by the **City of Black River Falls** as a civil rights complaint.

The **City of Black River Falls** has **30** business days to investigate the civil rights complaint. If more information is needed to resolve the case, the **City of Black River Falls** may contact the complainant.

The complainant has **10** business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within **10** business days, the **City of Black River Falls** can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, one of two (2) letters will be issued to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI or ADA violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, the complainant has **7** business days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact (715)284-5514.

Si se necesita informacion en otro idioma de contacto, (715)284-5514.

Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau (715)284-5514.

Appendix 3

Complaint Log List of Complaints, Investigations and Lawsuits²

The **City of Black River Falls** maintains a log to track and resolve transportation related civil rights complaints, investigations, and lawsuits.

Check One:

X

Since the last update of this Title VI/ADA Nondiscrimination Plan, there has been no transportation related civil rights investigations, complaints, or lawsuits filed with the **City of Black River Falls**.

- Because the **City of Black River Falls** has had no transportation related civil rights complaints, investigations, or lawsuits, the table below has no entries.

There has been transportation related civil rights investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

Note: The performance measure for tracking when an investigation begins and when its administratively closed is documented in the **Complaint Log** table below. **City of Black River Falls** will strive to complete the investigation within the timeframe specified in its **Complaint Procedure**.

Type Complaint Investigation Lawsuit	Date Complaint Received (Month, Day, Year)	Complainant's Contact Information Name/Phone/ Email/Address	Basis of Complaint ³	Summary Complaint Description	Action Taken/ Final Outcome if Resolved List dates of action steps including the dates complaint/ investigation begins and is administratively closed.	Status

² **Lawsuit:** The protected class under Title II is disability. The protected classes under Title VI are Race, Color and Nation Origin.

³ **Basis of Complaint:** Specify Race, Color, National Origin, Disability, Religion, Sex, Age, Service, Income Status, Limited English Proficient (LEP), Safety, Other

Complaint/Comment Form

We want your feedback. If you would like to submit a complaint or comment, please complete this form, and submit it via email to city.admin@blackriverfallswi.gov or in person at the address below.

City of Black River Falls
101 South Second Street
Black River Falls, WI 54615

You may also call us at (715)284-5514. Please make sure to provide your contact information in order to receive a response.

Section A: Accessible Format Requirements

Please check the preferred format for this document

☐ Large Print	☐ TDD or Relay	☐ Audio Recording	☐ Other (if selected please state what type of format you need in the box below)
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Click or tap here to enter text.

Section B: Contact Information

Name Click or tap here to enter text.	Telephone Number (including area code) Click or tap here to enter text.
Address Click or tap here to enter text.	City Click or tap here to enter text.
State Click or tap here to enter text.	Zip Code Click or tap here to enter text.

Email Address Click or tap here to enter text.

Are you filing this complaint on your own behalf?	☐ Yes	☐ No
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If no, please provide the name and relationship of the person for whom you are complaining and why you are completing the form on their behalf in the box below.

Click or tap here to enter text.

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	☐ Yes	☐ No
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Section C: Type of Comment

What type of comment are you providing? Please check which category best applies.

☐ Complaint	☐ Suggestion	☐ Compliment	☐ Other
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Which of the following describes the nature of the comment? Please check one or more of the check boxes.

☐ Race	☐ Color	☐ National Origin	☐ Religion
☐ Age	☐ Sex	☐ Transportation Service	☐ Income Status
☐ Limited English Proficient (L.E.P)		☐ Americans with Disability Act (A.D.A)	

Section D: Comment Details

Please answer the questions below regarding your comment

Did the incident occur on the following type of service? Please check any box that may apply.	☐ Paratransit	☐ Shared Ride Taxi	☐ Bus
What was the date of the occurrence?	Click to add date in the following format: Day, month, year		
What was the time of the occurrence?	Click to add the time		
What is the name or identification of the employee or employees involved?	Click or tap here to enter text.		
What is the name or identification of others involved, if applicable?	Click or tap here to enter text.		
What was the number or name of the route you were on, if applicable?	Click or tap here to enter text.		
What was the direction or destination you were headed to when the incident occurred, if applicable?	Click or tap here to enter text.		
Where was the location of the occurrence?	Click or tap here to enter text.		
Was the use of a mobility aid involved in the incident?	☐ Yes	☐ No	
Please add any additional descriptive details about the incident.	Click or tap here to enter text.		

In the box below, please explain as clearly as possible what happened and why you believe you were discriminated against.

Click or tap here to enter text.

Section E: Follow-up

May we contact you if we need more details or information?

☐ Yes

☐ No

If yes, how would you best liked to be reached? Please select your preferred form of contact below

☐ Phone

☐ Email

☐ Mail

If you would prefer to be contacted by phone, please list the best day and time to reach you.

Click here to add your preferred time

Click here to add your preferred day

Have you filed a complaint with any other federal, state, or local agencies?

☐ Yes

☐ No

If yes, list agencies and contact information (agency name, address, email, phone).

Click or tap here to enter text.

Section F: Desired Outcome

Please list below, what steps you would like taken to address the conflict or problem.

Click or tap here to enter text.

Section G: Signature

Please attach any documents you have which support the allegation. Then date and sign this form and send it to the City of Black River Falls.

Name Click or tap here to enter text.

Date: Click to add date in the following format: Day, month, year

Signature Click or tap here to enter text.

Public Involvement Plan

The purpose of the **Public Involvement Plan** is to establish procedures that allow for, encourage, and monitor participation of all citizens within the **City of Black River Falls** service area including but not limited to low income and minority individuals, and those with limited English proficiency (LEP).

While traditional means of soliciting public involvement may not reach such individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions to provide opportunities for historically under-served populations to participate in transportation decision making efforts.

Goal

The goal of public involvement is to offer real opportunities for the engagement of all citizens within the **City of Black River Falls** service area to participate in the development of plans, programs and services.

Strategies

In order to promote inclusive public participation, the **City of Black River Falls** uses the following strategies, as appropriate.

- Coordination and Consultation
 - Coordinate and consult with partners, stakeholders, program participants and their caregivers, and the public affected by the distribution of state and federal transit grant programs.
 - Seek guidance and input from WisDOT on public involvement mechanisms and strategies.
 - Maintain an electronic distribution list of all potential program participants, partners, stakeholders, etc.
- Accessibility and Information
 - Meetings
 - Adhere to state and federal public hearing requirements
 - Provide a general notification of meetings, particularly forums for public input, in a manner that is understandable to all populations in the area.
 - Hold meetings in locations which are accessible and reasonably welcoming to all area residents including, but not limited to, low-income and minority members of the public.
 - Employ different meeting sizes and formats
 - Provide avenues for two-way flow of information and input from populations which are not likely to attend meetings.
 - Make public information available in electronically accessible formats
 - Use social media in addition to other resources to gain public involvement
 - Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

- Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.
- Timeliness
 - Provide timely information about state and federal grant programs to affected program participants, the public, partner agencies, and other interested parties.
 - Provide adequate notice of public involvement activities and time for public review and comment.
- Public Comment
 - Work openly and diligently to incorporate public comments received and to notify respondents of final plans, reports, programs, etc.
 - Provide for early, frequent and continuous engagement by the public
- Social/Environmental Justice
 - Seek and consider the needs of those traditionally underserved by participating in outreach efforts that address the needs of minority persons, the elderly, persons with disabilities, limited English Proficient individuals, and low-income households.
 - Determine what non-English languages and other cultural barriers exist to public participation within the **City of Black River Falls** service area.
- Training
 - Participate in training to continuously improve the knowledge and understanding of civil rights and environmental justice principles.
- Evaluation
 - Document and maintain records of public outreach efforts.
 - Review the effectiveness of public participation activities.
 - Seek new ways to providing public input opportunities.

Participation Techniques

The **City of Black River Falls** will use the following participation techniques as deemed appropriate. Participation techniques will be reviewed and modified each year, as necessary. If new techniques are tried and found to be successful, this list will be updated to include the new techniques.

- Booth at Community events (craft fair, festival, farmers market, parades, etc.)
- Advisory meetings and committees
- Direct mailings (letters, fliers, etc.)
- Website and social media
- Project-specific newsletter articles
- Public information meetings
- Legal advertisements
- Presentations to community partners, citizens/residents, etc.
- Press releases, meetings with local media representatives
- Surveys (telephone, internet, and public information meetings)
- Work with partner organizations

Public Outreach Activities

The **City of Black River Falls** maintains a log/record of the various types of outreach activities it uses to promote inclusive public participation. On an annual basis, the **City of Black River Falls** reviews its log of outreach activities to determine if additional or different strategies are needed to promote inclusive public participation.

The direct public outreach and involvement activities conducted by the **City of Black River Falls** are summarized below. Information collected on the size, location, meeting format, number of attendees, etc. as well as the scope of the distribution method (e.g., information posted to social media, fliers in grocery stores and community centers, etc.) will be used for future planning efforts.

Summary of Outreach Activities					
Event Date	Name of Event/Activity	Date Publicized and Communication Method (Public Notice, Posters, Social Media, etc.)	Outreach Method (Meeting, Focus Group, Survey, etc.).	Staff Members Responsible	Notes
Ongoing	Website, Facebook, Twitter	Website and Social Media Materials	Website and Social Media Materials	Agency Staff	www.blackriverfallswi.gov
Ongoing	Transportation Routes Update	Newspaper, Website, and Social Media	Advertisement/Transportation Route Summary	City Administrator	
Ongoing	Council Meetings	Publish/Post Council Meeting on website, social media and in three public places	Public Meeting	City Administrator	

Limited English Proficiency (LEP) Plan

Overview

As a recipient of federal financial assistance, the **City of Black River Falls** is required to prepare a Limited English Proficiency (LEP) Plan to address its responsibilities relating to the needs of individuals with limited English language skills.

This plan has been prepared in accordance with [Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, et seq](#), and its implementing regulations which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

[Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency”](#), issued in 2000 clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI in order to access public services or benefits for which they are eligible. While most individuals in Wisconsin read, write, speak, and understand English, for some individuals English is not their primary language. If these individuals have a limited ability to read, write, speak or understand English, they are considered Limited English Proficient (LEP).

The US DOT [“Policy Guidance Concerning Recipients’ Responsibilities to LEP Persons”](#) discusses the concept of “safe harbor” with respect to the requirements for translation of written materials. The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that “Speaks English less than very well” by the total population of the county. The *LEP Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less, of the population to be served) the **City of Black River Falls** must provide translation of vital documents (e.g., Notice of Nondiscrimination, Complaint Procedure and Complaint Form) in written format for non-English speaking persons.

Recipients of federal financial assistance are also required to implement LEP plans in accordance with guidelines of the federal agency from which the funds are provided. [FTA Circular 4702.1B – Title VI Requirements and Guidance for FTA Recipients](#) provides guidance and instructions for LEP Plan development.

Plan Summary

The **City of Black River Falls** has developed this *Limited English Proficiency Plan* to identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided by the **City of Black River Falls**.

This plan outlines how to identify a person who may need language assistance, how to inform LEP persons language assistance is available, the ways in which assistance may be provided, and staff training.

Plan Components

As a recipient of federal US DOT funding, the **City of Black River Falls** is required to take reasonable steps to ensure meaningful access to programs and activities by LEP persons.

This plan includes the following elements:

1. The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
 - ✓ **Demography** of LEP persons who may be served or are likely to encounter an LAPC program or service.
 - ✓ **Frequency** of contact with LEP persons
 - ✓ **Importance** of program to LEP persons
 - ✓ **Resources and costs** to provide LEP assistance
2. A description of the following:
 - ✓ How language assistance services are provided.
 - ✓ How LEP persons are informed of the availability of language assistance services.
 - ✓ How the language assistance plan is monitored and updated.
 - ✓ How employees are trained to provide language assistance to LEP persons.

Meaningful Access - Four Factor Analysis

To prepare this plan, the **City of Black River Falls** conducted a four-factor analysis which considers the following:

Factor 1 - Demography

Number and proportion of LEP persons who may be served or are likely to encounter a City of Black River Falls program or service.

This plan uses [US Census Bureau – American Fact Finder \(2011-2015\)](#) language data available at the county level in Wisconsin. More data is available on the [US Census Bureau ACS website](#).



Jackson
County LEP...

The US Census Bureau – American Fact Finder (2011-2015) data shows there are numerous languages spoken in Jackson County. Some of these languages include Spanish, Other Native North American Languages, German, Hmong, Laotian, and Tagalog. After English, the second largest language group is Spanish.

The Safe Harbor Threshold is calculated by dividing the population estimate for a language group that “speaks English less than very well” by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less), the **City of Black River Falls** must provide translation of vital documents in written format for non-English speaking persons.

US Census data shows that in Jackson County with a population estimate of 19,312, 125 individuals have identified themselves as Spanish speaking and “speaks English less than very well”. This language group is less than 1% and below the 5%, or 1,000 persons threshold of the population to be served. This means

the **City of Black River Falls** is not required to provide written translation of vital documents. All other language groups listed above are also below the Safe Harbor Threshold. This means, at this time, the **City of Black River Falls** is also not required to provide written translation of vital documents in these languages.

In the future, if the **City of Black River Falls** meets the Safe Harbor Threshold for any language group, it will provide written translation of vital documents in such languages and consider measures needed for oral interpretation.

Factor 2 – Frequency

Frequency of contact with LEP persons.

The **City of Black River Falls** and its contractor provides transportation service for the City of Black River Falls and in surrounding area.

The **City of Black River Falls** reviewed the frequency with which its staff, policy board, and contractors have, or could have, contact with LEP persons in the conduct of **City of Black River Falls** activities. This includes a review of documented phone inquiries, office visits, and encounters at public meetings and community events. Within the last year, **City of Black River Falls** staff, policy board members, and contractors have had (0) zero requests for interpreters and (0) zero requests for translated program documents in any setting.

City of Black River Falls staff, policy board members, and contractor staff are trained on what to do when they encounter a person with limited English proficiency.

The **City of Black River Falls** with assistance from its contractor, tracks the number of encounters and considers adjustments to its outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of the **City of Black River Falls'** programs and services. The *Log of LEP Encounters* is a tool to help track LEP encounters (**Appendix 7**).

Log of LEP Encounters

Date	Time	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

If a language barrier were to exist, **City of Black River Falls** works to provide a reasonable accommodation. The *"I Speak" Language Identification Card* listed shown below is a document that can be used by **City of Black River Falls** staff to assist LEP individuals. Additional languages can be added, as needed, to match the demographic changes of the **City of Black River Falls's** service area. The languages included in the *"I Speak" Language Identification Card* below represent many of the languages spoken within the **City of Black River Falls** service area.

“I Speak” Language Identification Card

Mark this box if you speak....	Language Identification Chart	Language
	I speak English	English
	Yo hablo español	Spanish
	Kug has lug Moob	Hmong
	我說中文	Chinese Simplified
	E nói tiếng Việt	Vietnamese
	나는한국어를	Korean
	Marunong akong mag-Tagalog	Tagalog
	Ich spreche Deutsch	German
	Я говорю по-русски	Russian
	Ja говорим српски	Serbian
	मैं हिंदी बोलते हूँ	Hindi
	میں نے اردو بولتے ہیں	Urdu

Note: For additional languages visit the LEP.gov website
<https://www.lep.gov/sites/lep/files/media/document/2022-06/i-speak-booklet.pdf>

Factor 3 – Importance

Nature and importance of program to LEPs.

It is imperative that language assistance be provided to ensure LEP individuals have access to essential services, and transportation plays a key role in connecting LEP persons to these services. Public transportation fare/service changes and eligibility requirements should be communicated to LEP individuals so they can access the essential programs and services. It is also important that LEP individuals understand their full rights and benefits when accessing transportation program and services to ensure they have been treated fairly and can identify and report discrimination if they are not.

City of Black River Falls assessment of critical needs includes contact with community organization(s) that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of services that are provided to the LEP populations.

With improving outreach activities, **City of Black River Falls** is working to increase contact with LEP individuals at public meetings and other general public involvement activities.

Factor 4 – Resources and Costs

Resources available and overall cost to provide LEP assistance.

Given the small size of LEP encounters and small LEP populations, full multi-language translations of our programs and services related to transportation services is not warranted at this time. However, this information can be made upon request. The **City of Black River Falls** will contact state and local units of government and community resources for assistance in translation services.

Even though the **City of Black River Falls** does not have a separate budget for LEP outreach, it continuously explores ways to implement methods of notifying LEP persons of transportation services. Outreach efforts include maintaining a website, utilizing social media, developing, and printing brochure/materials and having a visible presence in our community (e.g., participating in job fairs, parades, community events, etc.) to promote transportation services. Additional outreach methods to reach LEP communities include but are not limited to activities such as visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, and local festivals. The cost is relatively low but the ability to reach the LEP population is high.

Language Assistance Services

Overview - Language Assistance Services

If a person does not speak English as their primary language and is LEP, that person may be entitled to language assistance with respect to **City of Black River Falls's** programs and services. Language assistance can include interpretation and/or translation from one language into another language.

City of Black River Falls will take reasonable steps to provide the opportunity for meaningful access to LEP individuals who have difficulty communicating in English.

City of Black River Falls strives to offer the following measures when encountering LEP persons:

- ✓ Post Title VI, LEP, and ADA information on the **City of Black River Falls** website.
- ✓ Day to day operations:
 - Utilize the *"I Speak" Language Identification Card* or posters to identify the language and communication need of LEP persons.
 - Maintain a *Log of LEP Encounters* to capture information on the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
- ✓ At public meetings or other community events:
 - Greet participants as they arrive at **City of Black River Falls** public meetings or community events.
 - Make *"I Speak"* language identification cards available at sponsored events.
 - By informally engaging participants in conversation or by using language identification *"I Speak"* Language identification Card, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need at future events.
 - Maintain a Log of LEP Encounters at public meetings or other community events.
- ✓ Utilize Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs for individuals that are deaf, hard of hearing, deafblind, or those with a speech disability <http://www.wisconsinrelay.com/> and <http://www.wisconsinrelay.com/features>
- ✓ Translation Services
 - Seek translation assistance from community organizations such as:
 - [Hmong American Center Inc](#) – (715)842-8390
 - [Multicultural Community Center](#) – (715)907-7082, wausauinfo@ecdCUS.org

- [Wisconsin Institute for Public Policy and Service](#) – Hmong Team Coordinator (715)204-9250, Hispanic Team Coordinator (715)204-9396, h2n.chw@gmail.com
- ✓ Utilize online resources such as Google Translate to assist with translation requests. The main downside of this approach is accuracy. As such, this option will be used by **City of Black River Falls** on limited basis. Instead, **City of Black River Falls** will seek assistance from fluent speakers.
- ✓ Prioritize the hiring of bilingual staff if possible.

Public Outreach – Informing LEP Persons of Language Assistance Services

The **City of Black River Falls** uses the following steps to inform LEP persons of the availability of language assistance services:

- ✓ Posts the Title VI/ADA *Notice of Nondiscrimination* on its website. The notice includes a sentence written in Spanish and Hmong providing instructions on how to contact the **City of Black River Falls** to request information in another language.
- ✓ When encountering LEP persons directly, **City of Black River Falls** will use the “*I Speak*” *Language Identification Card* to identify the language and communication needs of LEP persons. **City of Black River Falls** may not be able to immediately accommodate or assist individuals self-identifying as a person not proficient in English but will seek means to follow up with the individual to address their needs in the language requested as soon as possible.
- ✓ Review outreach activities and information gathered from the *Log of LEP Encounters* on the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
- ✓ Develop and maintain cooperative relationships with key agencies/community organizations that serve LEP populations in the area or region. These entities can assist in providing or verifying translations and/or identifying gaps in assistance to persons with LEP needs.
- ✓ Utilize translation services such as:
 - [Hmong American Center Inc](#) – (715)842-8390
 - [Multicultural Community Center](#) – (715)907-7082, wausauiinfo@ecdcs.org
 - [Wisconsin Institute for Public Policy and Service](#) – Hmong Team Coordinator (715)204-9250, Hispanic Team Coordinator (715)204-9396, h2n.chw@gmail.com
- ✓ Utilize Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs for individuals that are deaf, hard of hearing, deafblind, or those with a speech disability <http://www.wisconsinrelay.com/> and <http://www.wisconsinrelay.com/features>

Monitoring, Evaluating and Updating the Plan

The **City of Black River Falls** will review the LEP Plan on an annual basis and examine the following:

- ✓ The number of documented LEP person contacts.
- ✓ How the needs of LEP persons have been addressed.
- ✓ Determine whether the need for translation services has changed.
- ✓ Determine which existing language assistance services are effective and sufficient to meet the needs of LEP persons.
- ✓ Determine whether complaints have been received concerning the **City of Black River Falls’** failure to meet the needs of LEP individuals.

- ✓ Sufficiency of staff training.
- ✓ Review of any new opportunities for LEP communication.
- ✓ Determine whether financial resources are needed to fund language assistance services.

Training Staff

The following training will be provided to **City of Black River Falls** staff:

- ✓ Information on the **City of Black River Falls'** Title VI/ADA Non-Discrimination Plan and LEP responsibilities.
- ✓ Description of language assistance services offered to the public.
- ✓ Use of the "I-Speak Card" as a tool to assist LEP individuals.
- ✓ Documentation of language assistance requests using the *Log of LEP Encounters*.
- ✓ How to handle Title VI/ADA Non-Discrimination and LEP complaints.

Limited English Proficient (LEP) Tools

"I Speak" Language Identification Card

"I Speak" Language Identification Card

Mark this Box if you speak...	Language Identification Chart	Language
	I speak English	English
	Yo hablo español	Spanish
	Kug has lug Moob	Hmong
	我說中文	Chinese Simplified
	E nói tiếng Việt	Vietnamese
	나는한국어를	Korean
	Marunong akong mag-Tagalog	Tagalog
	Ich spreche Deutsch	German
	Я говорю по-русски	Russian
	o magsalita ng Tagalog	Tagalog
	मैं हिंदी बोलते हैं	Hindi
	میں نے اردو بولتے ہیں	Urdu

Note: For additional languages visit the US Census Bureau website
<https://www.lep.gov/ISpeakCards2004.pdf>

Log of LEP Encounters

Date	Time	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

Language Translation Request Log

Date	Language Spoken By Individual <i>(if available)</i>	Name and Phone Number of Individual <i>(if available)</i>	Service Requested	Follow Up Actions (Was Translation Services Provided?)	Staff Member Providing Assistance	Notes

Demographic Representation Information⁴

A. Demographic Representation Table⁵

[FTA Title VI Circular 4702.1B](#) requires recipients which have transportation-related, non-elected boards, advisory council or committees, or similar bodies, to report membership of these committees broken down by race and include a description of efforts made to encourage the participation of minorities on these committees.

The **City of Black River Falls** Common Council is the body that makes decisions related to transportation services. **Participation on the Common Council is by election.**

Body	Caucasian	Hispanic/ Latino	Black/ African American	Asian American	Native American	Some Other Race	No Response
Common Council	N/A - The membership of the City of Black River Falls Common Council is by election.						

B. Efforts to Encourage Minority Participation

City of Black River Falls understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population.

To encourage citizen participation in council meetings the **City of Black River Falls** will reach out to community organizations to connect with all population groups in its service area.

In addition, **City of Black River Falls** will use creative ways to make participating realistic and reasonable, such as scheduling meetings at times best suited to encourage community input.

⁴ If **City of Black River Falls** has transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by **City of Black River Falls**, Title VI regulations require **City of Black River Falls** to provide a table depicting the membership of those committees broken down by race and a description of efforts made to encourage the participation of minorities on such committees.

⁵ County data by race is available at the WisDOT website <https://wisconsindot.gov/Documents/doing-bus/local-gov/astnce-pgms/transit/compliance/title6-race.pdf> or the US Census Bureau website <http://data.census.gov>