



## City of McCall

### RESOLUTION NO. 20-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCCALL, IDAHO RELATING TO A NON-DISCRIMINATION POLICY STATEMENT, AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964; ADOPTING A LIMITED ENGLISH PROFICIENCY PLAN AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title VI of the Civil Rights Act of 1964 provides that: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried out under this title"; and

WHEREAS, the Federal-aid Highway Transportation Act of 1973 added *sex* to the list of prohibitive factors; *disability* was added through Section 504 of the Rehabilitation Act of 1973; and *age* was subsequently added in 1975 under the Age Discrimination Act.; and

WHEREAS, the Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100.259 (S.557) March 22, 1988); and

WHEREAS, at the June 24, 2010, City Council Meeting, the McCall City Council approved a Limited English Proficiency plan; and

WHEREAS, the McCall City Council desires to re-adopt said plan as part of its commitment to avoid discrimination in City processes and procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MCCALL, Valley County, Idaho that:

Section 1: The City of McCall assures that no person shall, on the grounds of race, color, national origin, sex, age, disability, or retaliation as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259), and subsequent related acts, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The City of McCall further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

Section 2: In the event the City of McCall, as the recipient, distributes federal aid funds to a sub-recipient, the City of McCall will include Title VI language in all written agreements and will monitor for compliance

Section 3: The City of McCall's City Clerk is responsible for initiating and monitoring Title VI activities, as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Section 4: The City of McCall has completed an inspection of all public building access which includes sidewalks, ramps and doors, and prepared a Survey Summary regarding findings. The City is developing an updated Transition Plan to bring all public access to ADA Standards.

Section 5: The City of McCall adopts the attached Limited English Proficiency Plan.

Section 6: This resolution shall be in full force and effect upon its passage and approval.

PASSED AND APPROVED BY THE COUNCIL AND MAYOR OF THE  
CITY OF MCCALL THIS 3rd DAY OF DECEMBER 2020.



CITY OF MCCALL  
Valley County, Idaho

A handwritten signature of Robert S. Giles in black ink.

Robert S. Giles, Mayor

ATTEST:

A handwritten signature of BessieJo Wagner in black ink.

BessieJo Wagner, City Clerk

**Limited English Proficiency Plan  
City of McCall  
Population 3684 -  
2018 American Community  
Survey 5-Year Estimate  
November 19, 2020**

**Title VI Coordinator  
BessieJo Wagner, City Clerk  
216 East Park Street  
McCall, Idaho 83638  
(208) 634-4874**

## I. INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the City of McCall's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The 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, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all City of McCall departments receiving federal grant funds.

- **Plan Summary**

The City of McCall has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency [LEP] who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the City of McCall used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the City of McCall.
2. The frequency with which LEP persons come in contact with City of McCall services.
3. The nature and importance of services provided by the City of McCall to the LEP population.
4. The interpretation services available to the City of McCall and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

## II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. **The number or proportion of LEP persons in the service area who may be served or are likely to require City of McCall services.**

The City of McCall staff reviewed the American Community Survey 5-year estimate and determined that 99.40% (2959 people over 5-years of age) of McCall residents speak only English, while 0.60% (18 people) speak other languages. The non-English language spoken by the largest group is Spanish, which is spoken by 0.47% (14 people) of the population.

**2. The frequency with which LEP persons come in contact with City of McCall services.**

The City of McCall staff reviewed the frequency with which City Council, office staff and maintenance staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the City of McCall has had no requests for interpreters and no requests for translated program documents. The City Council, office staff and maintenance staff have had very little contact with LEP persons.

**3. The nature and importance of services provided by the City of McCall to the LEP population.**

There is no large geographic concentration of any type of LEP individuals in the service area for the City of McCall. The overwhelming majority of the population, 99.40%, speaks only English. As a result, there is little social, service, professional, and leadership organizations within the City of McCall service area that focus on outreach to LEP individuals. The City of McCall City Council and staff are most likely to encounter LEP individuals through office visits, phone conversations, notifications from maintenance staff of impacts on city services and attendance at City-Council meetings.

**4. The resources available to the City of McCall and overall cost to provide LEP assistance.**

The City of McCall reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and contacted local citizens that would be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language translation if needed would be provided through a telephone interpreter line for which the city would pay a fee.

### **III. LANGUAGE ASSISTANCE**

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to City of McCall services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the City of McCall staff may identify an LEP person who needs language assistance:

1. Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
2. All city staff will be provided with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
3. All City of McCall staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
4. When the City of McCall sponsors an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation 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 for future events.

- **Language Assistance Measures**

Although there is a very low percentage in the City of McCall of LEP individuals, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

1. The City of McCall staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
  - i. Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time period.
  - ii. Language interpretation will be accessed for all other languages through a telephone interpretation service.

## **IV. STAFF TRAINING**

The following training will be provided to all staff:

1. Information on the Title VI Policy and LEP responsibilities.
2. Description of language assistance services offered to the public.
3. Use of the “I Speak” cards.
4. Documentation of language assistance requests.
5. How to handle a potential Title VI/LEP complaint.

**All contractors or subcontractors performing work for the City of McCall will be required to follow the Title VI/LEP guidelines.**

## **V. TRANSLATION OF DOCUMENTS**

1. The City of McCall weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.
2. Due to the very small local LEP population, the City of McCall does not have a formal outreach procedure in place, as of 2010. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, the City of McCall will consider the following options:
  - i. When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

## **VI. MONITORING**

- **Monitoring and Updating the LEP Plan**

The City of McCall will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2010 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City of McCall service area. Updates will include the following:

1. The number of documented LEP person contacts encountered annually.
2. How the needs of LEP persons have been addressed.
3. Determination of the current LEP population in the service area.
4. Determination as to whether the need for translation services has changed.
5. Determine whether local language assistance programs have been effective and sufficient to meet the need.
6. Determine whether the City of McCall's financial resources are sufficient to fund language assistance resources needed.
7. Determine whether the City of McCall fully complies with the goals of this LEP Plan.

8. Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

## **VII. DISSEMINATION OF THE CITY OF MCCALL LEP PLAN**

1. Post signs at City Hall notifying LEP persons of the LEP Plan and how to access language services.
2. State on agendas and public notices in the language that LEP person would understand that documents are available in that language upon request at City Hall.