



TO: VICTOR CARDENAS, CITY MANAGER
FROM: KATHERINE OPPERMANN, EXECUTIVE A
SUBJECT: BERNSTADT STREET TITLE VI COMPLAINT
DATE: AUGUST 8, 2024

CONFIDENTIAL

Mayor and Council –
The following stems from a complicated matter where two residents residing on Bernstadt St. have an unused City roadway (Owenton St.) in between their homes. They have asked for the City to vacate that roadway. The City Attorney's office has been investigating the feasibility of vacating the road when one of the residents became irate at her neighbor. The following summarizes the Title VI complaint she has filed.

- Victor

On August 5, 2024 the Human Resources department received Title VI complaint in the form of a fax from Novi resident Daphne Smith of 118 Bernstadt Street. On the days preceding that she also submitted a City Council feedback form as well as two service requests on the city webpage for related reasons although without noting Title VI concerns specifically.

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states 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."* Title VI has also been broadened by related statutes, regulations and executive orders to include prohibition of discrimination on basis of sex, disability, age, or income-status.

In her complaint Ms. Smith alleges discrimination on the basis of Race (interracial relationship/marital status) and Sex in the issuance of a Right-of-Way (ROW) Violation notice on August 1, 2024 and related enforcements or lack thereof on her property (118 Bernstadt) and surrounding properties.

While we believe the allegations to be without merit, the City of Novi takes such allegations seriously on basis of our own policies as well as the assurances we make as a recipient/sub-recipient of federal financial assistance and transportation funds. Following the procedures laid out in the City of Novi Title VI Non-Discrimination Plan and MDOT Guidelines the following actions have taken place:

1. MDOT Statewide Title VI coordinator Orlando T. Curry has been informed of the complaint (as well as the Federal Highway Administration/FHWA by proxy)
2. All relevant information on the matter has been collected for review and sent to City Attorney Tom Schultz

Following Tom's review all materials will be sent on to Mr. Curry and investigated in a timely manner as delegated by the FHWA. I will keep you informed as the matter progresses.