CITY OF LENOIR

COUNCIL ACTION FORM

I. **Agenda Item:** Request the Non-Discrimination Policy be adopted for ARPA funding to meet guidelines for the Coronavirus State and Local Fiscal Recovery Funds ("ARPA/CSLFRF Award") as recommended by North Carolina Department of Environmental Quality. The current version of our policy was based on older, pre-federal award templates. The policy for ARPA funds must be updated to reflect current ARPA program expectations and federal requirements to ensure total consistency and alignment.

II. **Background Information:**

Request the following Non-Discrimination Policy be adopted for Coronavirus State and Local Fiscal Recovery Funds ("ARPA/CSLFRF Award"). Four other Policies will be presented at the December 1, 2026 City Council meeting.

III. **Staff Recommendation:**

Approve as requested

IV. **Reviewed by:**

City Attorney:

Finance Director: *Donna Bean*

CITY OF LENOIR

NON- DISCRIMINATION POLICY –

FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

POST OFFICE BOX 958 ● LENOIR, NORTH CAROLINA 28645-0958 ● (828) 757-2200
www.cityoflenoir.com

CITY MANAGER
SCOTT E. HILDEBRAN

CITY OF LENOIR
NORTH CAROLINA

MAYOR
JOSEPH L. GIBBONS

CITY COUNCIL
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C.D. THOMAS

CITY OF LENOIR, NORTH CAROLINA

RESOLUTION TO ADOPT A NONDISCRIMINATION POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

WHEREAS, the City of Lenoir has received funding pursuant to the American Rescue Plan Act of 2021 (ARPA), including funds established under Sections 602 and 603 of the Social Security Act, as amended, known as the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF); and

WHEREAS, the expenditure of ARPA/CSLFRF funds is subject to applicable federal statutes, regulations, award terms and conditions, and requirements established by the United States Department of the Treasury; and

WHEREAS, recipients of federal financial assistance are required to comply with applicable federal civil rights and nondiscrimination laws in the administration of programs, activities, and services supported by federal funding; and

WHEREAS, applicable federal nondiscrimination requirements include, but are not limited to, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, and other applicable federal civil rights laws and regulations; and

WHEREAS, the City of Lenoir is committed to ensuring that ARPA/CSLFRF funds are administered in a manner that provides equal access to programs, services, and activities and prohibits discrimination in accordance with applicable federal requirements; and

WHEREAS, the City Council desires to formally adopt a nondiscrimination policy governing the expenditure and administration of ARPA/CSLFRF funds to establish the City's commitment to compliance with applicable federal nondiscrimination requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LENOIR, NORTH CAROLINA, THAT:

Section 1. Adoption of Policy. The City Council hereby adopts the attached American Rescue Plan Act (ARPA) Nondiscrimination Policy, which is incorporated herein by reference and made a part of this resolution.

Section 2. Applicability. This policy shall apply to all City programs, activities, services, and facilities supported in whole or in part by ARPA/CSLFRF funds, including applicable activities administered through contractors, subrecipients, and other entities receiving or utilizing such funds on behalf of the City.

Section 3. Administration and Compliance. The City Manager, or designee, is authorized and directed to administer and implement the policy, take appropriate steps to ensure compliance with applicable federal nondiscrimination requirements, and execute any documents or assurances necessary to carry out the intent of this resolution.

Section 4. Effective Date. This resolution shall become effective upon its adoption by the City Council.

ADOPTED THIS _____ DAY OF _____, 2026.

_____
Mayor, City of Lenoir

ATTEST:

_____
City Clerk

Nondiscrimination Policy

The City of Lenoir is committed to providing equal access to its programs, services, activities, facilities, benefits, and opportunities. No person shall, on the basis of race, color, national origin, including limited English proficiency, religion, sex, familial status, age, disability, or any other status protected by applicable law, be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination by the City.

This policy is intended to support compliance with applicable nondiscrimination laws, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Americans with Disabilities Act, as applicable.

This policy applies to all City departments and to City contractors, vendors, and other entities when required by law or contract. The City will administer its programs, services, activities, and facilities in a manner that promotes equal opportunity, accessibility, and nondiscrimination and in compliance with the following federal statutes and regulations:

i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;

ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;

iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;

iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and

v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

The following practices are prohibited throughout the City of Lenoir to comply, at minimum, with Title VI and related requirements:

1. Denying to a person any service, financial aid, or other program benefit without good cause;

2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.

3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;

4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;

5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;

6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;

7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;

8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;

9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;

10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing

Any person who believes that because of that person’s race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the City of Lenoir in violation of this policy should contact the Risk Management Coordinator within 180 days from the date of the alleged discriminatory occurrence:

RESOLVED, that the governing board of the City of Lenoir adopts this Nondiscrimination Policy to affirm the City's commitment to equal access, fair treatment, accessibility, and compliance with applicable nondiscrimination laws in the administration of City programs, services, activities, facilities, and benefits.

Adopted November 3, 2026.