Title VI Implementation Plan

Contents

Title VI Policy Statement 3
Title VI Notice to the Public 4
Title VI Notice to the Public -Spanish 5
Title VI Complaint Procedures 6
Title VI Complaint Form 8
Title VI Investigations, Complaints, and Lawsuits 11
Public Participation Plan 12
Limited English Proficiency Plan 15
Non-elected Committees Membership Table 18
Monitoring for Subrecipient Title VI Compliance 19
Title VI Equity Analysis 20
Fixed Route Transit Provider Analysis 21
Board Approval for the Title VI Program 22

Title VI Policy Statement

The City of Maricopa Express Transit policy assures full compliance with Title VI of the Civil Rights act of 1964, the Restoration Act of 1987, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related statutes and regulations in all programs and activities. Title VI states that "no person shall on the grounds of race, color, national origin, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination" under any City of Maricopa Express Transit sponsored program or activity. There is no distinction between the sources of funding.

The City of Maricopa Express Transit also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. Furthermore, City Of Maricopa Express Transit will take reasonable steps to provide meaningful access to services for persons with limited English proficiency.

When City of Maricopa Express Transit distributes Federal-aid funds to another entity/person, City Of Maricopa Express Transit will ensure all subrecipients fully comply with City of Maricopa Express Transit Title VI Nondiscrimination Program requirements. The City Manager has delegated the authority to Mike Sawyer, Corporate Compliance Manager and Title VI Program Coordinator for Total Transit/Valutrans to oversee and implement FTA Title VI requirements.

Gregory E. Rose, City Manager
City of Maricopa

Title VI Notice to the Public

Notifying the Public of Rights Under Title VI
City of Maricopa Express Transit

The City of Maricopa Express Transit operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Maricopa Express Transit.
For more information on the City of Maricopa Express Transit's civil rights program, and the procedures to file a complaint, contact David R. Maestas, City of Maricopa Express Transit Program Manager, 520-316-6948. (TTY 623-240-4569); email: David.maestas@maricopa-az.gov, or visit our administrative office at 39700 W. Civic Center Plaza, Maricopa AZ 85138. For more information, visit www.Maricopa-az.gov.

A complainant may file a complaint directly with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: **ADOT**: ATTN: Title VI Program Manager 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: ATTN: Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

Title VI Notice to the Public -Spanish

Aviso al Público Sobre los Derechos Bajo el Título VI
City Of Maricopa Express Transit

City of Maricopa Express Transit *(y sus subcontratistas, si cualquiera)* asegura complir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán provehidos sin consideración a su raza, color, o pais de origen.

Para obtener más información sobre la City of Maricopa Express Transit's programa de derechos civiles, y los procedimientos para presentar una queja, contacte David R. Maestas, Tel 520-316-6948. TTY: 623-240-4569; o visite nuestra oficina administrativa en Maricopa City Hall, 39700 W Civic Center Plaza, Maricopa AZ 85138. Para obtener más información, visite www.maricopa-az.gov/living/travelandtransportation

El puede presentar una queja directamente con Arizona Department of Transportation (ADOT) o Federal Transit Administration (FTA) mediante la presentación de una queja directamente con las oficinas correspondientes de Civil Rights: ADOT: ATTN Title VI Program Manager 206 S. 17th Ave MD 155A Phoenix AZ, 85007 FTA: ATTN Title VI Program Coordinator, East Building, 5th Floor –TCR 1200 New Jersey Ave., SE Washington DC 20590

The above notice is posted in the following locations: The Maricopa City Hall Break Room and in all of the buses.

This notice is posted online at www.Maricopa-az.gov/living/travelandtransportation

Title VI Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) as they relate to any program or activity that is administered by City of Maricopa Express Transit including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

The City of Maricopa Express Transit will investigate Title VI complaints against its subrecipients; all other Title VI complaints filed against The City of Maricopa Express Transit will be investigated by the Arizona Department of Transportation.

1. For Title VI complaints filed against The City of Maricopa Express Transit within 5 (five) calendar days of receipt, The City of Maricopa Express Transit will notify ADOT of the Title VI complaint being filed. The complaint will then be logged identifying its basis of discrimination, the status, and the next steps. ADOT then will assume jurisdiction and follow the ADOT's complaint procedures for investigating the complaint.

2. For Title VI complaints filed against The City of Maricopa Express Transit's subrecipients (ie, consultants, vendors, and contractors) The City of Maricopa Express Transit will assume jurisdiction and will investigate and adjudicate the case.

3. The City Of Maricopa Express Transit has 5 (five) days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 5 (five) 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 5 (five) business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

4. After the investigator reviews the complaint, she/he will issue one of two letters 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 violation and that the case will be closed. An 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, she/he has 5 (five) days after the date of the letter or the LOF to do so.

(7) A complaint dissatisfied with The City of Maricopa Express Transit decision may file a complaint with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) offices of Civil Rights: **ADOT**: ATTN Title VI Program Manager 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: Attention Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

(8) A copy of these procedures can be found online at: www.Maricopa-az.gov

Title VI Complaint Form

Section I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	☐ Large Print	☐ Audio Tape
	☐ TDD	☐ Other

Section II:		
Are you filing this complaint on your own behalf?	☐Yes*	☐No
If you answered "yes" to this question, go to **Section III.*		
If not, please supply the name and relationship of the person for whom you are complaining.		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	☐Yes	☐No

Section III:

I believe the discrimination I experienced was based on (check all that apply):

☐ Race ☐ Color ☐ National Origin ☐ Disability

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

_____

_____

_____

Section VI:		
Have you previously filed a Title VI complaint with this agency?	☐Yes	☐No

If yes, please provide any reference information regarding your previous complaint.
_____
_____
Section V:
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? ☐ Yes ☐ No If yes, check all that apply: ☐ Federal Agency: _____ ☐ Federal Court: _____ ☐ State Agency: _____ ☐ State Court : _____ ☐ Local Agency: _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI:
Name of agency complaint is against:
Name of person complaint is against:
Title:
Location:
Telephone Number (if available):

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are required below

_____ _____

Signature Date

Please submit this form in person at the address below, or mail this form to:

City of Maricopa Express Transit
David R. Maestas, MPA, COMET Program Manager
39700 W Civic Center Plaza
Maricopa AZ 85138
Tel: 520-316-6948
Email: David.maestas@maricopa-az.gov

A copy of this form can be found online at www.Maricopa-az.gov

Title VI Investigations, Complaints, and Lawsuits

This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

Description/Name	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin or disability)	Status	Action(s) Taken (Final findings?)
Investigations				
1)				
2)				
Lawsuits				
1)				
2)				
Complaints				
1)				
2)				

X **The City of Maricopa Express Transit has not had any Title VI complaints, investigations, or lawsuits in 2014/2015.**

The City Of Maricopa Express Transit Public Participation Plan

The City of Maricopa Express Transit is engaging the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public will be invited to participate in the process whether through public meetings or surveys. As an agency receiving federal financial assistance, The City Of Maricopa Express Transit made the following community outreach efforts:

Transportation Advisory Committee (TAC) Meeting heard a presentation on the 5311 FY15/16 grant application in January 2015. TAC input was solicited and received.

Public Hearing, 5311 FY 15/16 Grant Application, held during City Council Regular Meeting, February 3, 2015

Resolution of Support for 5311 FY 15/16 Grant Application, during City Council Regular Meeting, February 17, 2015

This year, The City of Maricopa Express Transit also made the following community outreach efforts:

Public Meeting, Open House, Maricopa Area Transportation Plan were held from 4:00 to 5:00 pm on March 17, 2015 in council chambers. Projected transportation improvements, including transit, were discussed.

Public Meeting, City Council Work Session was held on May 5, 2015. Discussion included transit improvements using 5311 funding, as part of Area Transportation Plan Projected Transportation Improvements

Public Meeting, TAC Meeting were held in May 2015. The transit recommended improvements from the Maricopa Area Transportation Study were on the agenda for presentation to the TAC and input was solicited from the TAC and the public.

Public Meetings:

(1) Public meetings are scheduled to increase the opportunity for attendance by stakeholders and the general public. This may require scheduling meetings during non-traditional business hours, holding more than one meeting at different times of the day or on different days, and checking other community activities to avoid conflicts.

(2) When a public meeting or public hearing is focused on a planning study or program related to a specific geographic area or jurisdiction within the region, the meeting or hearing is held within that geographic area or jurisdiction.

(3) Public meetings are held in locations accessible to people with disabilities and are located near a transit route when possible.

The City of Maricopa Express Transit submits to the Arizona Department of Transportation annually an application for funding. Part of the annual application is a public notice, which includes a 30-day public comment period.

The Maricopa COMET 5311 grant application was presented in two official public notices in the local newspaper in January 2015, more than 15 days prior to the public hearing.

The City Of Maricopa Express Transit

Limited English Proficiency Plan

The City of Maricopa Express Transit has developed the following Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to The City of Maricopa Express Transit services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the City of Maricopa Express Transit's extent of obligation to provide LEP services, the City of Maricopa Express Transit undertook a U.S. Department of Transportation four-factor LEP analysis which considers the following:

1) The number or proportion of LEP persons eligible in the City Of Maricopa Express Transit service area who may be served or likely to encounter by City Of Maricopa Express Transit program, activities, or services;

2) The frequency with which LEP individuals come in contact with City of Maricopa Express Transit services;

3) The nature and importance of the program, activities or services provided by the City Of Maricopa Express Transit to the LEP population; and

4) The resources available to The City Of Maricopa Express Transit and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

A statement in Spanish will be included in all public outreach notices. Every effort will be made to provide vital information to LEP individuals in the language requested.

Our contract provider, Total Transit employs schedulers of whom 70 percent are fluent in Spanish.

Safe Harbor Provision

The City Of Maricopa Express Transit complies with the Safe Harbor Provision, as evidenced by the number of documents available in the Spanish language. With respect to Title VI information, the following shall be made available in Spanish:

(1) Title VI Notice
(2) Complaint Procedures
(3) Complaint Form

In addition, we will conduct our marketing (including using translated materials) in a manner that reaches each LEP group. Vital Documents include the following:

(1) Notices of free language assistance for persons with LEP
(2) Notice of Non-Discrimination and Reasonable Accommodation
(3) Outreach Materials
(4) Bus Schedules
(5) Route Changes
(6) Public Hearings

Non-elected Committees Membership Table

A subrecipient who selects the membership of transit-related, non-elected planning boards, advisory councils, or committees must provide a table depicting the membership of those organizations broken down by race. Subrecipients also must include a description of the efforts made to encourage participation of minorities on these boards, councils, and committees.

Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
Resident Population	60%	24%	10%	4%	2%
Transportation Advisory Committee	100%	0%	0%	0%	0%

The City Council appoints members of the Transportation Advisory Committee (TAC). The TAC candidate submits an application to the City Clerk for consideration. Each of the six council members and the mayor are given one TAC appointment. The City Council ensures compliance with Title VI requirements as a requisite element of their elected duties.

X The City of Maricopa Express Transit does NOT select the membership of any transit-related committees, planning boards, or advisory councils.

Monitoring for Subrecipient Title VI Compliance

We conduct an annual site visit to our subrecipient's (Total Transit) facility in Glendale Az. We inspect their posting of the required Title VI poster in common areas such as break rooms and other common gathering areas in their facility. During random walk-through's we also inspect the buses to ensure that the Title VI poster and complaint procedures are properly posted, in addition to the Limited English Proficiency instructions.

Our subrecipient, Total Transit, also has a Title VI Coordinator. His name is Mike Sawyer, Corporate Compliance Manager. For further guidance, please contact Chris Hager, General Manager, Public Transportation, ValuTrans, tel: 602-200-2065.

Title VI Equity Analysis

A subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. "Facilities" in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

There are many steps involved in the planning process prior to the actual construction of a facility. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. The Title VI Equity Analysis must be done before the selection of the preferred site.

Note: Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives <u>any</u> FTA dollars, it must comply with this requirement.

The City Of Maricopa Express Transit has no current or anticipated plans to develop new transit facilities covered by these requirements in the next fiscal year. No facilities covered by these requirements were developed since 2010 when the Maricopa Park and Ride Facility was built. .

Fixed Route Transit Provider Analysis

We received funding in FY 14/15 to operate a limited fixed route system. We just began operation of a limited fixed route on May 11, 2015, after receipt of three new minivans the week before. We will be gathering data as we have actual experience with this route.

Board Approval for the Title VI Program

The Title VI Program will be submitted to the City Council for discussion, consideration and approval at the June 16, 2015 City Council Regular Meeting. .

RESOLUTION 15-25

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, APPROVING AND ADOPTING AN UPDATED TITLE VI CIVIL RIGHTS POLICY AS IT PERTAINS TO THE OPERATION OF THE CITY OF MARICOPA EXPRESS TRANSIT (COMET) SYSTEM AND REPEALING ALL PREVIOUS TITLE VI CIVIL RIGHTS POLICIES RELATING TO TRANSIT SERVICE.

WHEREAS, the City of Maricopa acknowledges the transit demand that exists in the City of Maricopa; and

WHEREAS, in an effort to satisfy transit demand in the City of Maricopa, the City annually requests Section 5311 grant funding which, in combination with local match funding, funds operations and administrative expenses associated with operating a transit system; and

WHEREAS, the City of Maricopa acknowledges the need to have a clear and visible Title VI Civil Rights Policy in all areas of transit operations by the COMET system, both for compliance with the Civil Rights Act of 1964, and as a condition of application for federal 5311 grant funds; and

WHEREAS, on May 5, 2012, the Maricopa City Council approved and implemented a Title VI and Limited English Plan relating to transit service in the City, which now needs updated; and

WHEREAS, the City of Maricopa desires to formally acknowledge and comply with the provisions of the Civil Rights Act of 1964 relative to operation of the COMET service, by approving and implementing the updated Title VI policy document.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Council of the City of Maricopa, Arizona, hereby approves and adopts the updated Title VI Civil Rights Policy as it pertains to operation of the City of Maricopa Express Transit System in the form attached to and made a part of this Resolution and repeals all previous Title VI Civil Rights Policies adopted by the City relating to transit service.

A copy of the Title VI Civil Rights Policies relating to the City of Maricopa Express Transit System shall be kept on file with the City Clerk and kept available for public use and inspection.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 16th day of June, 2015.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

CITY OF MARICOPA
INCORPORATED
2003
MARICOPA, ARIZONA

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney