

RESOLUTION 2020-060

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING A TITLE VI NONDISCRIMINATION PLAN FOR THE CITY OF SIERRA VISTA'S VISTA TRANSIT SYSTEM; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, Title VI of the Civil Rights Act of 1964, and other nondiscrimination authorities, as amended requires that all recipients of federal financial assistance adopt a Title VI Nondiscrimination Plan; and

WHEREAS, the City of Sierra Vista's Vista Transit adopted its first Title VI Plan in September 2017; and

WHEREAS, U.S. Department of Transportation/Federal Transit Administration Circular FTA 4702.1B requires each Plan be readopted every three years by the Policy Making Body of the Organization; and

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA AS FOLLOWS:

SECTION 1

That the settled policy of the Mayor and City Council to implement programs to ensure nondiscrimination for all persons regardless of race, color, national origin, religion, sex, disability, age, or income status, this policy, be, and hereby is, reaffirmed.

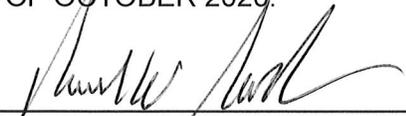
SECTION 2

That the 2020 City of Sierra Vista's Vista Transit Title VI Nondiscrimination Plan is hereby adopted.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 8th DAY OF OCTOBER 2020.



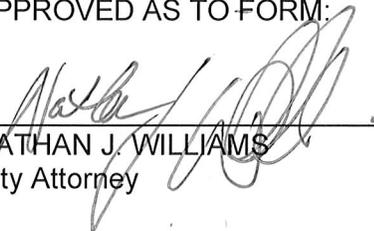
FREDERICK W. MUELLER
Mayor

ATTEST:



JILL ADAMS
City Clerk

APPROVED AS TO FORM:



NATHAN J. WILLIAMS
City Attorney

PREPARED BY:

Jill Adams, City Clerk/Title VI Nondiscrimination Coordinator



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

The City of Sierra Vista / Vista Transit

Title VI Nondiscrimination Program
Regulations and Complaint Plan
October 1, 2020

Adopted on October 8, 2020 by the Sierra Vista City Council, Resolution 2020-060

INDEX

Introduction	Page 2
Signed Policy Statement	Page 3
Contact Information	Page 3
Definitions	Page 4
Environmental Justice Activity	Page 6
Public Participation Process	Page 6
Limited English Proficiency (LEP) Plan and Public Participation Requirements	Page 6
Oral Language Assistance, and Safe Harbor Stipulation	Page 7
Safe Harbor Stipulation	Page 7
Subrecipient Monitoring	Page 7
Service Standards and Performance Measures	Page 8
Complaints and Appeals	Page 12
Deficiencies with Title VI Compliance	Page 14
Reporting	Page 14
Administration of Regulation	Page 15

Attachments:

- A. Public Participation Plan
- B. Limited English Proficiency (LEP) Plan and Interpreter Request Process
- C. Complaint Form
- D. Compliance Statement
- E. Subrecipient Title VI Requirements
- F. Department of Transportation Assurances
- G. Title VI Public Notice – Notification of Rights under Title VI
- H. Nondiscrimination Statutes and Authorities
- I. Frequently Asked Questions

INTRODUCTION

The City of Sierra Vista's Public Transit System, Vista Transit, is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its programs, activities, or services on the basis of race, color, national origin, age, sex, income status, or disability. All persons, regardless of their citizenship, are covered under this regulation. In addition, The City of Sierra Vista prohibits discrimination on the basis of race, color, national origin, age, sex, income status, or disability in its employment and business opportunities. Vista Transit will not condone retaliation against any individual for their involvement in asserting their rights pursuant to Title VI or because they filed a complaint or participated in an investigation under Title VI, and /or this regulation.

As a Federal Transit Administration (FTA) 5307 fund recipient, the City of Sierra Vista, Vista Transit is committed to ensuring that its programs, policies and activities comply with the Title VI Regulations of the Civil Rights Act of 1964 and other Nondiscrimination Authorities. This policy was prepared with guidance from FTA Circular 4702.1B dated October 1, 2012. The legal authority provides for the following:

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 financial assistance." Additional protections are provided in other federal and state authorities for individuals with Limited English proficiency, income status, sex, disability, and age.

Every effort will be made to ensure nondiscrimination in all City programs and activities, whether those programs and activities are federally funded or not. This policy is applicable to all City employees, members of the public, and all contractors hired by the City d/b/a Vista Transit. Failure of a City employee to follow this policy and procedure shall subject such employee to disciplinary action up to and including employment termination. The City's sub-recipients, grant recipients, and contractors are also required to comply with this policy where applicable.

Vista Transit will promote the full and fair participation of all affected populations in the transportation decision-making process.

Vista Transit will ensure that Limited English Proficient (LEP) individuals have access to Vista Transit's programs, activities, and services.

This regulation shall be maintained in English and provided in Spanish and other languages upon a 24-hour request to Vista Transit.

POLICY STATEMENT

The following policy statement supports the implementation of these activities:

The City of Sierra Vista is committed to ensuring that no person is discriminated against on the grounds of color, race, or national origin as provided by Title VI of the Civil Rights Act of 1964 and related authorities. Specifically, Title VI asserts 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 financial assistance." Additional protections are provided in other federal and state authorities for individuals with limited English proficiency (LEP), income status, sex, disability, and age.

The City of Sierra Vista, Vista Transit strives to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. As a Federal Transit Administration (FTA) fund recipient, Vista Transit will ensure that its programs, policies and activities comply with Title VI of the Civil Rights Act of 1964, as amended, and Department of Transportation regulations as they relate to initiating and monitoring Title VI activities, preparing required reports, and other responsibilities. The U.S. Department of Transportation Title VI implementing regulations can be found at 49 CFR part 21.

Charles P. Potucek, City Manager

Date

Contact Information

Jill Adams
Title VI Nondiscrimination Program Coordinator
1011 N. Coronado Drive
Sierra Vista, Arizona 85635
520-458-3315
Jill.Adams@SierraVistaAZ.gov or TitleVI@SierraVistaAZ.gov

Linda Jones
Transit Administrator, Vista Transit
2050 E. Wilcox Street
Sierra Vista, Arizona 85635
520-417-4888
Linda.Jones@SierraVistaAZ.gov

City of Sierra Vista Website: www.SierraVistaAZ.gov

Vista Transit Website: www.SierraVistaAZ.gov/city-departments/transit/
09-29-20

DEFINITIONS

“Adverse Effect” means having a harmful or undesired effect.

“Discrimination” refers to any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, sub recipient, or contractor that results in disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color, national origin, age, sex, income status, or disability.

“Disparate Impact” refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, national origin, age, sex, income status, or disability, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, national origin, age, sex, income status, or disability.

“Disproportionate Burden” refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

“Disparate Treatment” refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, national origin, age, sex, income status, or disability.

“Limited English Proficient (LEP) Persons” are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

“Low-Income Person” means a person whose median household income is at or below 150 percent of the U.S. Department of Health and Human Services (HHS) poverty guidelines.

“Low-Income Population” means any readily identifiable groups of low-income individuals who live in geographic proximity, and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

“Minority Individuals”

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
3. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
4. Hispanic or Latino, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. Native Hawaiian and Other Pacific Islanders, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands.

“National Origin” means the particular nation in which a person was born, or where the person’s parents or ancestors were born.

“Race” means a group of people united or classified together on the basis of common history, nationality, or geographic distribution.

“Recipient” means one that has received or is receiving Federal Financial assistance under the Acts. The term includes subrecipients of a recipient and subrecipients in FTA’s State administered programs.

“Retaliation” Any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or state law.

“Vital Documents” are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, and notices informing customers of the availability of free language assistance).

ENVIRONMENTAL JUSTICE ACTIVITY

Title VI of the Civil Rights Act of 1964 requires outreach to underserved groups. “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 financial assistance.” Executive Order 12898 dictates “Each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects on its programs, policies, and activities on minority populations and low-income populations.”

PUBLIC PARTICIPATION PROCESS

Governmental agencies have come to recognize the increasing importance of involvement of the public as they plan, organize, and implement transit programs. Involving interested parties early in any process generally results in a more effective program overall. Communication and involvement of affected interests can enhance the programs and potentially reduce the time and effort for implementation.

The goals of public involvement are to ensure that all residents and interested parties are given the opportunity to participate in the transit system planning process.

The Vista Transit Public Participation Plan outlines the importance of, and guidelines for, involving community members, organizations, governments, transit professionals, and others in ongoing and future programs, plans, and projects. Included in the Plan is information about the value of public participation, how the process will be accomplished, and how the results will be utilized.

The Vista Transit Public Participation Plan is attached as Attachment A and is available on the Vista Transit website: www.SierraVistaAZ.gov/city-departments/transit/

LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS

Vista Transit will seek out and consider the viewpoints of minority, low-income, and Limited English Proficient (LEP) populations in the course of conducting public outreach and involvement activities. Vista Transit’s public participation strategy will offer early and continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of proposed transportation decisions.

The Vista Transit Limited English Proficiency (LEP) Plan is attached as Attachment B and is available on the Vista Transit website: www.SierraVistaAZ.gov/city-departments/transit/

ORAL LANGUAGE ASSISTANCE

Vista Transit maintains bilingual staff to provide Spanish-speaking interpretation at the Vista Transit Center for basic transit questions and trip planning assistance. Vista Transit also utilizes Language Line Services to provide comprehensive translation services to its customers. (Attachment B)

SAFE HARBOR STIPULATION

Federal law provides a “Safe Harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “safe harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient's written-translation obligations under Title VI.

Vista Transit will comply with the Safe Harbor provisions when additional information is requested to be translated in languages other than English.

SUBRECIPIENT MONITORING

To ensure that subrecipients are complying with the Title VI regulations, the City and Vista Transit will monitor their subrecipients for compliance with the regulations. If a subrecipient is not in compliance with the Title VI requirements, then Vista Transit is not in compliance.

As of October 1, 2020, Vista Transit does not have subrecipients. In the future when an entity receives funding through the City, the City will ensure any subrecipients meet the requirements of Title VI. These requirements can be found in Attachment E.

SERVICE STANDARDS AND PERFORMANCE MEASURES

Definitions:

Fixed route: Public transit service provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

Paratransit: Public transit service for disabled individuals provided on a call-in basis with flexible stops and will call scheduling.

Vista Transit, a provider of fixed route and paratransit service, as defined above, must determine the distribution of transit amenities or the vehicle assignments for each mode in a non-discriminatory manner. The recipient must develop policies to ensure service is not distributed on the basis of race, color, national origin, limited English proficiency, income status, sex, disability, or age.

Effective practices to fulfill the Service Standards requirements include developing written policies covering each of the following service indicators:

1) Vehicle Load for Each Mode

Vista Transit load standard is a maximum vehicle load factor of 1.00 for off peak hours of operation from 7am to 9am and from 5pm to 6pm. This standard promotes similar all-day frequencies.

Vista Transit load factor for peak hours is 1.20, predicated on the industry standard for low floor bus operations. All Vista Transit buses are low floor which feel more crowded than high floor buses at similar capacities.

2) Vehicle Headway for Each Mode

Fixed route is a single bus route, there are no other buses traveling the route. Each route is approximately 60 minutes in duration and operate from 7am to 6pm.

Paratransit consists of two buses offering curb to curb services for the disabled with varying pick up times and locations.

3) On Time Performance for Each Mode

Vista Transit defines a fixed route bus as late if it departs the “time point” five or more minutes later than the published time. Buses are considered early if they depart from a published time point at any time prior to the scheduled departure.

Vista Transit defines paratransit on time as arriving no more than-fifteen minutes prior or fifteen minutes after the scheduled pick up time.

4) Service Availability for Each Mode

Fixed routes operate Monday thru Friday from 7:00am to 6:00pm and on Saturday from 9:30am to 6:00pm. Vista Transit has set a service availability standard goal of 80% of residents within city limits are within $\frac{3}{4}$ mile walk from fixed route service.

Paratransit services are offered from 7:00am to 6:00pm Monday thru Friday and on Saturday from 9:30am to 6:00pm upon request. Services are offered throughout the city limits.

Effective qualitative practices to fulfill the Service Policy requirements include developing written policies covering each of the following service indicators:

1) Transit amenities for each mode

Proposed Policy:

Transit amenities are distributed on a system wide basis. Transit amenities include shelters and benches. The location of transit amenities is determined by factors such as ridership (10 boarding's per day requires a bench 17 boarding's a shelter), individual requests, staff recommendations, and vendor preference (in the case of shelters which feature advertisements).

2) Vehicle assignments for each mode

All fixed route buses have the same level of amenities (i.e. air conditioning, low floor ADA accessibility), available to riders. Fixed route buses are not assigned to specific routes within Sierra Vista, but rather serve routes based on availability and passenger capacity.

The following standards, performance measures and associated comments have been recently developed by Vista Transit through a Short-Range Transit Plan developed by URS consulting. These will ensure persons shall not be discriminated against by routing, scheduling, and frequency of service and age, quality, and capacity of vehicles assigned to routes.

Table 1 Fixed Route Performance Measures

Performance Measure	Proposed Standard	2012 Vista Transit Performance (NTD)	Comments
Service Quality Standards			
On-time Performance	90%	90%	*Buses must arrive at each stop no later than five minutes of published time in the schedule. *Buses should not depart a timepoint prior to the time published in the schedule. *Should be monitored at the Transfer Center and by point checks along the route.
Number of Complaints per Month	No more than two verified and valid complaints	< two/month	Requires monitoring and recording passenger complaints.
Missed Trips per Month	1/month	< one/month	Monitor and record missed trips. Continue to provide adequate operator spare board to ensure no missed trips.
Service Design Standards			
Peak Passenger Loads	125%	100%	Maximum passenger loads should not exceed 125% of seating capacity.
Bus Stop Design	N/A	N/A	*All stops should be clearly marked with bus stop signs. *Standards should be established for the addition of benches and shelters. (minimum of 10 boardings per day = bench, 17 boardings per day = shelter)
New Service	N/A	N/A	New service should be introduced as a one-year pilot program with a focus on ridership and productivity.

Source: URS, 2014

Table 2 Paratransit Performance Measures

Performance Measure	Proposed Standard	2012 Vista Transit Performance (NTD)	Comments
Efficiency Standards			
Service Quality Standards			
Service to all ADA Eligible Customers within 3/4 mile of a Fixed Route	100%	100%	Vista Transit currently operates paratransit service within the Sierra Vista city limits which exceeds the minimum ADA service area.
Service Denials	0	N/A	Trips need to be accommodated within one hour of request. Denials need to be monitored.
Missed Trips per Month	1/month	< one/month	Monitor and record missed trips.
Percent of Pickups within 15-minutes of Scheduled Time	90%	90%	Vista Transit service exceeds the benchmark.
Miles per Preventable Accidents	20,000	N/A	A benchmark is set at 20,000 miles; however, the goal should be no preventable accidents.

The recommended Vista Transit performance measures provide a defined structure to monitor and evaluate services. These measures were developed to provide achievable benchmarks that will help guide service over time and comply with Title VI and ADA regulations.

COMPLAINTS/LAWSUITS AND APPEALS

How to File a Title VI Complaint with Vista Transit: Any person who believes that they, individually or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age, sex, income status, or disability with respect to Vista Transit's programs, activities, services, or other transit related benefits, may file a written Complaint with the City Nondiscrimination Coordinator or the Vista Transit Administrator. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within 180 days after the date of the alleged discrimination, but complainants are encouraged to submit complaints as soon as possible. Vista Transit will promptly investigate all Complaints filed under Title VI, pursuant to this Regulation.

Complaint must include the following information:

- a) A Complaint must be in writing and signed and dated by the Complainant or their representative before any action can be taken.
- b) A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

A Complaint Form (Attachment E) is available and can be used to file a Title VI complaint with the City of Sierra Vista and Vista Transit. Upon request, a Complaint Form will be made in an accessible format.

A Complaint form can be obtained at:

- a) Vista Transit's website at www.SierraVistaAZ.gov/city-departments/transit/
- b) A complaint form can be mailed, faxed or emailed by calling Vista Transit at 520-417-4888 or City Hall at 520-458-3315.
- c) A complaint form can be picked up at the Vista Transit Center 2050 E. Wilcox, Sierra Vista, AZ, 85635 or City Hall 1011 N. Coronado Dr., Sierra Vista AZ, 85635
- d) A complaint form may be requested by emailing TitleVI@SierraVistaAZ.gov, Jill.Adams@SierraVistaAZ.gov, or Linda.Jones@SierraVistaAZ.gov
- e) By faxing a request or letter to 520-417-6996 or 520-458-0584.

If the Complaint is received by anyone other than the Title VI Nondiscrimination Coordinator or Vista Transit's Administrator, the individual in receipt of the Complaint shall forward it to the Nondiscrimination Coordinator, the Transit Administrator, or their designee as soon as practicable but no later than two (2) working days of receipt. The Nondiscrimination Coordinator or the Transit Administrator shall immediately provide a copy of the complaint to the Director of the program, activity or service that is alleged to be non-compliant with Title VI regulations.

Vista Transit's Procedures for Investigating Complaints

The Transit Administrator, Nondiscrimination Coordinator, or a designee shall promptly investigate the alleged complaint and prepare a written response no later than ten (10) working days of receipt of the complaint. The Transit Administrator, Nondiscrimination Coordinator, or a designee may consult with appropriate staff in the preparation of the response to the complaint.

Efforts to Contact Complainant

The Transit Administrator, Nondiscrimination Coordinator, or a designee shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that their rights under Title VI have been violated. The Transit Administrator, the Nondiscrimination Coordinator, or a designee shall review and consider the all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. Vista Transit's Transit Administrator or the Nondiscrimination Coordinator shall prepare a written report of their findings.

If corrective action is required, a timetable for the completion of such action shall be included.

Completion of Investigation

No later than twenty (20) business days following receipt of the initial complaint, the Transit Administrator, Nondiscrimination Coordinator, or their designee shall inform the complainant of the findings and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.

Appeal to City Manager / Federal Transit Administration (FTA)

If the complainant is not satisfied with the findings and/or action of the Transit Administrator, Nondiscrimination Coordinator, or their designee, then the complainant may file their Complaint with the City Manager or file a separate complaint with the FTA's Office of Civil Rights at:

Federal Transit Administration Office of Civil Rights
Attn: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Appeal Process

If the complainant chooses to file their Complaint with the City Manager, then the complaint and any supporting documentation should be submitted at City Hall, 1011 N. Coronado Dr., Sierra Vista, AZ 85635 within five (5) business days of receipt of the results of the original investigation. Upon review of the file, the City Manager shall notify the complainant of what actions, if any, will be taken as a result of the review within ten (10) working days of the City Manager's notification that the complainant is not satisfied with the results of the Vista Transit's Transit Administrator or Nondiscrimination Coordinator's investigation. The decision of the City Manager shall be final.

Timeline Waiver

Any timeline set forth herein may be extended by the Transit Administrator or Nondiscrimination Coordinator upon a showing of good cause.

DEFICIENCIES WITH TITLE VI COMPLIANCE

Compliance Reviews will be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under 49 CFR 21.11(a).

If FTA determines that Vista Transit is in noncompliance with Title VI, it will transmit a *Letter of Finding* that describes FTA's determination and requests that Vista Transit voluntarily take corrective action(s) which FTA deems necessary and appropriate.

Vista Transit will submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within 30 days of receipt of FTA's *Letter of Finding*.

REPORTING TITLE VI INVESTIGATIONS, COMPLAINTS, and LAWSUITS

This form will be submitted annually. If no investigations, lawsuits, or complaints are 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 Sierra Vista/Vista Transit has not had any Title VI complaints.

SIGNED ADMINISTRATION OF REGULATION

Vista Transit will integrate the provisions within its Title VI Program into all programs, activities, and services provided by Vista Transit.

Vista Transit will integrate the Title VI Program into its policies and procedures.

Vista Transit compliance of Title VI Program is shown in Attachment F.

Approved:

Linda Jones
Transit Administrator

Date

Jill Adams,
Title VI Nondiscrimination Coordinator

Date



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

The City of Sierra Vista / Vista Transit

Title VI Nondiscrimination Program
Public Participation Plan

INTRODUCTION

The City of Sierra Vista Transportation Advisory Committee (TAC) was created in 1994 by the City of Sierra Vista City Council to assist with the planning of public transit services in the City of Sierra Vista. The committee consists of a diverse cross section of community members who share a common interest in public transit. TAC members provide input to public transit related activities of Vista Transit. Meetings are held quarterly.

As part of this transportation planning process, Vista Transit desires and requests citizen input on transit-related issues.

Vista Transit recognizes the importance and necessity of the public participation process. All meetings of the TAC are open to the public. Members of the public may request time on the agenda to comment on specific subjects of interest. A minimum of two weeks advance notice should be given for requested agenda time.

GOALS AND OBJECTIVES

The public participation process required by 23 CFR 450 should provide complete information, timely public notice, full public access to key decisions and support early and continuing participation of the public in developing plans and Transportation Improvement Programs.

Vista Transit is committed to the notification of and public access to the decision-making process and to ongoing public participation throughout the transportation planning process. Through this *Public Participation Process*, Vista Transit aims to identify methods for obtaining public input and encouraging public participation in the transportation planning process.

STAKEHOLDERS AND PUBLIC GROUPS

Vista Transit has identified the following groups and individuals as those having potential interest in public input and participation opportunities:

- City of Sierra Vista Citizens
- Neighborhood and Homeowner organizations
- Chamber of Commerce and other business groups
- Groups representing travel modes - transit, bicycle, pedestrian, freight
- Advocacy groups for the disadvantaged and/or minority groups
- Media – newspapers, television, radio
- Governmental agencies including the Sierra Vista Metropolitan Planning Organization
- Educational Institutions

INFORMATION ACCESS

All planning and programming information of Vista Transit is available for public review. The information can be viewed at www.SierraVistaAZ.gov/city-departments/transit/

OUTREACH TECHNIQUES

Information about all Vista Transit TAC meetings at the Vista Transit Center and on the City's website at www.SierraVistaAZ.gov/city-departments/transit/

Vista Transit maintains an active participation in the local government access cable channel. Programs describing the activities of Vista Transit will be included in the programming.

Vista Transit's website, www.SierraVistaAZ.gov/city-departments/transit/ and The City of Sierra Vista's website, <http://www.SierraVistaAZ.gov/> will be used to provide information about Vista Transit activities.

Formal notices for public input meetings are published in the Sierra Vista Herald.

Language Assistance Measures for Public Participation

Assistance will be provided to Limited English Proficiency (LEP) persons. There are various ways in which Vista Transit staff responds to LEP persons, whether in person, by telephone or in writing as defined below:

Public Meetings & Workshops

- Offer customized presentations to existing groups and organizations.
- Co-host workshops with community groups, business associations, etc.
- When Vista Transit staff makes community presentations to groups whom they know in advance are LEP persons, they will provide an interpreter to translate information from the presentation to meeting attendees.
- When customers communicate with Vista Transit staff and state a language preference, information will be provided in the requested language.

Techniques for Public Meetings/Workshops

- Open Houses
- Facilitated discussions
- Question and Answer session with Vista Transit staff
- Customized presentations
- Vary the time of day for workshops (day/evening)

Visualization Techniques

- Maps
- Charts, Illustrations, Photographs
- Web content
- PowerPoint slide shows

Polls/Surveys

- For major planning studies, such as the Short-Range Transit Plan, conduct statistically valid surveys in English and Spanish.
- Electronic surveys via web
- Intercept interviews where people congregate, such as at transit hubs
- Printed surveys distributed at meetings, Vista Transit Center, on-board transit vehicles

Printed Materials

- User-friendly documents including use of executive summaries
- Outside review of written materials to ensure clear, concise language
- Post cards
- Maps, charts, photographs, and other visual means of displaying information

Targeted Mailings/Flyers

- Distribute flyers to key community organizations
- Notices that are posted on Vista Transit vehicles are provided in English and Spanish, as drivers most frequently come into contact with Spanish-speaking individuals. Vista Transit provides these notices to other limited-English speaking customers upon request.

Utilize local media

- News releases
- Opinion pieces/commentaries
- Display ads
- Radio/TV talk shows
- Public Service Announcements on radio and TV
- Develop content for public access/cable television programming
- Civic journalism and non-profit partnerships

Use of the Internet/Electronic Access to Information

- Web site with updated content
- Use social media to reach a larger audience
- Electronic duplication of open house/workshop materials
- Access to planning data such as maps, charts, background on travel models, forecasts, census data, and research reports
- Provide information in advance of public meeting

Notify Public via

- e-mails
- Printed materials

- Electronic access to information
- Local media
- Notices placed on board transit vehicles at transit hubs

Techniques for Involving Low Income Communities and Communities of Color

- Flyers on transit vehicles and at the Vista Transit Center
- Community Outreach
- Robust use of "visualization" techniques, including maps and graphics

Techniques for Reporting on Impact of Public Comments

- Direct mail and email to participants
- Updated web content

Techniques for Involving Limited-English Proficient Populations

- Personal interviews or use of audio recording devices to obtain oral comments
- Translated documents and web content on key initiatives
- Translated news releases and outreach to alternative language media
- Include information on meeting notices on how to request translation services.
- Robust use of visualization techniques, including maps and graphics
- Train staff to be alert to and anticipate the need of low-literacy participants
- Information/comment tables or booths at community events and public gathering places
- Comment cards on board transit vehicles

INPUT MECHANISMS

VISTA TRANSIT accepts input and comments from the public through a variety of means:

- a) Vista Transit's website at www.SierraVistaAZ.gov/city-departments/transit/
- b) In person or by mail to 2050 East Wilcox Street, Sierra Vista, AZ 85635
- c) By emailing to Linda.Jones@SierraVistaAZ.gov
- d) By faxing to 520-417-6996

Comment forms can also be obtained by calling 520-417-4888 to have one mailed, by emailing a request to Linda.Jones@SierraVistaAZ.gov or by faxing to 520-417-4859.

Vista Transit ensures that all public input meeting locations are accessible in accordance with the Americans with Disabilities Act (ADA).

Interested members of the public will be able to offer input at a public forum element of each TAC meeting agenda.

Vista Transit will consider and respond to all public input received.

SCHEDULE

Notification and announcement of all upcoming public input meetings are made in advance of the scheduled meeting through the methods described in the Outreach Techniques section of this plan.

Updates and revisions to Vista Transit's Public Participation Plan require a 30-day comment period.

EVALUATION

Vista Transit will review this Public Participation Plan periodically to monitor the effectiveness of the procedures outlined in this document. Following evaluation of the outputs and outcomes of the Public Participation Plan, Vista Transit may revise these methods to incorporate new and innovative ways to involve the public in the transportation decision-making process.

CONTACT INFORMATION

Vista Transit believes firmly in the essential role of the public in the transportation planning process, welcoming all comments from citizens or groups concerning transportation issues.

Vista Transit may be contacted at the following:

Linda Jones, Transit Administrator
Linda.Jones@SierraVistaAZ.gov

Vista Transit Center
2050 East Wilcox Street
Sierra Vista, AZ 85635
Phone : (520) 417-4888
Fax : (520) 417-6996
Website: <http://www.SierraVistaAZ.gov/city-departments/transit/>



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

The City of Sierra Vista / Vista Transit

Title VI Nondiscrimination Program
Limited English Proficiency (LEP) Plan

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Sierra Vista, Vista Transit'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; Federal Transit Administration Circular 4702.1B dated October 1, 2012, which states 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 understand English is a type of national origin discrimination. It directs each federal 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.

Plan Summary

The City of Sierra Vista is the administrator for the Vista Transit bus service and has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Vista Transit. As defined in 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.

Due to limited resources, Vista Transit has yet to develop a full LEP plan. However, as documented below, they currently implement a number of measures to ensure that limited-English speaking clients and customers have meaningful input into its services and projects. Therefore, Vista Transit staff believes that it meets the standard for providing methods for meaningful input and access for limited-English speaking customers.

In order to prepare this plan, Vista Transit undertook the U.S. Department of Transportation (U.S. DOT) 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 or are likely to encounter a Vista Transit program, activity or service.
2. The frequency with which LEP persons come in contact with Vista Transit programs, activities or services.
3. The nature and importance of programs, activities or services provided by Vista Transit to the LEP population.
4. The resources available to Vista Transit and overall cost to provide LEP assistance. A summary of the results of the Vista Transit four-factor analysis is in the following section.

Four Factor Analysis

- **Factor 1: The Number and Proportion of LEP persons in the Service Area**

The first step towards understanding the profile of LEP persons eligible to be served or likely to be encountered by a program, activity or service is a review of the 2010 Census Data. For planning purposes, Vista Transit is considering individuals that speak English “not well” or “not at all” and only the top three language groups are included in the analysis.

Table 1 is derived from the data from the U.S. Census Bureau and shows the percentage of persons that speak English, Spanish, or another language at home.

Table 1: Limited English Proficiency Persons in the Vista Transit Service Area

82.3% of residents of the City of Sierra Vista speak English at home.
16.3% of residents speak Spanish at home.
.5% of residents speak other Indo-European language at home
.9% of residents speak Asian or Pacific Island language at home
0.% of residents speak other language at home

- **Factor 2: The Frequency in which LEP Persons Encounter Vista Transit Programs**

Vista Transit will assess the frequency at which staff has or could possibly have contact with LEP persons. This includes examining census data, phone inquiries, requests for translated documents, and staff feedback.

- **Factor 3: The Importance of Services Provided by Vista Transit Programs**

Public transportation and regional transportation planning is vital to many people’s lives. According to the Department of Transportation’s Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons, “Providing public transportation access to LEP persons is crucial. An LEP person’s inability to utilize public transportation effectively may adversely affect his or her ability to obtain health care, education, or access to employment.” As part of Vista Transit’s customer service reporting plan, a passenger survey is conducted quarterly. The survey collects data on system usage and access to Vista Transit services.

According to the passenger survey analysis, 22% of the passengers ride the bus an average of four days a week.

▪ **Factor 4: The Resources Available and Overall Vista Transit Cost**

Vista Transit will assess its available resources that are currently being used, and those that could be used, to provide language assistance. Notwithstanding the significant cuts in funding for public transportation service, Vista Transit provides a reasonable degree of services for limited English speaking persons upon request. This includes Language Line Services used to receive and make calls to limited English speaking persons as well as translate documents and engage in face to face discussion. (Attachment A Vista Transit Language Interpreter Request Process)

VISTA TRANSIT will continue its efforts to collaborate with other state and local agencies to provide language translation and interpretation services when practical and in consideration of available funding.

How Vista Transit May Identify an LEP Person Who Needs Language Assistance

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to Vista Transit sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to understand English.
3. Have Language Line Services Identification Marque at Vista Transit meetings (Pictured Right). This will assist Vista Transit in identifying language assistance needs for future events and meetings.
4. Have Language Line Services brochures on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to try to obtain contact information to give to Vista Transit management for follow-up.



in
speak

Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which Vista Transit staff responds to LEP persons, whether in person, by telephone or in writing as defined below:

Public Meetings & Workshops

- Offer customized presentations to existing groups and organizations.
- Co-host workshops with community groups, business associations, etc.
- Sponsor a forum or summit with partner agencies, with the media, or other community organizations.
- Encourage opportunities for public input directly to Vista Transit Committee Members.
- When Vista Transit staff makes community presentations to groups whom they know in advance are limited-English speakers, they will hire an interpreter to translate information from the presentation to meeting attendees.
- When customers communicate with Vista Transit staff and state a language preference, requested materials are provided in the requested language.

Techniques for Public Meetings/Workshops

- Open Houses.
- Facilitated discussions.
- Question and Answer session with Vista Transit staff and Vista Transit Committee Members.
- Customized presentations.
- Vary the time of day for workshops (day/evening).

Visualization Techniques

- Maps.
- Charts, Illustrations, Photographs.
- Web content.
- PowerPoint slide shows.

Polls/Surveys

- For major planning studies, such as the Short Range Transit Plan, conduct statistically valid telephone polls in English as well as in Spanish.
- Electronic surveys via web.
- Intercept interviews where people congregate, such as at transit hubs.
- Printed surveys distributed at meetings, Vista Transit Center, on-board transit vehicles etc.

Printed Materials

- User- friendly documents including use of executive summaries.
- Outside review of written materials to ensure clear, concise language.
- Post cards.
- Maps, charts, photographs, and other visual means of displaying information.

Targeted Mailings/Flyers

- Work with community-based organizations to distribute flyers.
- Distribute flyers to key community organizations.
- Notices that are posted on Vista Transit vehicles are provided in English and Spanish, as drivers most frequently come into contact with Spanish-speaking individuals. Vista Transit provides these notices to other limited-English speaking customers upon request.

Utilize local media

- News releases.
- Opinion pieces/commentaries.
- Purchase display ads.
- Negotiate inserts into local printed media.
- Place speakers on Radio/TV talk shows.
- Public Service Announcements on radio and TV.
- Develop content for public access/cable television programming.
- Civic journalism and non-profit partnerships.

Use of the Internet/Electronic Access to Information

- Web site with updated content.
- Use social media to reach a larger audience.
- Electronic duplication of open house/workshop materials.
- Interactive web with surveys.
- Use the web to provide interaction among participants.
- Access to planning data (such as maps, charts, background on travel models, forecasts, census data, and research reports).
- Provide information in advance of public meeting.

Notify Public via

- e-mails.
- Notice widely disseminated through new partnerships with community-based and interest organizations.
- Newsletters.
- Printed materials.
- Electronic access to information.
- Local media.
- Notices placed on board transit vehicles at transit hubs.

Techniques for Involving Low Income Communities and Communities of Color

- Flyers on transit vehicles and at the Vista Transit Center.
- Outreach in the community (flea markets, churches, health centers, etc.).
- Include information on meeting notices and how to request translation assistance.
- Robust use of "visualization" techniques, including maps and graphics to illustrate trends, choices being debated, etc.

Techniques for Reporting on Impact of Public Comments

- Direct mail and email to participants from meetings, surveys, etc., to report final outcomes.
- Newsletter articles.
- Updated web content.

Techniques for Involving Limited-English Proficient Populations

- Personal interviews or use of audio recording devices to obtain oral comments.
- Translated documents and web content on key initiatives.
- On-call translators for meetings.
- Translated news releases and outreach to alternative language media, such as radio, television, newspapers, and social media.
- Include information on meeting notices on how to request translation services.
- Robust use of visualization techniques, including maps and graphics to choices being debated, etc.
- Train staff to be alert to and anticipate the need of low-literacy participants in meetings, workshops, and the like.
- Information/comment tables or booths at community events and public gathering places.
- Comment cards on board transit vehicles.

LEP Training and Implementation by Vista Transit Staff

- When a new hire starts employment with Vista Transit, they are trained on the LEP policy adopted by the Vista Transit TAC and given instruction on how to provide outreach and communicate with limited English speaking persons.
- As new policies/procedures are developed, or existing policies/procedures are amended, these new documents are distributed to affected employees through various methods, including but not limited to paper distribution, electronic documents, postings in employee break rooms, and scheduled group or individual training sessions.

- Vehicle operators, who are the most direct points of contact for LEP persons, have several methods to respond to an LEP individual. In many instances, LEP individuals are accompanied by a companion who speaks English and can translate for the customer.
- In addition, some vehicle operators are bilingual. If vehicle operators are not bilingual, they are instructed to ask for assistance from a bilingual passenger. In the few cases where there is no one on the bus who can offer language assistance, the vehicle operator contacts a dispatcher.

Dissemination of the Vista Transit LEP Plan

A link to the Vista Transit LEP Plan and the Title VI Procedures is included on the Vista Transit website at VistaTransit.org. Any person or agency with internet access will be able to access and download the plan from the Vista Transit website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which Vista Transit will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to the Vista Transit Administrator.

Vista Transit
Attention: Linda Jones
2050 East Wilcox Street
Sierra Vista, AZ 85635
Phone: 520-417-4888
Fax: 520-417-6996
Email: Linda.Jones@SierraVistaAZ.gov

Attachment A
Language Interpreter Request

VISTA TRANSIT LANGUAGE INTERPRETER REQUEST PROCESS

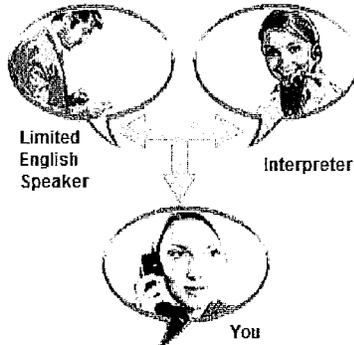
When to request an interpreter

1. When a participant in a discussion, meeting, training, or event requests language interpretation, (do not ask the participant to bring his/her own interpreter; do not rely on companions or family members as interpreters unless requested by the participant); or
2. When you know that individuals will be attending a meeting, discussion, training, or event; and
3. When a language interpreter is necessary to effectively communicate the information in the meeting, discussion, training, or event.

Process

1. Language interpreters must be requested by the Transit agency.
 - a. Requests directly from participants will be referred to the agency.
2. For verbal translation, the Transit agency representative should complete the Language Interpretation Request Form and telephone the Designated Language Interpretation Service at: 800-752-6096. Follow service provider prompts to complete translation process.
3. For translation of printed materials, the Transit agency representative should complete the Language Interpretation Request Form and submit the form to the Designated Language Interpretation Service at either:
 - First Choice: E-mail (preferred): translation@languageline.com
 - Second Choice: Fax: 800-648-0170
 - Third Choice: Mail: Language Line Services
P.O. Drawer 641138
Detroit, MI 48264-1138
4. Verbal and Printed Material request forms shall be retained on file for a period of three years.

Vista Transit Interpretation Instructions
You Receive a Call From a Limited English Speaker



Place the **limited English Speaker** on conference hold.

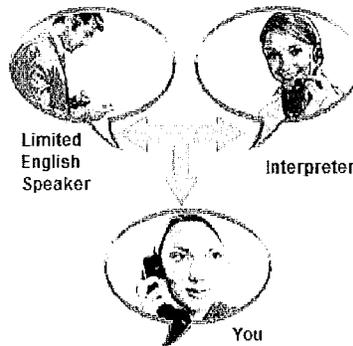
Dial the Language Line Services designated toll-free number you have been provided.

Request the language your caller speaks through our easy-to-use interactive voice response (IVR) system.

When the interpreter is connected, explain the situation.

Conference in your limited English-speaking caller.

You Need to Make a Call to a Limited English Speaker



Dial the Language Line Service's designated toll-free number.

Request the language your client speaks through our easy-to-use interactive voice response (IVR) system.

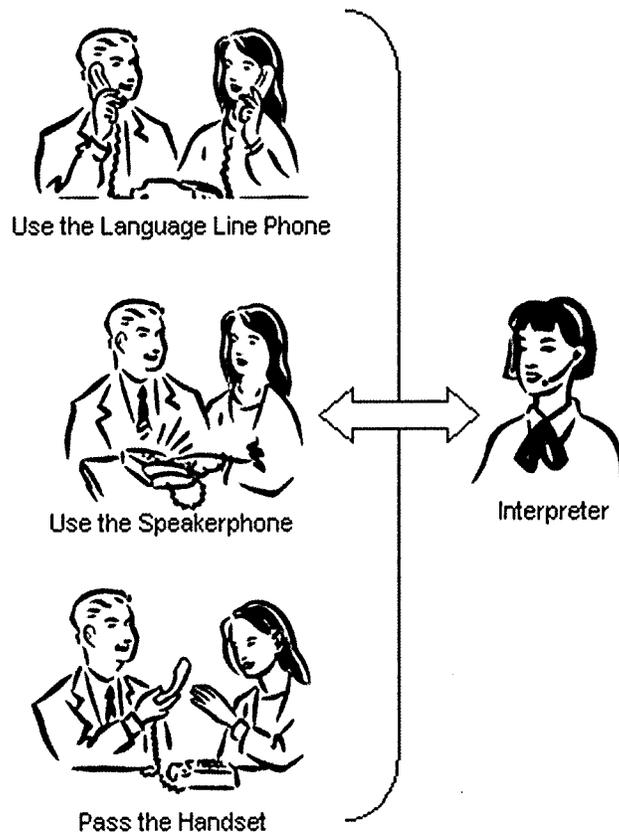
When the interpreter is connected...

Call your limited English-speaking client

Or the interpreter can place the call for you within the U.S. or Canada.

Vista Transit Interpretation Instructions

You Are face-to-Face with a Limited English Speaker



Dial the Language Line Services designated toll-free number.

Request the language your client speaks through our easy-to-use interactive voice response (IVR) system.

When the interpreter is connected, use the Language Line® Phone, or your speakerphone, or pass your handset back and forth.

NORMA DE HABILIDAD LIMITADA PARA HABLAR INGLES

Es norma de Vista Transit del Programa de Transportación, de asegurarse de que nuestro programa y actividades, proporcionados normalmente en ingles sean accesibles a personas con la Habilidad Limitada para el Ingles/Limited English Proficiency Policy (LEP) y no discriminar así en base de origen nacional en la violación de la prohibición del título VI contra la discriminación nacional de origen. Vista Transit, al grado máximo factible en sus deliberaciones y comunicaciones oficiales, servicio especial de asistencia pública y las notificaciones relacionadas, proporciona la alternative de formatos en el idioma necesario para todas las personas con la Habilidad Limitada para el Ingles (LEP), al ser solicitados.

TRANSIT CUSTOMER TRANSLATION SERVICE REQUEST FORM

Date: _____ Transit Employee: _____

Customer: _____

Address: _____

Phone: _____

E-Mail: _____

translation request type: Verbal _____

Printed Material _____ (attach copy)

Language(s): _____

Translation process completion date: _____

Disposition: Closed, _____ Remarks: _____

Attachment C

City of Sierra Vista / Vista Transit
Title VI Complaint Form

Note: The following information is needed to assist in processing your complaint.

Complainant's Information:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Work Phone Number: _____

Person Discriminated Against (someone other than complainant)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Work Phone Number: _____

Which of the following best describes the reason you believe the discrimination took place?

Check all that apply	Protected Class	Specify
<input type="checkbox"/>	Race/Color	
<input type="checkbox"/>	Sex	
<input type="checkbox"/>	Age	
<input type="checkbox"/>	National Origin	
<input type="checkbox"/>	Disability	
<input type="checkbox"/>	Limited English Proficiency	
<input type="checkbox"/>	Income Status	

On what date(s) did the alleged discrimination take place? _____

Describe the alleged discrimination. Explain what happened and who you believe was responsible (if additional space is needed, add a sheet of paper).

List names and contact information of persons who may have knowledge of the alleged discrimination.

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? 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: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Work Phone Number: _____

Please sign below. You may attach any written materials or other information you think is relevant to your complaint.

Complainant Signature

Date

Number of attachments: _____

Submit form and any additional information to:

Jill Adams
Title VI Nondiscrimination Program Coordinator
1011 N. Coronado Drive
Sierra Vista, Arizona 85635
520-458-3315
Jill.Adams@SierraVistaAZ.gov or TitleVI@SierraVistaAZ.gov

Linda Jones
Transit Administrator, Vista Transit
2050 E. Wilcox Street
Sierra Vista, Arizona 85635
520-417-4888
Linda.Jones@SierraVistaAZ.gov

Attachment D

VISTA TRANSIT TITLE VI COMPLIANCE STATEMENT

1. Title VI Complaint Procedure

Vista Transit's Title VI compliant procedures are available in this report as Attachment A.

2. Requirements to Record Title VI Investigation, Complaints and Lawsuits

Vista Transit has not had any Title VI complaints, investigations or lawsuits filed as of September 1, 2017.

3. Requirements to Provide Meaningful Access to Limited English Proficiency Persons

It is the policy of Vista Transit to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination.

Vista Transit will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided, if requested, within a 24 – hour notice.

LEP requests shall be submitted to Linda Jones, Transit Administrator, Vista Transit 401 Giulio Cesare Avenue, Sierra Vista, AZ 85635, via telephone to: 520-417-4888, via fax to: 520-4176996 or via email to Linda.Jones@SierraVistaAZ.gov, Jill Adams, Title VI Nondiscrimination Coordinator Jill.Adams@SierraVistaAZ.gov, or TitleVI@SierraVistaAZ.gov.

Customer service representatives at Vista Transit are available to provide transit information to LEP persons by calling 520-417-4888. Materials on board buses are available in English and Spanish, including rider notices and Rider Guides.

4. Requirement to Notify Beneficiaries of Protection Under Title VI

Vista Transit Title VI Policy Statement is posted online at www.VistaTransit.org as well as on board all Vista Transit vehicles and at the Vista Transit Center.

5. Guidance on Promoting Inclusive Public Participation

Vista Transit has adopted a Public Participation Plan as the basis for Vista Transit's guidance on public participation regarding Title VI, fare and service changes and other matters relating to the transit system. Locations for public participation outreach include:

- On the Vista Transit website at: www.SierraVistaAZ.gov/city-departments/Transit/
- At the Vista Transit Center
- At public and project meetings on subjects related to Vista Transit
- On transit vehicles and at transit centers

Attachment E

VISTA TRANSIT SUBRECIPIENT TITLE VI REQUIREMENTS

The City of Sierra Vista and Vista Transit will require of and monitor all subrecipients for the following:

- a) Supply a copy of their Title VI notice to the public, that indicates the compliance with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI. Also, provide a list of locations of this;
- b) Provide a copy of instructions to the public explaining how to file Title VI discrimination complaints, including a copy of the complaint form;
- c) Maintain and make available a list of Title VI investigations, complaints, or lawsuits filed as well as any actions or corrective actions taken in response. The list only pertains to allegations of discrimination on the basis of race, color, or national origin;
- d) Make available a table depicting the racial and ethnic demographics of its voluntary advisory committee and a description of the outreach processes the agency uses to encourage the participation of minorities that committee;
- e) Provide documentation of their public participation and Limited English Proficiency plan; and
- f) Submit this information to Vista Transit at least 120 days prior to the due date of the Title VI Program submission to FTA.

ATTACHMENT F

City of Sierra Vista - Title VI Assurances

The City of Sierra Vista, Vista Transit (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, as amended, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), the Civil Rights Restoration Act of 1987 (Public Law 100.259) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the U.S. Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, age, sex or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the U.S. Department of Transportation, including the Federal Aviation Administration (FAA), Federal Transit Administration (FTA), Federal Highway Administration (FHWA), National Highway Safety Administration (NHTSA) and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically, and without limiting the above general assurance, the Recipient hereby gives the following specific assurances:

1. That the Recipient agrees that each "PROGRAM" and each "FACILITY" as defined in 49 CFR 21.23(b) and (e) and the Civil Rights Restoration Act of 1987, will be (with regard to a "program" or activity) conducted, or will be (with regard to a "facility") operated in compliance with all nondiscriminatory requirements imposed by, or pursuant to, the Regulations and this agreement.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all *Federally Assisted Programs of the U.S. Department of Transportation* and, in adapted form in all bid proposals, contracts, and in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, the Civil Rights Restoration Act of 1987 (Public Law 100.259). Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, Disadvantaged Business Enterprise firms will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under *Federally Assisted Programs of the US Department of Transportation*; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under *Federally Assisted Program of the US Department of Transportation*.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the

Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is

extended, or for another purpose involving the provision of similar services or benefits;
or (b) the period during which the Recipient retains ownership or possession of the
property.

9. The Recipient shall provide for such methods of administration for the program as are
found by the Secretary of Transportation or the official to whom he delegates specific
authority to give reasonable guarantee that it, other recipients, sub-grantees,
contractors, subcontractors, transferees, successors in interest, and other participants of
Federal financial assistance under such program will comply with all requirements
imposed or pursuant to the Act, the Regulations and this assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with
regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all
Federal grants, loans, contracts, property, discounts or other Federal financial assistance
extended after the date hereof to the Recipient Department of Transportation under any
Federally assisted Program and is binding on it, other recipients, sub-grantees, contractors,
subcontractors, transferees, successors in interest and other participants in the Federally
Assisted Programs of the Department of Transportation. The person or persons whose
signatures appear below are authorized to sign this assurance on behalf of the Recipient.

_____ Date: _____
Charles P. Potucek, City Manager

Attachments
Appendices A, B, and C

US DOT STANDARD TITLE VI ASSURANCES FOR CONSULTANTS

NONDISCRIMINATION: TITLE VI, CIVIL RIGHTS ACT OF 1964: During the performance of this contract, the CONSULTANT, for itself, its assignees and successors in interest (hereinafter referred to as the "CONSULTANT") agrees as follows:

- (1) **Compliance with Regulations:** The CONSULTANT shall comply with the Regulation relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The CONSULTANT, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, or sex in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The CONSULTANT shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the AGREEMENT covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the CONSULTANT for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the CONSULTANT of the CONSULTANT 's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, or sex.
- (4) **Information and Reports:** The CONSULTANT shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Sierra Vista or the *applicable Administration of the Department of Transportation (e.g., FAA, FTA, FHWA, NHTSA)* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a CONSULTANT is in the exclusive possession of another who fails or refuses to furnish this information the CONSULTANT shall so certify to the City of Sierra Vista, or the *applicable Administration of the Department of*

Transportation (e.g. FAA, FTA, FHWA, NHTSA) as appropriate, and shall set forth what efforts it has made to obtain the information.

- (5) **Sanctions for Noncompliance:** In the event of the CONSULTANT's noncompliance with the nondiscrimination provisions of this contract, the City of Sierra Vista shall impose such contract sanctions as it or the *applicable Administration of the Department of Transportation (e.g. FAA, FTA, FHWA, NHTSA)* may determine to be appropriate, including, but not limited to:
- a) withholding of payments to the CONSULTANT under the contract until the contractor complies, and/or
 - b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Certification of Nonsegregated facilities:** The Federally-assisted CONSULTANT hereby certifies that the CONSULTANT does not maintain or provide for the CONSULTANT's employees any segregated facilities at any of the Consultant's establishments, and that the Consultant does not permit the Consultant's employees to perform their services at any location, under the Consultant's control, where segregated facilities are maintained. The Federally-assisted Consultant certifies further that the Consultant will not maintain or provide for the Consultant's employees any segregated facilities at any of the Consultant's establishments, and that the Consultant will not permit employees of the Consultant to perform their services at any location, under the Consultant's control, where segregated facilities are maintained. The Federally-assisted consultant agrees that a breach of this Certification is a violation of the Equal Opportunity clause in this Agreement. As used in this Certification, the term "segregated facilities" means any waiting rooms and other storage or dressing rooms which are segregated by explicit directive or are in fact segregated on the basis of race, color, or national origin, because of habit, local custom, or otherwise.
- (7) **Incorporation of Provisions:** The CONSULTANT shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The CONSULTANT shall take such action with respect to any subcontractor or procurement as the *City of Sierra Vista* or the *applicable Administration(s) of the Department of Transportation, (e.g., FAA, FTA, FHWA, NHTSA)*

may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a CONSULTANT becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the *City of Sierra Vista* to enter into such litigation to protect the

interests of the *City of Sierra Vista*, and, in addition, the CONSULTANT may request the United States to enter into such litigation to protect the interests of the United States.

US DOT STANDARD TITLE VI ASSURANCES FOR CONTRACTORS

NONDISCRIMINATION: TITLE VI, CIVIL RIGHTS ACT OF 1964: During the performance of this contract, the CONTRACTOR, for itself, its assignees and successors in interest (hereinafter referred to as the "CONTRACTOR") agrees as follows:

- (1) **Compliance with Regulations:** The CONTRACTOR shall comply with the Regulation relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The CONTRACTOR, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, or sex in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The CONTRACTOR shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the AGREEMENT covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the CONTRACTOR for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the CONTRACTOR of the CONTRACTOR 's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, or sex.
- (4) **Information and Reports:** The CONTRACTOR shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *City of Sierra Vista* or the *applicable Administration of the Department of Transportation (e.g. FAA, FTA, FHWA, NHTSA)* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a CONTRACTOR is in the exclusive possession of another who fails or refuses to furnish this information the CONTRACTOR shall so

certify to the *City of Sierra Vista*, or the *applicable Administration of the Department of Transportation (e.g. FAA, FTA, FHWA, NHTSA)* as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the CONTRACTOR's noncompliance with the nondiscrimination provisions of this contract, the *City of Sierra Vista* shall impose such contract sanctions as it or the *applicable Administration of the Department of Transportation (eg. FAA, FTA, FHWA, NHTSA)* may determine to be appropriate, including, but not limited to:

- c) withholding of payments to the CONTRACTOR under the contract until the contractor complies, and/or
- d) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Certification of Nonsegregated facilities:** The Federally-assisted CONTRACTOR hereby certifies that the CONTRACTOR does not maintain or provide for the CONTRACTOR's employees any segregated facilities at any of the Consultant's establishments, and that the CONTRACTOR does not permit the CONTRACTOR 's employees to perform their services at any location, under the CONTRACTOR's control, where segregated facilities are maintained. The Federally-assisted CONTRACTOR certifies further that the CONTRACTOR will not maintain or provide for the Consultant's employees any segregated facilities at any of the CONTRACTOR's establishments, and that the CONTRACTOR will not permit employees of the Consultant to perform their services at any location, under the CONTRACTOR's control, where segregated facilities are maintained. The Federally-assisted consultant agrees that a breach of this Certification is a violation of the Equal Opportunity clause in this Agreement. As used in this Certification, the term "segregated facilities" means any waiting rooms and other storage or dressing rooms which are segregated by explicit directive or are in fact segregated on the basis or race, color, or national origin, because of habit, local custom, or otherwise.

(7) **Incorporation of Provisions:** The CONTRACTOR shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The CONTRACTOR shall take such action with respect to any subcontractor or procurement as the *City of Sierra Vista* or the *applicable Administration(s) of the Department of Transportation, (e.g., FAA, FTA, FHWA, NHTSA)*

may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a CONTRACTOR becomes involved in,

or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the *City of Sierra Vista* to enter into such litigation to protect the interests of the City of Sierra Vista, and, in addition, the CONTRACTOR may request the United States to enter into such litigation to protect the interests of the United States.

USDOT STANDARD TITLE VI ASSURANCES FOR DEEDS

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the *City of Sierra Vista* will accept title to the lands and maintain the project constructed thereon, in accordance with *Title 23, United States Code* the Regulations for the Administration of *Federal Aid for Highways* and the policies and procedures prescribed by *Federal Highway Administration* of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. .2000d to 2000d-4), and the Civil Rights Restoration Act of 1987 (Public Law 100.259) does hereby remise, release, quitclaim and convey unto the *City of Sierra Vista* all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto *City of Sierra Vista* and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the *City of Sierra Vista*, its successors and assigns.

The *City of Sierra Vista*, in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [and]* (2) that the City of Sierra Vista shall use

the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of -the Secretary, Part 21, Nondiscrimination in federally-

assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (Public Law 100.259) and as said Regulations may be amended and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

USDOT STANDARD TITLE VI ASSURANCES FOR DEEDS, LICENSES, LEASES, PERMITS, ETC.

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the *City of Sierra Vista* pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, *City of Sierra Vista* shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, *City of Sierra Vista* shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of *City of Sierra Vista* and its assigns.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by *City of Sierra Vista* pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc. as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does

hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of race, color, national origin, or sex shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of, race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary. Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), and the Civil Rights Restoration Act of 1987 (Public Law 100.259) and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, City of Sierra Vista shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, *City of Sierra Vista* shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of *City of Sierra Vista* and its assigns.

*Reverter clause and related language to be used only when it is de is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

Attachment G

TITLE VI NOTICE TO THE PUBLIC TITULO VI NOTICIA PUBLICA

KNOW YOUR RIGHTS

The City of Sierra Vista and Vista Transit provide their services and programs without regard to race, color, and national origin 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 as amended.

The City of Sierra Vista and Vista Transit are committed to practicing non-discrimination and any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint.

For more information on the civil rights programs and how to file a complaint, contact The City of Sierra Vista or Vista Transit at 520-417-4888, email at TitleVI@SierraVistaAZ.gov, or visit www.sierravistaaz.gov/City-Departments/Transit.

A complainant may file a complaint directly with the Federal Transit Administration by filing with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE., Washington DC 20590.

CONOZCA SUS DERECHOS

La Ciudad de Sierra Vista y Vista Transit proven sus servicios y programas sin considerer raza, color y origen nacional en conformidad con el Titulo VI del Decreto de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973, y la Ley de Estadounidenses con Discapacidades de 1990 en su forma enmendada..

La Ciudad de Sierra Vista y Vista **Transit** estan comprometidas a no discriminar en sus practicas y cualquier persona que crea que ha sido agraviada por cualquier practica discriminatoria ilegal bajo el Titulo VI puede registrar una queja.

Para mas informacion sobre los programas de los derechos civiles y como registrar una queja, comuniquese con el La Ciudad Sierra Vista or Vista Transit a 520-417-4888, por correo electrónico a TitleVI@SierraVistaAZ.gov o visite www.sierravistaaz.gov/City-Departments/Transit

Un reclamante puede presentar una queja directamente ante la Administración Federal de Tránsito presentando una solicitud ante la Oficina de Derechos Civiles, Atención: Coordinador del Programa Título VI, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE., Washington DC 20590.

ATTACHMENT H

NONDISCRIMINATION STATUTES AND AUTHORITIES

During the performance of duties, the Title VI and ADA Program Coordinators will comply with the following non-discrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252) Prohibits discrimination on the basis of race, color, or national origin; and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601) Prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects.
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*) Prohibits discrimination on the basis of sex.
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, Prohibits discrimination on the basis of disability; and 49 CFR Part 27.
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*); Prohibits discrimination on the basis of age.
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended; Prohibits discrimination based on race, creed, color, national origin, or sex.
- The Civil Rights Restoration Act of 1987, (PL 100-209); Broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients, and contractors, whether such programs or activities are federally funded or not.
- Titles II and III of the Americans with Disabilities Act, Prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations 49 CFR Parts 37 and 38.
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

Attachment I

Title VI Frequently Asked Questions (FAQs)

What is Title VI of the Civil Rights Act of 1964?

Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance.

Vista Transit is committed to ensuring that no person is excluded from participating in, or denied the benefits of, its services or programs on the basis of race, color or national origin as afforded under Title VI of the Civil Rights Act of 1964. If you believe you have been subjected to discrimination under Title VI, you may file a complaint.

How do I file a Title VI Complaint?

You must file a signed, written complaint within one hundred and eighty (180) days of the last date of alleged discrimination.

The complaint should include the following information:

- Your name, address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where, and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.

The complaint may be filed in writing with Vista Transit as follows:

Vista Transit
Attn: Transit Administrator
2050 East Wilcox Drive
Sierra Vista, AZ 85635

Complainants may also use the following to initiate the filing of a complaint:

By e-mail to: Linda.Jones@SierraVistaAZ.gov, Jill.Adams@SierraVistaAZ.gov, or TitleVI@SierraVistaAZ.gov with **Title VI Complaint** in the subject line.

By telephone: Vista Transit Administrator - (520) 417-4888.

By fax to: Attention: Vista Transit Administrator - (520) 417-4888.

The Title VI Coordinator will assist with writing a complaint if the complainant is unable to do so upon request.

What happens to my complaint after it is submitted to Vista Transit?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Vista Transit will be recorded in the Title VI Database and electronically assigned an ID number by the Transit Administrator.

The Vista Transit Administrator reviews all customer feedback and researches complaints alleging discrimination based on race, color or national origin in a service or benefit. Upon request, the Vista Transit Administrator will provide appropriate assistance to complainants, including people with disabilities, or who are limited in the ability to communicate in English in accordance with **Vista Transit's Limited English Proficiency Plan**.

In instances where additional information is needed for assessment or investigation of the complaint, the Transit Administrator will contact the complainant in writing within 15 working days. Failure to provide the requested information by a certain date may result in the administrative closure of the complaint.

The Transit Administrator will investigate the complaint and prepare a draft written response subject to review by the Public Works Operations Manager and Vista Transit Legal Counsel.

How will I be notified of the outcome of my complaint?

Vista Transit will send a final written response to the complainant and advise the complainant of his or her right to file a complaint externally. Vista Transit will use its best efforts to respond to Title VI complaints within 60 working days of its receipt of such complaints.

In addition to the complaint process at Vista Transit, individuals and organizations may also file a complaint by completing a Federal Transit Administration (FTA) Office of Civil Rights [Title VI complaint form](#) and submitting directly to the FTA and/or Arizona Department of Transportation (ADOT). Complaints should be signed and include contact information and should be sent to Vista Transit and to:

Federal Transit Administration Office of Civil Rights
Attn: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue, S.E.
Washington, DC 20590