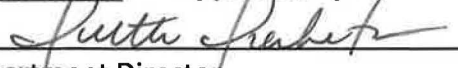
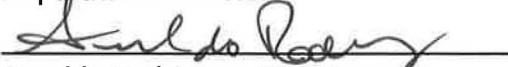


REPORT TO CITY COUNCIL

Approved by:



Department Director



Arnoldo Rodriguez, City Manager

Council Meeting of: March 20, 2019

Agenda Number: B-3

SUBJECT: Consideration of a Resolution Adopting the 2019-2022 City of Madera Title VI Program Update

RECOMMENDATION: Staff recommends approval of a resolution adopting the 2019-2022 City of Madera Title VI Program Update.

SUMMARY: City of Madera (City) staff have developed the required Title VI Program for implementation by the City that describes policies and procedures that assure nondiscrimination when offering transit services to the public. As a recipient of Federal Transit Administration (FTA) funds, approval of the recommended action is required by FTA, to update the current Program and demonstrate compliance with the Title VI program requirements.

DISCUSSION: FTA provides grant funding to City for its public transit system. As such, the City is required to ensure that its transit services comply with Title VI regulations, and to submit an updated Title VI Program every three years.

Title VI is a federal statute and provides that “no person 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”.

The City of Madera has therefore prepared its 2019-2022 Title VI Program Update in compliance with U.S. Department of Transportation Title VI regulations, 49 Code of Federal Regulations (CFR) part 21. The program updates include general requirement corrections identified in the FTA concurrence letter dated October 23, 2017 to the 2016-2019 Title VI Program, which include:

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions

- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.

In addition, FTA, requires (and the City's program updates include) all operators of fixed route transit to submit Service Standards and Polices, including:

- ✓ Vehicle load for each mode
- ✓ Vehicle headway for each mode
- ✓ On time performance for each mode
- ✓ Service availability for each mode
- ✓ Transit Amenities for each mode
- ✓ Vehicle Assignment for each mode

The Title VI Program Update as presented by staff fully address all of the identified FTA requirements.

FINANCIAL IMPACT: There is no financial impact to the General Fund with the adoption of this resolution.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN: Adoption of the attached resolution is consistent with Strategy 121 of the City of Madera Vision 2025 Plan particularly regarding providing safe transit services and amenities.

Strategy 121 Multi-modal transportation: Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera.

ALTERNATIVES: Council may choose to not approve the resolution and Title VI Program Plan Update. As a result, City of Madera Transit services would be out of compliance with the FTA and unable to ensure transit services prohibit discrimination based on race, color, or national origin. In addition, Federal funding may be withheld, and staff would need to seek other revenue sources including General Fund to offset the cost to continue to provide public transit services.

ATTACHMENTS:

1. Resolution
2. City of Madera 2019-2022 Title VI Program Update

RESOLUTION NO. 19- _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA,
ADOPTING THE 2019-2022 CITY OF MADERA TITLE VI PROGRAM UPDATE**

WHEREAS, the City of Madera operates Madera Area Express and Dial-A-Ride; and

WHEREAS, the City of Madera obtains financial assistance from the Federal Transit Administration (FTA) and must comply with applicable federal regulations including Title VI, Civil Rights Program, 49 CFR, and FTA Circular 4702.1B; and

WHEREAS, the purpose of the Title VI Program is to prohibit discrimination based on race, color, or national origin in programs and activities; and

WHEREAS, the City of Madera must update its Title VI Program every three years;

NOW, THEREFORE, the Council of the City of Madera hereby finds, orders, and resolves as follows:

1. The above recitals are true and correct.
2. The Council hereby adopts the 2019-2022 City of Madera Title VI Program Update, a copy of which is on file in the office of the City Clerk and referred to for particulars.
3. This resolution is effective immediately upon adoption.

Attachment 2

CITY OF MADERA 2019 – 2022 TITLE VI PROGRAM UPDATE

**CITY OF MADERA TRANSIT
MAX AND DIAL-A-RIDE**

2019 - 2022

TITLE VI PROGRAM

Prepared for Federal Transit Administration

March 20, 2019

**City of Madera
205 W. Fourth Street
Madera, CA 93637**

**CITY OF MADERA
MAX AND DIAL-A-RIDE
TITLE VI PROGRAM**

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CITY OF MADERA MADERA AREA EXPRESS/MAX AND DIAL-A-RIDE TITLE VI PROGRAM

INTRODUCTION

Title VI of the Civil Rights Act of 1964 (Title VI) states 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.” The FTA is required to ensure that federally-supported transit services and related benefits are provided consistent with Title VI. The Title VI Report requires some update every three years.

The purpose of this Title VI Program is to establish guidelines to effectively monitor and ensure that the City of Madera’s transit services, Madera Area Express/MAX and Dial-A-Ride, comply with FTA Title VI requirements.

The City of Madera will ensure that its programs, policies, and activities comply with Department of Transportation’s (DOT) Title VI Regulations (49 CFR Part 21) and with Limited English Proficient (LEP) Persons requirements (70 FR 74087, December 14, 2005). The City is committed to creating and maintaining a public transportation system that is free of all forms of discrimination. The City will take necessary preventive corrective and disciplinary actions to stem behavior that violates this policy or the rights and privileges it is designed to protect. FTA requires recipients to document compliance with DOT Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years.

Implementation of the Title VI Program is managed by the City’s Program Manager, and the City’s Grants Administrator, who serves as the Title VI Compliance Coordinator

TITLE VI REQUIREMENTS

1. **Requirement to Notify Beneficiaries of Protection under Title VI.** To comply with 49 CFR, Section 21.9(d), the City shall provide information to the public regarding the City’s obligations under DOT’s Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

The City of Madera informs members of the public of their Title VI protection rights by several means, including posting of a Title VI Notice to the Public and providing bilingual complaint procedures, as shown in Exhibits A and B. A list of locations where notices are posted is reflected in Exhibit A.

The City also provides a bilingual complaint form and posts a Title VI bilingual notice for public viewing at the Intermodal Center, as shown in Exhibit C.

2. **Requirement to Monitor Subrecipients For Compliance with Title VI.** The City as primary recipient, shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions.

The City does not have any subrecipients for any FTA program funding.

3. **Requirement to Develop Title VI Complaint Procedures and Complaint Form.** The City is required to develop procedures for investigating and tracking Title VI complaints filed against the City and to make these procedures for filing a complaint available to the general public.

City of Madera Title VI Complaint Procedures

- Submission of Complaint: *If a customer believes he/she has received discriminatory treatment by the City of Madera transit system based on race, color or national origin, the customer will have the right to file a complaint with the Transit Title VI Compliance Coordinator. The complaint must be filed no later than sixty (60) calendar days of the alleged discriminatory incident. Title VI complaint procedures included in Exhibit B are in both English and Spanish.*
- Investigation of Complaints
Upon receipt of the complaint, the Compliance Coordinator will begin an investigation. The investigation may include discussion(s) of the complaint with all affected parties to determine the problem. Based upon the information received, the Compliance Coordinator will prepare an investigation report for submittal to the City's Program Manager and Grants Administrator. The complainant will receive a letter from the Grants Administrator stating the final decision within forty-five (45) calendar days of receipt of the complaint.

If more time is needed to review the complaint, the Compliance Coordinator will notify the complainant of the estimated time-frame for completing the review. Upon completion of the review, the Grants Administrator shall make a recommendation regarding the merit of the complaint, whether remedial actions are available to provide redress, and whether improvements to the City's Title VI process are needed.

- Request for Reconsideration
The complainant shall be notified of his/her right to appeal the decision. If the complainant disagrees with the Grant Administrator's finding, the complainant may request reconsideration by submitting a written request to the Grants Administrator within ten (10) calendar days after receipt of the Grant Administrator's response. The complainant shall provide a detailed description of items not fully understood. The Grants Administrator will notify the complainant of his/her decision either to accept or reject the request for reconsideration within ten (10) calendar days. When the Grants Administrator agrees to reconsider the matter, the complaint shall be returned to the Compliance Coordinator for re-evaluation in accordance with the "Investigation of Complaint" procedures described above.
- Appeal Process
If the request for reconsideration is denied, the complainant may appeal the Grants Administrator's response to the complaint by submitting a written request to the Compliance Coordinator. The appeal request will be forwarded to the Grants Administrator and City attorney for final determination.
- Submission of Complaint to the Department of Transportation
If the complainant is dissatisfied with the City's resolution of the complaint, he or she may submit a complaint to the Department of Transportation for investigation. In accordance with Chapter 9, Complaints, of FTA Circular 4702.1B, such a complaint must be filed within 180 calendar days after the date of the alleged discrimination. Chapter 9 of FTA Circular 4702.1B, which outlines the complaint process to the Department of Transportation, may be obtained by requesting a copy from the City's Compliance Coordinator at (559) 661-3692.

4. **Requirement to Record and Report Transit-Related Title VI Investigations, Complaints, and Lawsuits.** The City is required to prepare and maintain a list of investigations, complaints, or lawsuits that pertain to allegations of discrimination based on race, color, and/or national origin in transit-related activities and programs and that pertain to the entity submitting the report, not necessarily the larger agency or department of which the entity is a part.

The City of Madera Title VI Transit Compliance Coordinator will maintain a list of Title VI investigations, complaints, and lawsuits utilizing the form shown in Exhibit D, including a comprehensive summary and description of actions taken by the City, as required by the Title VI regulations. The list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation; lawsuit, or complaint; and actions taken by the City in response, or final findings related to the investigation, lawsuit, or complaint. The list shall be included in the City's Title VI submittal to FTA every three years.

5. **Promoting Inclusive Public Participation and Language Assistance Plan.** The City is required to develop a public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission. The City also must have a language assistance plan for providing language assistance to persons with limited English proficiency (LEP).

The City's Public Participation Plan is reflected in the "City of Madera Transit Services title VI Limited English Proficiency (LEP) Plan" under "Outreach Techniques." The City's public participation activities, public meetings, and participation in community activities are described in the LEP Plan.

City transit staff also participates in the development and updates to the Madera County Transportation Commission (MCTC) "Public Participation Plan" and coordinates and integrates its outreach efforts with the MCTC as needed.

The City's Language Assistance Plan is reflected in the City's LEP Plan and includes language assistance measures. The City's approach includes several options available to LEP persons, including both oral and written language services. Specific details are included in the City's LEP Plan in Exhibit E.

6. **Title VI Equity Analysis.** If the City has or will construct a facility, such as a vehicle storage facility, maintenance facility, operation center, etc. an equity analysis must be completed.

The City is in the process of constructing a new operations facility with the possibility to expand to maintenance in the future. Site selection analysis for the new maintenance and operation facility occurred in 2006 and was guided by criteria focused on relocating the current maintenance and operation facility away from its current location that is zoned light commercial and professional office but surrounded by residential neighborhoods. The analysis used neighborhood data to evaluate potential impacts of the proposed sites for the new facility. Detailed information on these sites is available in the 2006 Analysis of Proposed Sites (VRPA, October 25, 2006). Detailed studies were conducted as part of the environmental analysis (Recorded March 25, 2014) and have provided additional detailed input into the site selection decision. City sought a site that minimizes effects on residential communities by only considering industrial use and industrial park zoned sites. The new operation facility site is vacant property within a recently established industrial area with industrial and industrial park zoning. No community resources will be affected by the project. All referenced reports are available upon request.

- 7. Requirement to Provide Meaningful Access to LEP Persons.** Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

The City of Madera web site posts MAX and Dial-A-Ride schedules, notices, and surveys. The City's web site provides material in both English and Spanish. The City also provides easy access to bilingual (English and Spanish) administrative staff and drivers/dispatch (via terms in the City's third-party transit operator contract) at the City's Downtown Intermodal Center during operating hours to answer questions during their regular shift schedules for those LEP passengers who use the City's bus system.

The City conducts quarterly Transit Advisory Board (TAB) meetings that are open to the general public. The seven-member TAB is composed of diverse public citizens of the community and takes public testimony prior to initiation of each meeting. The City also collaborates with the Madera County Transportation Commission (MCTC), the Metropolitan Planning Organization (MPO), in its Unmet Transit Needs process. The Unmet Transit Needs hearings are accessible to the general public, offer bilingual translation, and are consistent with MCTC's comprehensive Public Participation Plan that ensures meaningful access to LEP throughout the Madera County region.

- 8. Minority Representation on Planning and Advisory Bodies.** The City must describe efforts to encourage participation of minorities on committees, councils, or other bodies. City must provide a table of transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the City, and must indicate the racial breakdown of the membership of such committees or councils.

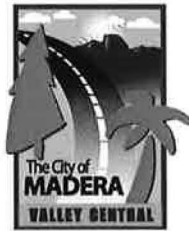
Exhibit G reflects the City's membership of transit-related non-elected committees (by race).

- 9. Requirement to Provide Additional Information upon Request.** At the discretion of the FTA, information other than that required by the referenced circular, may be requested in writing from a recipient to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements.

The City of Madera Program Manager assigned to Transit and Title VI Transit Compliance Coordinator will be available to provide additional information, as needed, and to respond to any verbal or written complaint.

- 10. Requirement to Develop System-Wide Standards and Policies.** FTA requires all fixed-route transit providers to develop quantitative service standards and policies for their fixed-route service. Individual public transportation providers may set standards that best reflect their local environment.

The City has developed service standards and policies for its fixed-route system, Madera Area Express, consistent with Title VI requirements. The standards are included in Exhibit H and include (a) vehicle load; (b) vehicle headways; (c) on-time performance; and (d) service availability.



**CITY OF MADERA
MAX and Dial-A-Ride
Title VI Notice & Complaint Process**

The City of Madera is committed to ensuring that no person is excluded from participation in or denied the benefits of its services based on race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964. Any person who believes that he or she has been subjected to discrimination under Title VI based on race, color or national origin may file a Title VI complaint with the City within 60 calendar days from the date of the alleged discrimination.

Complaints may be filed with the City in writing and may be addressed to:

Ms. Ivette Iraheta
Grants Administrator
City of Madera
205 West Fourth Street
Madera, CA 93637

A copy of the Title VI Complaint Form (in English or Spanish) and additional information may be obtained from the City's web site at "www.madera.gov" (under "Departments – Grants & Assistance Programs - Transit") or by calling 559-661-3689. The City will provide appropriate assistance to complainants who are limited in their ability to communicate in English.



**CIUDAD DE MADERA
MAX y Dial-A-Ride
Título VI Noticia y Proceso de Quejas**

La Ciudad de Madera, se compromete a garantizar que ninguna persona sea excluida de participar o denegar los beneficios de servicios basado por raza, color, linaje u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964. Cualquier persona que cree que él o ella ha sido objeto de discriminación en virtud del Título VI basado por raza, color u origen nacional puede presentar una queja del Título VI con la Ciudad dentro de 60 días del calendario a partir de la fecha de la supuesta discriminación.

Las quejas pueden ser presentadas en la Ciudad por escrito y pueden ser dirigidas a:

La Sra. Ivette Iraheta
Administradora de Becas
Ciudad de Madera
205 West Fourth Street
Madera, CA 93637

Una copia del Título VI Formulario de Queja (en Inglés o Español) y la información adicional se puede obtener desde el sitio web de la Ciudad en "www.madera.gov" (en "Departamentos - Subvenciones y Programas de Ayuda - Tránsito") o llamando al 559-661-3689. La Ciudad proveerá asistencia apropiada para los denunciantes que sean limitados en su capacidad de comunicarse en inglés.

**CITY OF MADERA
TITLE VI
LIST OF LOCATIONS**

The following is a list of locations where transit-related bilingual Title VI Public Notices are posted:

- City of Madera Intermodal Transit Facility
Transit Operations Office
123 North 'E' Street
Madera, CA 93637
- www.madera.gov/transit/helpful
- On all City of Madera transit buses.

Exhibit B: Title VI Policy Statement and Complaint Procedures

**CITY OF MADERA
MAX and Dial-A-Ride
Title VI Complaint Process**

The City of Madera is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with the City within 60 days from the date of the alleged discrimination.

Complaints may be filed with the City in writing and may be addressed to:

*Ms. Ivette Iraheta, Grants Administrator
City of Madera
205 West Fourth Street
Madera, CA 93637*

The Title VI Complaint Form is available for download at the following web sites:

English:

<http://www.madera.gov/wp-content/uploads/2016/05/Title-VI-Complaint-Form-English.pdf>

Spanish (Español):

<http://www.madera.gov/wp-content/uploads/2016/05/Title-VI-Complaint-Form-Spanish.pdf>

A copy of the Title VI Complaint Form may also be obtained by calling 559-661-3689. The City will provide appropriate assistance to complainants who are limited in their ability to communicate in English.

Title VI Transit Complaint Process

Once a complaint is received, it will be assigned to an investigator ((this may be the Title VI Coordinator or other designated staff). In instances where additional information is needed, the investigator will contact the complainant by phone or in writing. Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint or a delay in complaint resolution.

Based upon receipt of all the information required, the City will investigate a Title VI complaint within 45 days of receipt but will notify complainant if additional time is required. Receipt of additional relevant information and/or simultaneous filing of a complaint with the City and an external entity may expand the timing of the complaint resolution.

If the complainant is dissatisfied with the determination and/or resolution set forth by the City, the same complaint may be submitted to the Federal Transit Administration (FTA) for investigation. For more information, please contact the U.S. Department of Transportation, Federal Transit Administration TRO-9, Office of Civil Rights, 90 Seventh Street, Suite 15-300 – San Francisco, CA 94103-6701 / Phone (415) 734-9464.

City of Madera Title VI Policy Statement

The City of Madera is committed to ensuring that no person is excluded from participation in or denied the benefits of its services based on race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. The City's objectives are to:

- Ensure that the level and quality of transportation service is provided without regard to race, color or national origin.
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations.
- Promote the full and fair participation of all affected populations in transportation decision making.
- Prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

For additional information on the City's non-discrimination obligations, please contact the Title VI Compliance Coordinator:

*Ms. Ivette Iraheta
Grants Administrator
City of Madera
205 West Fourth Street
Madera, CA 93637
Phone: 559-661-3689*

**CITY OF MADERA
MADERA AREA EXPRESS AND DIAL-A-RIDE
Title VI Complaint Form**

The City of Madera is committed to ensuring that no person is excluded from participation in or denied the benefits of its services based on race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Compliance Coordinator at (559) 661-3689. The completed form must be returned to City of Madera, Title VI Compliance Coordinator, Grants Department, 205 West Fourth Street, Madera, CA 93637.

Name: _____

Street Address: _____

Phone: _____ Alternative Phone: _____

Date of Incident: _____ Time of Incident: _____

Which of the following best describes the reason for the alleged discrimination? (Check one)

- Race
- Color
- National Origin (Limited English Proficiency)

Please describe the alleged discrimination incident. Explain what happened, whom you believe was responsible, and other specific relevant information. Please use the next page of this form if additional space is required.

(Complete next page of form)

**CITY OF MADERA
MADERA AREA EXPRESS AND DIAL-A-RIDE
Title VI Complaint Form**

Have you filed a complaint with any other federal, state or local agencies (Check one)?

_____ No

_____ Yes

If yes, list agency or agencies and contact information below:

Agency: _____

Street Address: _____

Phone: _____

Contact Name: _____

Agency: _____

Street Address: _____

Phone: _____

Contact Name: _____

I affirm that I have read the above charge, and it is true to the best of my knowledge.

Complainant's Signature

Date

Print or Type Name of Complainant

Date Received: _____

Received By: _____

**CIUDAD DE MADERA
MADERA AREA EXPRESS Y DIAL-A-RIDE
Formulario de Quejas Título VI**

La Ciudad de Madera centra sus esfuerzos en garantizar que nadie sea excluido de la participación en sus servicios ni que nieguen los beneficios de estos, con base en raza, color u origen nacional, en conformidad con las disposiciones del Título VI de la Ley de Derechos Civiles de 1964 y enmiendas.

La siguiente información es necesaria para ayudarnos en el procesamiento de su queja. Si requiere ayuda para llenar este formulario, por favor de dirigirse al Título VI Coordinador de Cumplimiento, al teléfono (559) 661-3689. El formulario completo debe devolverse al Coordinador de Cumplimiento Título VI, Departamento de Becas (Grants Department), 205 West Fourth Street, Madera, CA 93637.

Nombre: _____

Dirección: _____

Teléfono: _____ Segundo Teléfono: _____

Fecha del incidente: _____ Hora del incidente: _____

¿Cuál de los siguientes describe mejor la razón por la supuesta discriminación? (Marque Uno)

- _____ Raza
- _____ Color
- _____ Origen nacional

Por favor, describa el supuesto incidente de discriminación. Explique lo sucedido; quien considera que fue responsable; y otra información específica pertinente. (Por favor, use el reverso de este formulario si requiere espacio adicional.)

**CIUDAD DE MADERA
MADERA AREA EXPRESS Y DIAL-A-RIDE
Formulario de Quejas Título VI**

¿Ha presentado alguna queja ante otra agencia federal, estatal o local con respecto a este incidente? (Marque Uno)

_____ No

_____ Si

Si la respuesta es afirmativa, por favor, a continuación, enumere la agencia o agencias y la información de contacto:

Agencia: _____

Dirección: _____

Teléfono: _____

Nombre de contacto: _____

Agencia: _____

Dirección: _____

Teléfono: _____

Nombre de contacto: _____

Confirmando que he leído el cargo que se indica arriba y que es verdadero hasta donde tengo conocimiento.

Firma del declarante

Fecha

Imprima o escriba el nombre del declarante

Fecha de recepción: _____

Recibido por: _____

Exhibit D: List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

CITY OF MADERA

**LIST OF TRANSIT-RELATED TITLE VI
INVESTIGATIONS, COMPLAINTS AND LAWSUITS**

The City of Madera has neither been involved in any civil rights compliance review activities nor has received any Title VI complaints in the past three years. Furthermore, the City of Madera has not been named in any lawsuit or compliance issue alleging discrimination based on race, color, or national origin.

City of Madera Transit Services Limited English Proficiency (LEP) Plan

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Madera Grants and Transit Division'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 based on race, color, or national origin.

Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), indicated 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.

Background

The City of Madera Grants Department and Transit Division administers the Madera Area Express (MAX) and Dial-A-Ride transit services that are operated by a contract service provider. The current transit service provider is MV Public Transportation, Inc.

The Madera City Council is the policymaking body for the system. A seven-member Transit Advisory Board (TAB) composed of residents appointed by the City Council, acts as a study and steering committee.

The City of Madera transit services consist of a fixed route service, Madera Area Express (MAX), and a Dial-a-Ride service (DAR). The City of Madera Grants Department and Transit Division 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 MAX and Dial-A-Ride. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, and how to notify LEP persons that assistance is available.

To prepare this plan, City of Madera transit staff 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 the City of Madera transit programs, activities, or services.
2. The frequency with which LEP persons encounter City of Madera transit services programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by the City of Madera transit services to the LEP population.
4. Resources available to the City of Madera Grants Department and Transit Division and overall cost to provide LEP assistance.

A summary of the results of the City of Madera transit services' four-factor analysis is in the following section.

Four-Factor Analysis

1. **The number or proportion of LEP persons in the service area who may be served or are likely to encounter City of Madera transit programs, activities, or services.**

As the City of Madera population is below the 100,000-population threshold for full inclusion in the most recent American Community Survey (ACS), analysis is based on the 2010 US Census. City of Madera transit services staff reviewed the 2010 U.S. Census and determined that, out of a population of City of Madera 61,416 residents, 48,924 (79.6%) of City of Madera residents speak a language other than English. In the City of Madera 16,398 residents (26.7%) have limited English proficiency; that is, they speak English "not well" or "not at all". In the City of Madera, of those persons with limited English proficiency, the majority speak Spanish. The City's most current demographic analysis shows that the number or proportion of LEP served or encountered in the eligible service area is as follows:

	Census Tracts				
Description	5.02	6.01	6.02	8.0	9.0
Total Population	7,510	8,384	4,579	6,763	7,197
Hispanic/Latino	5,055	6,723	3,785	5,033	6,406
Percentage	67%	80%	83%	74%	89%

2017 ACS sampling data that includes Madera, while less in-depth, can also be taken into consideration for analysis, and indicates that with a 2017 population estimate of 65,508 residents (63.4%) identified speaking a language other than English at home. Lastly, through staff contact, and feedback from the transit operator, it has been noted that not only is Spanish the primary language identified, but varying dialects of Spanish from different countries is also being experienced.

2. **The frequency with which LEP persons come in contact with City of Madera transit services programs, activities, or services.**

All transit services are provided in one or more of the above-referenced census tracts. A high percentage of Hispanic/Latino individuals therefore come into contact with the program. On-board ridership surveys conducted by the City reflect that 75 percent of riders utilize MAX or Dial-A-Ride services three to five days per week; 16 percent six to seven days per week; and 8 percent one to less than one day per week.

3. The nature and importance of programs, activities, or services provided by City of Madera transit services to the LEP population.

The largest geographic concentration of LEP individuals in the City of Madera transit services area is Spanish-speaking. On-board ridership surveys conducted by the City indicate that 83 percent are captive transit riders, and 30 percent could have made their trip by another means as a passenger. The main purposes indicated for trips were 61 percent for medical/dental; 50 percent for shopping; 42 percent for school; 20 percent for work; and 17 percent for other purposes including religious services and social outings.

4. The resources available to City of Madera Transit Division and overall cost to provide LEP assistance.

City of Madera transit staff has access to a variety of resources and collaborates with multiple organizations that help with outreach and providing LEP assistance at low or no cost. Community-based resources include:

- City of Madera Transit Advisory Board
- City of Madera Senior Centers
- City of Madera Intermodal Center
- Madera County Transportation Commission (MCTC) Social Services Transportation Advisory Committee (SSTAC)
- MCTC Board Unmet Transit Needs Process
- MCTC Public Participation Plan Committee
- Madera County Social Services Department
- Community Action Partnership of Madera County
- Camarena Health Center
- Grant-funded Consultant Services
- Translation Services

The above community resources will continue to be used on a regular basis to assist in identifying needs of the City's LEP population. They will also serve to widely disseminate bilingual transit service information and announcements and to notify the LEP population of planned workshops and outreach efforts.

Based on the four-factor analysis, the City of Madera will develop its LEP Plan as outlined in the following section.

Identification of LEP Population

The Transit Division has developed several possible ways to assist in identifying LEP populations within the City, including:

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 City of Madera transit-sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.

3. At City of Madera transit meetings and events, develop identification cards that indicate primary language spoken, as appropriate. This will assist the City in identifying language assistance needs for future events and meetings.
4. Survey vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners on their experience concerning any contacts with LEP persons.
5. Network with local human services organizations (such as Social Services and Public Health) to assist in identifying LEP groups and individuals most in need of LEP assistance and to further facilitate dissemination of information about Madera's transit services.

Language Assistance Measures

There are plans for several language assistance options available to LEP persons, including both oral and written language services. There are also various ways in which City of Madera transit staff can respond to LEP persons, whether in person, by telephone, or in writing.

- Provide a bilingual Grants Specialists at community events, public hearings, and Transit Advisory Board (TAB) meetings.
- Placement of statements in notices and publications that interpreter services are available for these meetings.
- Annually survey bus drivers and other front-line staff, like dispatchers, Dial-A-Ride schedulers, and service development planners on their experience concerning any contacts with LEP persons during the previous year.
- Post the City of Madera Transit Services Title VI Policy and LEP plan on the City of Madera website, www.madera.gov/transit/helpful
- Require all transit operator contracts to include the following clause:
"Personnel: CONTRACTOR shall employ and supervise all personnel, including drivers, dispatchers, managers, customer service representative and other personnel needed to operate and maintain the service provided by CONTRACTOR under this Agreement. Dispatchers and customer service representatives shall have some bilingual skills (communicate in Spanish and English; i.e., ability to understand simple directions, addresses and times). Consideration should be given to bilingual drivers who understand simple directions in English/Spanish. Qualified supervisory personnel shall be available during all hours of operation."
- When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

Outreach Techniques

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters will be available as needed. The City currently uses a variety of outreach approaches, as described below.

Public Outreach Activities

The City of Madera web site posts MAX and Dial-A-Ride schedules, notices, and surveys. The City's web site provides material in both English and Spanish. The City also provides easy access to bilingual (English and Spanish) administrative staff and drivers at the City's Downtown Intermodal Center during operating hours to answer questions during their regular shift schedules for those LEP passengers who use the City's bus system.

The City reaches out to the community directly through meetings with agency and community staff and their clients, as needed. Information regarding the City's transit services is disseminated at these meetings, including schedules and appropriate fliers. Schedules also are made available at a variety of locations throughout the community and on the MAX and Dial-A-Ride systems.

Public Meetings

The City conducts quarterly Transit Advisory Board (TAB) meetings that are open to the general public. The seven-member TAB is composed of diverse public citizens of the community and takes to public testimony prior to initiation of each meeting.

The City also collaborates with the Madera County Transportation Commission (MCTC), the Metropolitan Planning Organization (MPO), in its Unmet Transit Needs process. The Unmet Transit Needs hearings are accessible to the general public, offer bilingual translation, and are consistent with MCTC's comprehensive Public Participation Plan and process that ensures meaningful access to LEP throughout the Madera County region. The MCTC public hearing is accessible by MAX fixed-route services or on Dial-A-Ride at no cost to passengers.

City transit staff also participates in the development of the MCTC "Public Participation Plan." A series of meetings are conducted with participants from throughout the community. Recommendations to maximize community involvement are reflected in this plan and adopted by the MCTC Board. The City considers and uses the MCTC Public Participation Plan as a blueprint for City to engage the public.

Participation in Community Activities

The City engages in community activities that promote its transit services. These activities include the annual Downtown Madera Christmas Parade and functions sponsored by the City's Americans with Disabilities Act Committee where a broad cross-section of the community can access available transit information, including schedules, brochures and fliers.

Assurances

The City of Madera transit services will ensure that no person, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination. Further, the City will notify the public of protections against discrimination afforded them by Title VI Regulations and will take preventive corrective and disciplinary action necessary to reduce behavior that violate the rights and privileges the regulations are designed to protect.

The City will post information on its web site, Intermodal Facility as well as all transit buses and ensure that it reflects up to date information consistent with the requirements of 49 CFR Section 21.9(d).

Monitoring and Updating the LEP Plan

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

- Documentation of LEP personal contacts.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether City of Madera transit financial resources are sufficient to fund language assistance resources needed.
- Determine whether City of Madera has fully complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning City of Madera transit services' failure to meet the needs of LEP individuals.

Public Participation Plan Supplement

Strategies and Desired Outcomes

To promote inclusive public participation, the City of Madera will leverage resources of the Madera County Transportation Commission Public Participation Plan and use its own resources available to employ the following strategies, as appropriate:

- Provide for early, frequent and continuous engagement by the public.
- Expand traditional outreach methods. Think outside the box: go to street fairs, faith-based institutions, libraries, etc.
- Select accessible and varied meeting locations and times
- Employ different meeting sizes and formats
- Provide childcare and food during meetings, if possible.
- Use social media in addition to other resources as a way to gain public involvement
- Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

It is anticipated that these strategies will be outlined in the City’s Marketing and Outreach Plan slated to be finalized on or before June 2020.

Documented Public Outreach (FY 2017 to present)

The direct public outreach and involvement activities conducted by City of Madera, Transit Division since the approval of the 2016-2019 Plan are summarized in the table below. Efforts include meetings, surveys, focus groups, etc. Information pertinent to each event will be provided upon request. Examples include copies of: announcements, agendas/minutes, posters, attendee list, etc.

Event Date	Section 5307 Grantee Staff	Event	Date Publicized and Communication Method	Outreach Method
05-05-18	Program Manager; Driver	Fruit & Veggies Fest	March – May 2018 Flyers, Social Media, Website; Community Partner Announcements	Survey; community input
10-30-18	Program Manager; Grants Specialists	Intern & Volunteer Fair @ Madera Community College	Flyers, Social Media, Website; Community Partner Announcements	Survey; community input
05-17-18	Program Manager; Grants Intern	On-Board Observation	N/A	Driver input; community input
10-16-18	Program Manager; Grants Specialists	Senior BBQ	Flyers, Social Media, Website	Survey; community input
04-18-18	Program Manager; Grants Administrator;	Unmet Transit Needs Hearing	Public Notice, Flyers, Social Media, Website	Focus Group
07-18-17 10-19-17 01-17-18 04-18-18 07-18-18 10-17-18 01-16-19	Program Manager; Grants Specialists; Grants Administrator	Transit Advisory Board Meeting	Public Notice, Website, Email List	Meeting
8-15-18	Program Manager; Grants Specialists; Grants Administrator	Transit Advisory Board Special Meeting	Public Notice, Website, Email List	Meeting

Availability of Title VI Plans and Procedures

The City of Madera LEP Plan and the Title VI Procedures are included in the City of Madera's website at www.madera.gov/transit/helpful. Any person or agency with internet access will be able to access and download the plan from the City of Madera 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 translated plan which the City of Madera will provide, if feasible. Questions or comments regarding the LEP Plan may be submitted to the City of Madera Grants Department, Transit Division, Title VI Coordinator:

City of Madera
Grants Department - Transit Division
205 W. Fourth Street
Madera, CA 93637

Phone: (559) 661-3692
Fax: (559) 674-2972
Email: jiraheta@cityofmadera.com

Exhibit F: Transit-Related, Non-Elected Committees and Councils (By Race)

CITY OF MADERA

**TITLE VI
MEMBERSHIP OF
TRANSIT-RELATED
NON-ELECTED COMMITTEES AND COUNCILS**

Body	Hispanic	Caucasian	African American	Asian American	Native American	Other
Population	78.6%	72.1%	3.2%	2.0%	1.1%	3.1%
Transit Advisory Board (TAB) 7 members	40%	40%	10%	0%	10%	0%

Updated 3-14-2019

**SYSTEM-WIDE SERVICE STANDARDS
MAX FIXED-ROUTE SYSTEM**

Background

FTA requires all fixed-route transit providers of public transportation to develop quantitative standards for the following indicators. Individual public transportation providers may establish their own standards.

Definitions

- Vehicle load for each mode: Generally expressed as the ratio of passengers to the number of seats on a vehicle, relative to the vehicle’s maximum load point. (For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. Transit providers can specify vehicle loads for peak versus off-peak times, and for different modes of transit.)
- Vehicle headways for each mode: The amount of time between two vehicles traveling in the same direction on a given line or combination of lines.
- On-time performance for each mode: A measure of runs completed as schedules.
- Service availability for each mode: A general measure of the distribution of routes within an agency’s service area.

Vehicle Load Standards

Vehicle load thresholds will be used to measure service effectiveness or to determine remediation. The average of all loads during peak AND off-peak operating periods should not exceed 1.0 (0% standees) on the fixed-route system.

Vehicle Load Standard	Vehicle Load Standard	Standees
Peak Period	1.0	0%
Off-Peak Period	1.0	0%

Driver is not required to delay departure or miss/skip a stop when vehicle load standard has been met. Drivers must instruct all passengers as they board that legally they must wear a seat-belt while riding the fixed route; however, if a passenger refuses or wishes to stand, the Driver may let them do so.

Vehicle Headway Standards

Vehicle headway is the time interval between vehicles on a route that allows passengers to gauge how long they will have to wait for the next vehicle. Like vehicle load, vehicle headway varies by mode and time of day. Vehicle headway will be determined by ridership and available resources to operate service.

Scheduling involves the consideration of several factors, including ridership, productivity, transit/pedestrian-friendly streets, density of transit-dependent population and activities, relationship to the Regional Transportation Plan, relationship to major transportation developments, land use connectivity, and transportation demand management.

Headway standards for fixed routes are as follows:

Route 1	30 minutes
Route 2	65 minutes
Route 3	60 minutes (30 minutes when newly purchased fleet vehicles are deployed)

On-Time Performance Standards

A vehicle is considered on time if it departs a scheduled timepoint no more than one minute early and no more than five minutes late. The City of Madera's on-time performance objective is 90% or greater for fixed route and Dial-A-Ride. The City of Madera continuously monitors on-time performance. System results are published and posted as part of monthly performance reports covering all aspects of operations.

Service Availability Standards

The City of Madera's service availability standards will strive to ensure that 90% of residents in the service area are within one-half mile of bus service. Like vehicle headways, the ability to provide increased service levels will be determined by ridership and available resources to operate service.

**SYSTEM-WIDE SERVICE POLICIES
MAX FIXED-ROUTE SYSTEM**

Background

FTA requires that all providers of fixed-route public transportation develop qualitative policies for the following procedures:

- Vehicle Assignment
- Transit Amenities

Policies

Vehicle Assignment Policy

A vehicle(s) will be assigned to each of the MAX fixed-routes such that the average age of the fleet serving each route does not exceed over three years beyond the FTA useful life standard of the assigned vehicle type.

All vehicles will be equipped with air conditioning.

The capacity of vehicles will be matched to the operating characteristics of the route.

Transit Amenities Policy

Installation of transit amenities along bus routes will be based on the number of passenger boardings at stops along those routes.

Exhibit I: Endorsement of Contracted Transit Provider (MV Public Transportation, Inc.)



Annie Self
General Manager
MV Public Transportation, INC
123 North E Street, Suite 102
Madera, CA 93638
annie.self@mvtransit.com
PH: (559)661-7433 OPT. 3
CELL: (805)819-1043
FAX: (559)558-5957

Lynette Little
Civil Rights Officer – Region IX
US Department of Transportation
Federal Transit Administration, TRO-9
90 Seventh Street, Suite 15-300
San Francisco, CA 94103-6701

Dear Ms. Little,

As the General Manager for MV Public Transportation, INC in Madera, I endorse the City of Madera's Title VI program.

We have the proper postings in the buses, I have reviewed the policy with my staff and provided them with complaint forms should someone choose to file a complaint.

We utilize a log to track any complaints that are received in our office. Any complaints received in our office will immediately be forwarded to the designated city complaint coordinator. A copy of the log is attached for your review.

Please feel free to contact me should you have any questions in this matter.

Sincerely,

Annie Self
General Manager
MV Public Transportation, INC

MV Transportation, Inc.

123 North E St. | Suite 102 | Madera, CA 93638

