

City of Lodi Transit Division
Title VI Program &
Language Assistance Plan

*GrapeLine Fixed Route, Dial-A-Ride &
VineLine Services*

2016



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City of Lodi Title VI Program for GrapeLine Fixed Route, Dial-A-Ride, and VineLine Services

Plan Statement:

The City of Lodi operates GrapeLine Fixed Route, Dial-a-Ride, and VineLine ADA paratransit services in the Lodi area. As a condition of receiving Federal Transit Administration (FTA) financial assistance from the U.S. Department of Transportation (DOT) to operate these services, transit agencies must ensure that their programs, policies, and activities comply with DOT's Title VI regulations. The following program was developed to guide the City of Lodi in its administration and management of Title VI-related activities, and details how the City of Lodi meets the requirements as set forth in FTA Circular 4702.1B.

Section 601 under Title VI of the Civil Rights Act of 1964 states the following:

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The City of Lodi also ensures that discrimination will not be tolerated on the basis of sex, age, disability, sexual orientation, or religion, in compliance with additional non-discrimination requirements related to Title VI under the Federal Highway Administration (FHWA), the US Department of Transportation (USDOT) and the US Department of Justice (USDOJ).

Policy:

City of Lodi is committed to ensuring that no person, on the basis of race, color, national origin, sex, age, disability, sexual orientation, religion, or any other criteria prohibited by law, will be excluded from participation in or subjected to discrimination in the level and quality of transit services or related benefits provided by the City of Lodi's employees, affiliates, and contractors.

Governing Board:

The governing board for City of Lodi's transit system is made up of five elected members of the Lodi City Council.

General Reporting Requirements:

Chapter III of FTA Circular 4702.1B addresses the general reporting requirements for recipients and sub-recipients of Federal Transit Administration (FTA) funding to ensure that their activities comply with DOT Title VI regulations. Below are summaries of each requirement and how the City of Lodi's Title VI Program fulfills that requirement.

1. REQUIREMENT TO PROVIDE TITLE VI ASSURANCES.

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA.

City of Lodi annually submits its Certifications and Assurances to FTA.

2. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM.

FTA requires that all direct and primary recipients document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including sub-recipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. Sub-recipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts.

City of Lodi's City Council will approve this Title VI Program by resolution. The effective date will be the date of the resolution.

As of July 1, 2012, City of Galt is no longer in City of Lodi's urbanized area and therefore not a sub recipient of Lodi's federal funds.

3. REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

The Title VI Program shall include recipient's Title VI notice to the public that indicates the recipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI. Include a list of locations where the notice is posted.

City of Lodi has developed a public Title VI Notice to Beneficiaries following the guidelines of Circular FTA C 4702.1B, Appendix B. A copy of this notice is found in [Appendix 1](#) of this Title VI Program. The notice is displayed at Lodi Transit Station on the front window of the dispatch building and on the customer window of the lobby and on all buses. The notice is also posted on the following website: www.lodi.gov/transit.

4. REQUIREMENT TO HAVE TITLE VI COMPLAINT PROCEDURES AND A COMPLAINT FORM

All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website.

City of Lodi has developed a Title VI complaint procedure and form. In this Title VI Program, [Appendix 2](#) outlines the City's Title VI Complaint Procedures, and [Appendix 3](#) is a copy of the City's Title VI Complaint form.

The complaint procedures and form are available in English ([Appendix 2](#) & [Appendix 3](#)) and Spanish ([Appendix 2A](#) & [Appendix 3A](#)) on the City's transit webpage, www.lodi.gov/transit. Individuals who do not have access to the internet may request that the City mail them a paper copy of the procedures and form.

5. REQUIREMENT TO RECORD AND REPORT TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient. This 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 recipient in response, or final findings related to, the investigation, lawsuit, or complaint.

City of Lodi will maintain a list of all investigations, lawsuits and complaints naming City of Lodi according to the guidelines of Circular FTA C 4702.1B, Appendix E. A copy of this list is provided in [Appendix 4](#) of this Title VI Program. In addition, the City will maintain permanent records of all related documents. The City of Lodi has processes in place in the instance that complaints are made, investigations are undertaken, or lawsuits are served to the City alleging discrimination or discriminatory action within the Transit Division.

6. REQUIREMENT TO PROMOTE INCLUSIVE PUBLIC PARTICIPATION

The content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance shall be integrated into each recipient's established public participation plan or process (i.e., the document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities).

City of Lodi's public participation plan is shown in [Appendix 5](#) of this Title VI Program. The City of Lodi ensures that minority and LEP populations, as with all members of the public, will be empowered to participate in decisions involving the City of Lodi's transit system.

7. REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LEP PERSONS.

Consistent with Title VI of the Civil Rights Act of 1964, DOT's implementing regulations, and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP).

Please see the City of Lodi [Appendix LAP – City of Lodi Language Assistance](#) Plan attached to this Title VI Program. The City of Lodi's Four Factor Analysis and action plan are contained therein.

8. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES.

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

City of Lodi does not have a non-elected transit board or advisory council, however in the event that one were established, the City would ensure proper minority representation on such board or council. [Appendix 6](#) shows the City's draft 'Table Depicting Minority Representation on Committees and Councils Selected by City of Lodi'.

9. REQUIREMENT TO PROVIDE ASSISTANCE TO SUBRECIPIENTS

Title 49 CFR Section 21.9(b) states that if “a primary recipient extends Federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part.” Primary recipients should assist their sub recipients in complying with DOT’s Title VI regulations, including the general reporting requirements. Assistance shall be provided to the sub recipient as necessary and appropriate by the primary recipient.

As of July 1, 2012, City of Galt is no longer in Lodi’s urbanized area and therefore is no longer a subrecipient of the City of Lodi. The City of Lodi has no subrecipients as of the date of this Plan.

10. REQUIREMENT TO MONITOR SUBRECIPIENTS

In accordance with 49 CFR 21.9(b), and to ensure that sub recipients are complying with the DOT Title VI regulations, primary recipients must monitor their sub recipients for compliance with the regulations. Importantly, if a sub recipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance. Primary recipients shall include a description of how the agency monitors its sub recipients for compliance with Title VI, and a schedule of sub recipient Title VI Program submissions.

As of July 1, 2012, City of Galt is no longer in Lodi’s urbanized area and therefore is no longer a subrecipient of the City of Lodi. The City of Lodi has no subrecipients as of the date of this Plan.

11. DETERMINATION OF SITE OR LOCATION OF FACILITIES.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.” For the purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc. as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

The City of Lodi will ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all facilities projects.

- 1. City of Lodi will complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, national origin, or other protected classification. City of Lodi will engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis will compare the equity impacts of various siting alternatives, and the analysis will occur before selection of the preferred site.**

2. **When evaluating locations of facilities, City of Lodi will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis will be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.**
3. **If City of Lodi determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, City of Lodi will only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race color or nation origin. City of Lodi will show how both tests are met and will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.**

12. REQUIREMENT TO PROVIDE ADDITIONAL INFORMATION UPON REQUEST.

FTA may request, at its discretion, information other than that required by this Circular from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

City of Lodi will fully cooperate with any FTA investigation of discrimination complaints to the extent required by Title VI regulations.

REQUIREMENTS FOR FIXED ROUTE TRANSIT PROVIDERS:

Chapter IV of FTA Circular 4702.1B discusses the additional reporting requirements for recipients of FTA funding (including their sub-recipients) that operate fixed route transit service, in order to ensure that the agency complies with DOT Title VI regulations. The requirements only apply to fixed route service, not demand response service. Per Circular 4702.1B definitions, "Fixed route refers to public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule."

City of Lodi operates five regular weekday fixed routes, three weekday express routes, and four weekend routes. All regular weekday and weekend routes are provided on 1-hour headways. Express Routes run on an average of 32 min headways.

City of Lodi qualifies for a reduced level of Chapter IV reporting. If a fixed route transit provider does not operate 50 or more fixed route vehicles in peak service and is not located in an Urbanized Area (UZA) of 200,000 or more in population, the transit provider is only required to set system-wide standards and policies. Please refer to the City of Lodi's System-Wide Service Standards ([Appendix 7](#)) and System-Wide Service Policies ([Appendix 8](#)).

ADDITIONAL APPENDICES

Also attached and made a part of this Plan are the following:

[Appendix 9: Employee Education Form](#)

[Appendix 10: Acknowledgement of Receipt of Title VI Plan](#)

[Appendix 11: Sample Letter Acknowledging Receipt of Title VI Complaint](#)

[Appendix 12: Sample Letter of Finding \(Notifying Complainant that the Complaint is Substantiated\)](#)

[Appendix 13: Sample Closure Letter \(Notifying Complainant that the Complaint is Not Substantiated\)](#)

[Appendix LAP-1: 2011-2013 American Community Survey 3-Year Estimates: Lodi city, CA and State & County QuickFacts, Lodi city, CA](#)

[Appendix LAP-2: 2010-2014 American Community Survey 5-Year Estimates: Language Spoken at Home by Ability to Speak English for the Pop 5 Years and Over](#)



Appendix 1: Title VI & Related Statutes Notice to Beneficiaries

The City of Lodi operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Lodi.

The City of Lodi also ensures that discrimination will not be tolerated on the basis of sex, age, disability, sexual orientation or religion, or any other criteria prohibited by law, in compliance with additional non-discrimination requirements related to Title VI under the Federal Highway Administration (FHWA), the US Department of Transportation (USDOT) and the US Department of Justice (USDOJ).

For more information about the City of Lodi's civil rights program and the procedures to file a complaint, contact (209)333-6706; go online at www.lodi.gov/transit; or visit our administrative office at 221 W. Pine Street, Lodi, CA 95240.

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

If information is needed in another language, contact (209)333-6706.

Si Ud. necesita información en otro idioma, llame al (209)333-6706.



Appendix 2: Title VI & Related Statutes Complaint Procedures

Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes and regulations require that no person in the United States shall, on the basis of race, color, national origin, sex, age or disability 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 Lodi also prohibits discrimination based on sexual orientation and religion. These prohibitions extend to City of Lodi as both a direct recipient of Federal Transit Administration (FTA) federal financial assistance and as a sub recipient of Federal Highway Administration federal financial assistance through Caltrans. The requirement also applies to the City's sub recipients, consultants, and contractors, irrespective of tier, whether federally funded or not.

The City is also required to implement measures to ensure that persons with limited English proficiency and persons with disabilities have meaningful access to the services, benefits, and information of all its programs and activities under Executive Order 13166 and the Americans with Disabilities Act of 1990 respectively.

How to Submit a Complaint

Any person who believes she or he has been discriminated against on the basis of race, color, national origin, sex, age, disability, sexual orientation or religion by the City of Lodi (hereinafter referred to as "City") may file a Title VI & Related Statutes complaint by completing and submitting the City's Title VI & Related Statutes Complaint Form. The City of Lodi investigates complaints received no more than 180 days after the alleged incident. The City will process complaints that are complete.

All Title VI & Related Statutes complaints are considered formal. Complaints must be in writing and signed by the complainant or his/her representative on the form provided. Complaints must include the complainant's name, address and phone number and be detailed to specify all issues and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, national origin, sex, age, disability, sexual orientation or religion. Title VI & Related Statutes Complaints of discrimination may be filed with:

Title VI Coordinator
City of Lodi Public Works Department
221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910

Phone #: (209) 333-6706
Fax #: (209) 333-6710

Upon request, assistance will be provided if you are limited English proficient or disabled. Complaints may be filed using alternative formats such as computer disk, audiotape, large print or Braille. For TTY customers, dial 711 to reach the California Relay Service. You will be asked to give the telephone number you are calling.

The City and its sub-recipients, consultants and contractors, irrespective of tier, are prohibited from retaliating against and individual because he or she opposed an unlawful policy or practice, or made charges, testified, or participated in any complaint action under Title VI, the Restoration Act of 1987 and other nondiscrimination authorities.

Procedures for Processing Complaints

Once the complaint is received, the City will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the City.

The City has 30 business days to investigate the complaint. If more information is needed to resolve the case, the City may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the City can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or letter of finding. A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A letter of finding summarizes the allegations and the interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the closure letter or the letter of finding to do so.

For more information, please visit the City's web page: www.lodi.gov/titlevi



Appendix 2A

Ciudad de Lodi Procedimientos para Quejas del Título VI y Estatutos Relacionados

Título VI del Acto de Derechos Civil de 1964 y estatutos relacionados (Título VI), prohíbe la discriminación sobre la base de raza, color de piel, origen nacional, sexo, edad, o discapacidad en relación a programas o actividades que reciben la ayuda financiera federal. La Ciudad de Lodi también prohíbe la discriminación sobre la base de orientación sexual o de religión. Esas prohibiciones se extienden a la Ciudad de Lodi como un recipiente directo de la ayuda financiera de Administración Tránsito Federal, y como un sub-recipiente de la ayuda financiera federal de la Administración de Carretera Federal por Caltrans. Esa requisito también se aplica a los sub-recipientes, asesores y contratistas de la Ciudad de Lodi, independiente de la grada, si federalmente financió o no.

También se requiere que la Ciudad ponga en práctica medidas para asegurar que las personas con habilidad de inglés limitado o personas con discapacidad tengan el acceso significativo a los servicios, beneficios, e información de todos sus programas y actividades conforme a la Orden Ejecutiva 13166 y el Acto para Americanos con Discapacidades de 1990 respectivamente.

Para Presentar una Queja

Cualquier persona que cree que él o ella ha sido objeto de discriminación sobre la base de raza, color de piel, origen nacional, sexo, edad, discapacidad, orientación sexual o religión por la Ciudad de Lodi (en lo sucesivo denominado como "Ciudad") puede presentar una denuncia bajo Título VI y estatutos relacionadas completando y enviando el Formulario de la Ciudad para Quejas de Título VI y Estatutos Relacionadas. La Ciudad de Lodi investiga las quejas recibidas no más de 180 días después del supuesto incidente. La Ciudad procesará las quejas que estén completas.

Todas las quejas del Título VI y Estatutos Relacionados se consideran formales. Las quejas deben ser por escrito y firmado por el demandante o su representante en la forma proporcionada. Las quejas deben incluir el nombre, la dirección y el número de teléfono del autor y detalladas para especificar todos los problemas y las circunstancias de la supuesta discriminación. Las alegaciones deben basarse en cuestiones relacionadas con la raza, color de piel, origen nacional, sexo, edad, discapacidad, orientación sexual o religión. Las quejas de discriminación del Título VI y Estatutos Relacionados se pueden presentar a:

Title VI Coordinator
City of Lodi Public Works Dept.
221 West Pine Street
P.O. Box 3006
Lodi, CA 95241-1910

Teléfono: (209) 333-6706
Fax: (209) 333-6710

Sobre la petición, la ayuda será proporcionada si usted es de inglés limitada o es discapacitado. Las demandas pueden ser presentadas usando formatos alternativos, como el disco de computadora, cinta de audio o en el Braille. Para clientes TTY, marque 711 para alcanzar el Servicio de Relevo de California. Le pedirán dar el número de teléfono que usted llama.

La Ciudad y sus sub-recipientes, asesores y contratistas, independiente de la grada, son prohibidos responder contra cualquier individuo porque él o ella se opusieron a una política ilegal o la práctica, o hicieron gastos, declarados o participaron en cualquier acción de queja bajo el Titulo VI, el Acto de Restauración de 1987 y otras autoridades de no discriminación.

Los Procedimientos para Procesar las Quejas

Al recibir la denuncia, la Ciudad la revisará para determinar si nuestra oficina tiene jurisdicción. El reclamante recibirá una carta de reconocimiento informándole si la queja será investigada por la Ciudad.

La Ciudad tiene 30 días hábiles para investigar la queja. Si se necesita más información para resolver el caso, la Ciudad puede contactar al reclamante. El reclamante tiene 15 días hábiles a partir de la fecha de la carta para enviar la información solicitada a la/el investigador(a). Si la/el investigador(a) no es contactado por el reclamante o no recibe la información adicional dentro de 15 días hábiles, la Ciudad puede cerrar administrativamente el caso. Un caso también puede estar cerrado administrativamente si el reclamante ya no desea seguir el caso.

Después de que la/el investigador(a) revise la queja, emitirá una de dos cartas al reclamante: una carta de cierre o una carta de hallazgo. Una carta de cierre resume las alegaciones e indica que no hubo una violación del Título VI y que el caso estará cerrado. Una carta de hallazgo resume las alegaciones y las entrevistas sobre el supuesto incidente y explica si se producirá cualquier acción disciplinaria, capacitación adicional del miembro del personal u otra acción. Si el reclamante desea apelar la decisión, tiene 30 días hábiles después de la fecha de la carta de cierre o la carta de hallazgo para hacerlo.

Para más información, por favor visite la página Web de la Ciudad: www.lodi.gov/titlevi



Appendix 3

City of Lodi Title VI & Related Statutes Discrimination Complaint Form

PERSONAL INFORMATION NOTICE

Pursuant to the Federal Privacy Act (P.L.93-579) and the Information Practices Act of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular.

SECTION 1

Name of Complainant: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: (____) _____ E-mail: _____

What is the most convenient time for us to contact you about this complaint? _____

Citizen Employee Applicant Vendor

Accessible format requirements? Large print Audio tape Other: _____

SECTION 2

Are you filing this complaint on your own behalf? Yes No

If you answered yes to this question, go to Section 3.

If not, please supply your name and your relationship to the person for whom you are complaining:

Name: _____ Relationship: _____

Please explain why you have filed for a third party: _____

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of the third party: Yes No

SECTION 3

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

Race Color National Origin Disability Religion Age Sex Sexual Orientation

Other: _____

Date of Occurrence: _____

Location of Occurrence: _____

Please include the earliest and most recent dates of discrimination.

Name(s) & Title(s) of the person(s) I believe discriminated against me:

The action or decision which caused me to believe I was discriminated against is as follows:

(Please explain as clearly as possible what happened and why you believe your benefits were denied, delayed, or affected. Include how other persons were treated differently from you. Attach additional page(s), if necessary)

Please list any and all witness names and phone numbers:

Please state the remedy or action you are seeking for the alleged discrimination:

The law prohibits retaliation against anyone because he/she has taken action, or participated in an action, to secure rights protected by these laws. If you feel you have been retaliated against (separate from the discrimination alleged above), please explain the circumstances below:

SECTION 4

Have you previously filed a Title VI & Related Statutes complaint with this agency?

Yes No

SECTION 5

Have you filed, or intend to file, this complaint with any other Federal, State, or local agency, or with any Federal or State Court?

Yes No

If yes, check all that apply:

U.S. Equal Employment Opportunity Commission Dept. of Fair Employment & Housing
 Federal Highway Administration/ U.S. Dept. of Transportation (USDOT) Federal Transit Administration/USDOT Federal or State Court Local Agency

Please provide information about a contact person at the agency/court where the complaint was filed:

Name: _____ Title: _____

Agency/Court:

Address: _____

Telephone Number: _____

Date Filed: _____ Case Number: _____ Date of Trial/Hearing _____

You may attach additional written materials or other information you think is relevant to your complaint.

Note: The use of the complaint form is not mandatory. You may submit your complaint in any form that includes your signature. Please sign and date the complaint form below.

I certify that the above information is true and correct to the best of my knowledge.

Signature: _____ **Printed Name:** _____ **Date:** _____

Please return to: **Julia Tyack, City of Lodi Title VI Coordinator**
 221 W. Pine Street
 PO Box 3006
 Lodi, CA 95241-1910

ADA Notice: Upon request, reasonable accommodation will be provided in completing this form, or copies of the form will be provided in alternative formats. Contact the ADA / Section 504 Coordinator at the address listed above, via telephone (209) 333-6700 or via Telecommunication Relay Service (TRS) by dialing 7-1-1, or via e-mail at jwood@lodi.gov



Ciudad de Lodi Formulario de Queja de Título VI y Estatutos Relacionados

AVISO DE INFORMACIÓN PERSONAL

De acuerdo con la Ley de Información Confidencial Federal (P.L. 93-579) y el Acto de Prácticas de Información de 1977 (Secciones de Código da es Civiles 1798, y seq.), el aviso es por este medio dado para la petición de la información personal por esta forma. La información personal solicita voluntaria. El objetivo principal de la información voluntaria es facilitar el procesamiento de esta forma. La falta de proporcionar toda o cualquier parte de la información solicitada puede retrasar el procesamiento de esta forma. Ninguna revelación de la información personal será hecha a menos que no permisible bajo el Artículo 6, la Sección 1798.24 del IPA de 1977. Cada individuo tiene el derecho sobre petición e identificación apropiada, inspeccionar toda la información personal en cualquier registro mantenido en el individuo por una identificación particular.

SECCIÓN 1

Nombre de Demandante: _____

Dirección de envío: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: (____) _____ E-mail: _____

Ciudadano Empleado Solicitante Vendedor

¿Requisitos de formato accesible? Letra grande Cinta de audio Otros: _____

SECCIÓN 2

¿Está presentando esta queja por si mismo? Sí No

Si respondió sí a esta pregunta, vaya a la sección 3.

Si no es así, por favor proporciones el nombre y el parentesco con la persona por la cual presenta su queja:

Nombre: _____ Parentesco: _____

Por favor explique por qué está declarando por un tercero: _____

Por favor confirme que ha obtenido la autorización de la parte perjudicada si está presentando en nombre de un tercero: Sí No

SECCIÓN 3

Yo creo que la discriminación que experimenté fue basado en (marque todo lo que corresponda):

Raza Color Origen Nacional Discapacidad Religión Edad Sexo Orientación Sexual

Otro: _____

Fecha del hecho: _____

Lugar del hecho: _____

Por favor, incluya las fechas más tempranas y más recientes de discriminación.

Nombre(s) y oficio(s) de la(s) persona(s) que creo me discriminaban:

La acción o decisión que me llevó a creer que fui discriminado es lo siguiente:

(Por favor explica tan claramente como posible lo que ocurrió y la razón que usted cree que sus beneficios fueron negados, diferidos o afectados. Incluya información sobre como otras personas fueron tratada en una manera diferente de usted. Puede adjuntar páginas adicionales, si es necesario.)

Por favor escriba los nombres y los números de teléfono de cualquier o todos los testigos:

Por favor indique lo que usted piensa debería hacerse para resolver la queja:

Las leyes prohíben represalias contra cualquier persona porque él/ella ha tomado medidas, o participado en una acción, para garantizar los derechos protegidos por estas leyes. Si usted siente que ha sido víctima de represalias (separada de la discriminación alegada arriba), explique las circunstancias siguientes:

SECCIÓN 4

¿Ha presentado previamente una queja de Título VI y Estatutos Relacionados con esta agencia?

Sí No

SECCIÓN 5

¿Ha presentado esta queja con otra agencia Federal, Estatal o Local o con cualquier Corte Federal o Estatal?

Yes No

En caso que sí, marque lo que corresponda:

Comisión de Igualdad de Oportunidades en el Empleo Dept. de Empleado y Alojamiento Justo

Administración de Carretera Federal/Departamento de Transportación de EE.UU. (USDOT)
Administración de Tránsito Federal de EE.UU. /USDOT Corte Federal o Estatal Agencia Local

Por favor proporcione información sobre una persona de contacto en la agencia/tribunal donde se presentó la queja:

Nombre: _____ Título: _____

Agencia/Corte: _____

Dirección: _____

Número de teléfono: _____

Fecha archivado: _____ Número de caso: _____ Fecha de juicio: _____

Puede adjuntar materiales escritos adicionales u otra información que considere relativa a su queja.

Nota: El uso de la forma de queja no es obligatorio. Usted puede presentar su queja en cualquier forma que incluya su firma. Por favor, firmar y fechar el formulario de queja a continuación.

Certifico que la información mencionada es verdadera y correcta a mi conocimiento.

Firma: _____ Nombre escrito: _____ Fecha: _____

**Por favor envíala a: Julia Tyack, City of Lodi Title VI Coordinator
221 W. Pine Street
PO Box 3006
Lodi, CA 95241-1910**

A petición, ajustes razonables serán proporcionados para completar este formulario, o se proporcionará copias del formulario en formatos alternativos. Póngase en contacto con el Coordinador del ADA/Sección 504 en la dirección mencionada anteriormente, a través del teléfono (209) 333-6700 o a través del Servicio de Retransmisión de Telecomunicaciones (TRS) marcando 7-1-1 o por correo electrónico jwood@lodi.gov



Appendix 4: List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

Per FTA Circular 4702.1B, “all recipients are required to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin”:

- Active investigations conducted by FTA and entities other than FTA
- Lawsuits; and
- Complaints naming the recipient

Thus far, the City of Lodi has not received Title VI Investigations, Complaints or Lawsuits. Below is the list that will be used for tracking these incidents:

Investigations, Lawsuits and Complaints

	Date (Month, Day, Year)	Summary (Include basis of complaint)	Status	Action(s) Taken
Investigations				
1.	N/A			
2.	N/A			
Lawsuits				
1.	N/A			
2.	N/A			
Complaints				
1.	10/31/16	Complainant felt that security guard at Lodi Transit Station was discriminating against him on the basis of size. This complaint was not valid under Title VI or Related Statutes. Following an investigation, the City found that the actions taken by the security guard were consistent with his required duties. The complainant had been previously arrested at Lodi Transit Station for an open alcohol container, and in this incident had a questionable substance on his person that he was showing other waiting passengers and refused to show the guard.	Closed	None
2.	N/A			



Appendix 5: Public Participation Plan

The City of Lodi has a Citywide Public Participation Plan for all City Departments. In addition, the City has Public Participation measures in place that refer specifically to the City's Transit services.

Citywide Public Participation Plan

Purpose

The purpose of the Public Participation Plan is to establish procedures that allow for, encourage, and monitor citizen participation in the City's decision-making process, with special attention paid to soliciting input from low-income, minority, and Limited English Proficient (LEP) populations that are traditionally under-represented. In addition, the City will ensure that all citizens are afforded the right to be involved in the public participation process regardless of race, color, national origin, sex, age, disability, sexual orientation or religion, as required by Title VI of the Civil Rights Act of 1964 and Related Statutes, or any other criteria prohibited by law.

Goals & Objectives

The City's public participation plan has a single comprehensive goal: **to allow the public opportunities throughout the planning process to influence decisions.** In order to meet this goal, the City has established the following objectives:

1. Identify the most appropriate methods for reaching the public.
2. Determine what non-English languages and other cultural barriers exist to public participation within the Lodi area.
3. Hold meetings in locations that are accessible and reasonably welcoming to all area residents, including but not limited to, low-income and minority members of the public.
4. Keep the public informed through effective channels of communication and allow input from those not likely to attend meetings.
5. Work to actively involve the public in programs, policy-making and projects.
6. Ensure that the City's public involvement plan is dynamic and responsive.
7. Use various illustrative visualization techniques to convey the information including but not limited to charts, graphs, photos, maps and the Internet.

Outreach techniques

Engaging minority and Limited English Proficiency (LEP) populations can be challenging. Below is a list of outreach techniques that the City will use to actively solicit public input in the planning process of a project.

Public Meetings, Public Hearings, Open Houses & Focus Groups: The City will host public meetings, public hearings, open houses and/or focus groups to discuss topics/projects of interest with the public. When hosting public meetings, the City will provide adequate notice to the public and follow all federally and state prescribed guidelines regarding public comment periods. At meetings, the City will utilize visualization aides such as power points and maps to assist the public in understanding the topics addressed.

City of Lodi public meetings, public hearings, open houses and focus groups will be scheduled at a time and place accessible to and convenient for the general public to attend. A staff person will record and prepare formal minutes of the public hearing.

Notices to the Public: The City will include notations in public notices in appropriate non-English languages that provide a contact through which the individual can be informed in their language of the

process/project, and the individual will have the opportunity to provide input. In addition, all Council Agendas will include Spanish Language instructions to request interpretation services for all public hearings.

Legal notice of public hearings will be published in a local newspaper of general distribution at least 14 days prior to the public hearing. Additional notices will be placed at City Hall, at the Finance Department, and on the City's webpage (www.lodi.gov).

In addition, notices to the public are posted on the Carnegie Forum Council Chamber kiosk, in the City Hall lobby, and at the California Human Development Office, which local experience shows has a high representation of Spanish speaking clients. For public hearings specific to the Transit Division, public hearing notices will be posted at Lodi Transit Station and on all vehicles.

Website: A well organized and engaging website is the cornerstone of the City's communication strategy. The website offers a user-friendly structure and linguistic style understandable to lay people interested in projects and the planning process. In addition, the website has been developed following the guidelines of Section 508 of the Rehabilitation Act, so that it is able to accommodate users with disabilities.

Social Media: The City will utilize common social media forums (Facebook, Twitter, etc.) to disseminate project information.

Language Identification Cards: Members of the public may identify their language needs to City staff by pointing to their language on the City's language identification cards. These cards will be available at all front counters of City offices.

"LanguageLine" Interpretation Services: The City will implement "LanguageLine" interpretation services Citywide to accommodate interpretation needs in any needed languages.

"Google Translate" Services: Google Translate has been provided on the City's website (www.lodi.gov)

Performance Methods

On an annual basis, the City will undertake an internal review of its public participation plan's effectiveness of engaging the public, by examining criteria, such as:

- Public meeting records
- Records of responses to citizen email, and
- Input from the general public

Public Participation Plan (PPP)

Availability of this plan for review will be advertised in a manner reasonably expected to reach the general public, as well as minority populations, low-income persons, and traditionally under-served populations.

Public Participation Procedures for City of Lodi Transit Services

All measures above are in place for all City departments. In addition, the City's Transit services follow the public participation procedures outlined below to ensure that minority and Limited English Proficient (LEP) populations are included in Transit service decisions related to major service changes, fare increases and Program of Projects (POP).

A major change in service includes:

- Reduction in total system vehicle hours of 10% or more;
- Elimination of service in an area with population of 2,000 or more;
- Elimination of service on one or more days of the week; or
- Changing the type of transit service in an area with population of 2,000 or more.

A fare increase includes:

- Increase in single ride fare for any transit service including other fare categories; or
- Decrease in the discounts offered for fare categories.

Process

For any major service change or any fare increase as defined above, the City of Lodi will schedule a public hearing to present the proposed change(s) and obtain public comment. In addition, the City will present the proposed changes and request comments at the Social Services Transportation Advisory Committee (SSTAC) public meeting, held at the offices of San Joaquin Council of Governments (SJCOG). The SSTAC is made up of members who represent a wide range of riders including minority, low income, senior, and disabled passengers, as well as transit agency representatives. These members share the information provided at the SSTAC meeting with their constituents.

The primary source of service and fare changes will be the Short Range Transit Plan and its approval will fulfill these requirements. Consistent with all City public hearings, legal notice of public hearings will be published in a local newspaper of general distribution at least 14 days prior to the public hearing. Additional notices will be placed at City Hall, the Finance Department, Lodi Transit Station, on transit vehicles, and on the City's Transit webpage (www.lodi.gov/transit). The public hearing will be scheduled at a time and place accessible to and convenient for the general public to attend.

A staff person will record and prepare formal minutes of the public hearing.

Program of Projects

San Joaquin Council of Governments (SJCOG) is the Metropolitan Planning Organization for San Joaquin County. The City of Lodi relies on SJCOG's public participation process to satisfy its public participation requirements for the Program of Projects (POP). SJCOG has a Public Participation Plan that was adopted by the SJCOG Board on April 24, 2014. SJCOG provides outreach to a number of minority and Limited English Proficient organizations, including but not limited to:

African American Chamber of Commerce of San Joaquin County
Asian Pacific Self-Development Residential Association
California Miwok Tribe
California Tribal Partnership
Candelaria American Indian Council
Central Valley Asia-American Chamber of Commerce
El Concilio (Council for the Spanish-Speaking)
Lao Family Community of Stockton, Inc.
Lao Khmu Association, Inc.
NAACP, Stockton Branch

San Joaquin Hispanic Chamber of Commerce
United Cambodian Families
Vietnamese Voluntary Foundation (VIVO)

The City of Lodi will work with these organizations, as well, as part of its outreach.

Outreach to Engage Minority and Limited English Proficient Populations

The City of Lodi will continue assessing the language needs of citizens in its service area through its Language Assistance Plan (LAP), which is described in greater detail in a subsequent section of this Title VI program. To the greatest extent possible, to elicit public participation from minority and Limited English Proficient (LEP) populations, the City will engage in one or more of the following outreach activities:

- Public outreach may include attending already existing community meetings and gatherings, such as school meetings, faith-based events, and other community activities in order to invite participation from LEP populations who may not attend hosted public events.
- The City will ensure that non-English language interpretation will be available at any public meeting or workshop, as is appropriate and necessary.
- Notices will be bilingual, or Spanish language notices will be developed and posted concurrently with English notices, as deemed necessary.
- The City of Lodi will distribute event information to community groups and agencies that work with LEP populations, if such contacts exist.
- The City will contract to provide language assistance or interpretation services for customers and callers that are non-English speaking, as deemed necessary.

Outreach Efforts Since Last Title VI Program Submission

Since the City of Lodi's submission of its last Title VI Program, the City has not had a major service change or fare increase. However, the City has provided outreach to Limited English Proficient populations by providing the following:

- "Language Identification Flash cards" at public meetings and with reservationists at Lodi Transit Station;
- Google Translate services on the City's transit website (www.lodi.gov/transit); and
- Google Translate tool on reservationist computers.



Appendix 6: Table Depicting Minority Representation on Committees and Councils Selected by City of Lodi

The City of Lodi transit system does not have transit-related, non-elected planning boards, advisory councils, or committees, or similar bodies, the membership of which is selected by the City of Lodi. Below is a table that the City of Lodi would use in the event that it committees and councils were selected by City of Lodi. The City would strongly encourage participation of minorities on such committees.

Membership of Boards, Councils, and Committees Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
Population	<i>To be completed when applicable.</i>				
Non-elected Planning Board					
Advisory Council					
Committee					



Appendix 7: System-Wide Service Standards

The Federal Transit Administration (FTA) requires that all fixed route public transit providers develop *quantitative* standards for the following indicators that are applicable specifically to the transit provider's system. They apply agency-wide rather than industry-wide.

1. Vehicle load for each mode

Vehicle load can be expressed as a ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point.

The City of Lodi will strive to have vehicle loads not exceed vehicles' achievable capacities, which are 13 seats for 24-foot buses, 30 seats for 32-foot buses and 44 seats for the trolley. Standing passenger capacity can range for each type of vehicle. Regular weekday and weekend routes have historically had very few standing passengers. During peak times, Express Routes may require a high number of standees due to higher ridership numbers.

1. GrapeLine Weekday Route peak and off peak load= 1.0 (30 passengers for 30 seats on EZ riders; 13 passengers for 13 seats on 24 foot cutaway vehicles; no standees)
2. GrapeLine Express Route peak load= 2.7 (Average of 45 passengers for 17 seats on cutaway buses= 28 standees)
3. GrapeLine Express Route off-peak load= 1.0 (13 passengers for 13 seats on cutaway buses; no standees)
4. GrapeLine Weekend Route peak and off-peak load= 1.0 (30 passengers for 30 seats on EZ riders; no standees)

2. Vehicle headways for each mode

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. Vehicle headways are measured in minutes; service frequency is measured in vehicles per hour. Headways and frequency of service are general indications of service provided along a route.

City of Lodi's fixed route vehicle headways are every 1.0 hour for regular weekday and weekend service; therefore vehicle frequency per route during weekdays and weekends is 1.0 vehicle per hour. This applies to both peak and off-peak service.

Weekday Express routes, which run in the morning and afternoon, operate during the busiest times of the day and serve work and school commuters. Morning times are from 6:10am to 7:46am; afternoon times are from 2:15pm to 3:26pm.

Express 1 AM: 35 minute headways, 2 vehicles per hour frequency (3 runs)

Express 1 PM: 35 minute headways, 2 vehicles per hour frequency (2 runs)
Express 2 AM: 26 minute headways, 3 vehicles per hour frequency (4 runs)
Express 2 PM: 32 minute headways, 2 vehicles per hour frequency (2 runs)
Express 6 AM: 33 minute headways, 2 vehicles per hour frequency (3 runs)
Express 6 PM: 30 minute headways, 2 vehicles per hour frequency (2 runs)

Average is 32 minute headways and 2.2 vehicles per hour frequency.

City of Lodi will look at increasing frequency and shortening headway times in the future on routes that have higher loads.

3. On-time performance for each mode

On-time performance is a measure of runs completed as scheduled.

Below are City of Lodi's performance standards for all fixed routes, per the transit operations contract:

On-Time Departures:

City buses shall depart no more than 5 minutes late from any scheduled and published departure time. Contractor shall strive to meet a minimum of 95% of bus departures within zero to 5 minutes after published or scheduled time points.

Operating Ahead of Schedule:

No bus shall depart a designated time point prior to its scheduled departure time.

Missed Trips:

Contractor shall, at a minimum, complete 100% of all scheduled trips on a monthly basis. Any fixed route trip operating 15 minutes or more behind the scheduled time shall be considered a "missed trip".

Failure to Pick up Passenger:

Contractor shall not fail to pick up any passenger waiting at a designated bus stop.

4. Service availability for each mode

Service availability is a general measure of the distribution of routes within a transit provider's service area.

Seventy-five (75) percent of all residents in the service area are within a one-quarter mile walk of all regular Weekday, Express and Weekend transit bus stops.



Appendix 8: System-Wide Service Policies

The Federal Transit Administration (FTA) requires that all fixed route public transit providers develop *qualitative* standards for the following indicators that are applicable specifically to the transit provider's system. They apply agency-wide rather than industry-wide.

Transit Amenities Policy

Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Fixed route transit providers must set a policy to ensure equitable distribution of transit amenities across the system. This requirement applies after a transit provider has decided to fund an amenity. Transit amenities may include: seating (benches, seats at stops/stations); bus shelters; printed information (signs, system maps, schedules; digital equipment ie: Waste receptacles including trash and recycling).

City of Lodi determines equitable locations of all transit amenities throughout the City. Locations of bus stop improvements including benches, bus shelters, trash cans, recycling containers, etc. are distributed equitably throughout all routes. Bus stop improvements will be given priority at locations that receive higher numbers of boardings and alightings or may need ADA-improvements, but these will be made on a variety of routes throughout the City during each improvement cycle. In addition, transit amenities such as the City's recent Transit Station restroom expansion and current Intelligent Transportation System (Automatic Vehicle Location) project will benefit all passengers regardless of fixed routes used.

Vehicle Assignment Policy

Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and on routes throughout the transit provider's system.

Transit vehicles in Lodi will be assigned to routes based on ridership, type of route, and operating characteristics of buses, including bus length and turning radius.

Routes with lower ridership or that require tight turns on narrow streets may be assigned cutaway (24 foot) buses rather than the larger 32-foot buses, while Route 2/22 will frequently be assigned a large bus to accommodate ridership.

City of Lodi will maintain its fleet and replace vehicles as required by FTA's minimum service life policy (10 years or 350,000 miles for 32 foot buses; 5 years or 150,000 miles for cutaway/24 foot) buses. Distribution of vehicles throughout the fixed route system will not be based on age/condition but rather the needs for that particular route.

All large buses and smaller cutaways are equipped with wheelchair ramps. In addition, all buses have bike racks and air conditioning.



Appendix 9: Employee Education Form

Title VI Policy

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.

In addition, in compliance with State of California requirements, the City of Lodi also ensures that discrimination will not be tolerated on the basis of sex, age, disability, sexual orientation, religion, or other criteria prohibited by law.

All employees of the City and its affiliates are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to City of Lodi Title VI Coordinator (209-333-6706).



Appendix 10: Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge receipt of the City of Lodi's Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits or services delivered by the City on the basis of race, color, or national origin, as protected by Title VI.

In addition, I acknowledge that in compliance with State of California requirements, the City of Lodi also ensures that discrimination will not be tolerated on the basis of sex, age, disability, sexual orientation, religion or other criteria prohibited by law.

Your signature

Print your name

Date



Appendix 11: Sample Letter Acknowledging Receipt of Title VI Complaint

Today's Date

Ms. Jane Doe
1234 Main St.
Lodi, CA 95240

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the City of Lodi alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning (209) 333-6706, or write to:

City of Lodi Public Works Dept.
Attn: Title VI Coordinator
PO Box 3006
Lodi CA 95241-1910

Sincerely,

City of Lodi Title VI Coordinator



Appendix 12: Sample Letter of Finding (Notifying Complainant that Complaint Is Substantiated)

Today's Date

Ms. Jane Doe
1234 Main St.
Lodi, CA 95240

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the City of Lodi alleging a Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of this matter. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from Federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

City of Lodi Title VI Coordinator



Appendix 13: Sample Closure Letter (Notifying Complainant that the Complaint Is Not Substantiated)

Today's Date

Ms. Jane Doe
1234 Main St.
Lodi, CA 95240

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the City of Lodi alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, have in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving Federal financial assistance.

The City has analyzed the materials and facts pertaining to your case for evidence of the City's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to appeal this decision within thirty calendar days of receipt of this final written decision from the City.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, please feel free to contact this office by telephoning (209) 333-6706, or write to:

City of Lodi Public Works Dept.
Attn: Title VI Coordinator
PO Box 3006
Lodi CA 95241-1910

Sincerely,

City of Lodi Title VI Coordinator



Appendix LAP - City of Lodi Language Assistance Plan

Background

The purpose of this Language Assistance Plan is to clarify the responsibilities of the City of Lodi, as a recipient of federal financial assistance from the Federal Transit Administration (FTA) / U.S. Department of Transportation (DOT), to persons with limited English proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted as 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments (such as City of Lodi), private and non-profit entities, and sub-recipients.

Plan Summary

The City of Lodi has developed this Language Assistance Plan (LAP) to help identify reasonable steps to provide language assistance for LEP persons who seek meaningful access to City of Lodi services as required by Executive Order 13166. As defined by this order, a person with Limited English Proficiency is one who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English.

This plan details procedures for identifying a person who may need language assistance, the ways in which assistance may be provided, staff training, how to notify LEP persons that assistance is available, and potential future updates to the plan.

Four Factor Analysis

The U. S. Department of Transportation (DOT) issued its Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons [Federal Register: December 14, 2005 (Volume 70, Number 239)]. This policy states that DOT recipients are required to take reasonable steps to ensure meaningful access to programs by LEP persons. This coverage extends to the recipient's entire program.

There are four factors for agencies to consider when assessing language needs and determining what steps they should take to ensure access for LEP persons. Following is a brief description of the self-assessment undertaken in each of these areas.

In developing the plan, the City of Lodi undertook a Four Factor Analysis as required by USDOT. This considers the following factors:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the City of Lodi.
- 2) The frequency with which LEP persons come into contact with City of Lodi programs, activities, or services;
- 3) The nature and importance of the programs, activities or services provided by the City of Lodi to the population; and
- 4) The resources available to the City of Lodi for LEP outreach, as well as the costs associated with that outreach.

A summation of these considerations is provided in the following section.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the City of Lodi.

In order to understand the proportion of LEP persons eligible to be served or likely to be encountered by the City of Lodi, the City examined the Census Bureau's *2010-2014 American Community Survey 5-Year Estimates: Language Spoken at Home by Ability to Speak English for the Population 5 years and Over*; *2011-2013 American Community Survey 3-Year Estimates: Selected Social Characteristics in the United States*; and the *State & County Quick Facts for Lodi city, California*.

State & County QuickFacts for Lodi city, CA showed a 2015 population 64,596. Per the *2011-2013 American Community Survey 3-Year Estimates*, the population 5 years and over is 58,708 or 90.9% of the population.

Using the percentages in "Language Spoken At Home" from the *2011-2013 American Community Survey 3-Year Estimates*, the City of Lodi has determined the following about the City's population over age 5 in the service area:

- 66.1% or 38,811 people speak English only.
- Approximately 33.9% or 19,897 people speak a language other than English. 16.4% or an estimated 9,606 people speak English less than "very well".
- The largest proportion of non-English speaking language groups is Spanish: 25.7% or an estimated 15,082 people speak Spanish and 12.4% or 7,268 of this language group speak English less than "very well".
- 6.1% or an estimated 3,610 people speak Other Indo-European languages, and of these 2.9% or 1,704 people speak English less than "very well".
- 1.8% or an estimated 1,036 people speak Asian and Pacific Island languages, and of these 0.9% or 555 people speak English less than "very well".

(See Appendix LAP-1: 2011-2013 American Community Survey 3-year Estimates: Lodi, CA and State & County QuickFacts for Lodi city, California)

DOT has adopted Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations.

"The 'Safe Harbor Provision' as defined by Department of Justice, stipulates that if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations."

The City further examined specific languages using the Census Bureau's *2010-2014 American Community Survey 5-Year Estimates: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over*. This data allowed the City to determine whether or not those speaking languages other than Spanish fall under the 'Safe Harbor Provision'. Please refer to Appendix LAP-2: 2010-2014 American Community Survey 5-Year Estimates: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.

All language groups other than "Spanish" and "Other Indic Languages" have estimated populations of less than 1,000 persons and 5% of the total population. "Other Indic Languages" total an estimated 1,016 people (1.7% of the population) but do not include Armenian, Persian, Gujarati, Hindi or Urdu. Languages are not specified. Because this category does not include one specific language and is less than 5% of the total population, the City will need to examine more closely the needs of this group in future updates of the Title VI program. Urdu (an estimated 869 people of 1.5% of the total population) may approach the Safe Harbor Provision threshold in coming years. The City will further examine providing services to these language groups in annual reviews of the Title VI Program.

2. The frequency with which LEP persons come into contact with City of Lodi programs, activities, or services.

The City of Lodi regularly assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying drivers. The City of Lodi staff and drivers have had frequent interactions with Spanish speaking passengers on all fixed routes. The City posts all notices to passengers in both English and Spanish, provides bilingual fixed route and Dial-A-Ride information guides, and ensures that all phone recordings have a Spanish option. The Transportation Planner and the Contractor have bilingual capabilities to accommodate requests in Spanish.

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

Public transportation is an essential service for City of Lodi's residents. The City's 'transit-dependent' population includes elderly persons, people with disabilities, youth, and individuals below the poverty line and without vehicles.

According to the *2011-2013 American Community Survey 3-Year Estimates: Selected Social Characteristics in the United States*, the largest geographic concentration of LEP individuals in the City of Lodi's service area is Spanish-speaking. This population is 25.7% of the population over 5 years of age, or an estimated

population of 15,082. Those that speak English less than “very well” are 12.4% of the population or an estimated 7,268 people.

There are several social, service, professional and leadership organizations within the City of Lodi service area that focus on outreach or membership of these LEP individuals. These organizations include but are not limited to El Concilio "Council for the Spanish Speaking" which serves San Joaquin and Stanislaus Counties, and San Joaquin Hispanic Chamber of Commerce.

Of the other LEP populations, ‘Other Indo-European’ and ‘Asian and Pacific Island’ languages, the proportion of speakers who speak Spanish less than “very well” is much smaller than that of Spanish speakers. The City of Lodi Transit Division will look into providing translated materials to these populations in the future as well.

4. The resources available to the City of Lodi for LEP outreach, as well as the costs associated with that outreach.

The City of Lodi has assessed its available resources that could be used for providing LEP assistance. Because a large percentage of the riders have been identified as Spanish speaking, the City of Lodi employs a Spanish-speaking Transportation Planner who translates rider guides, brochures, posted flyers, policies, and phone call system recordings, among other necessary materials. The City of Lodi GrapeLine also requires, per its Transit Service Contract, that a Spanish-speaking reservationist be available at Lodi Transit Station. This individual handles reservations and assists customers at the customer service window. Either the Transportation Planner or the Spanish-speaking Contract employee hired by the Contractor updates materials as necessary.

The City of Lodi has also analyzed other types of translations that may be necessary, taking into consideration the other languages that may have been requested in the past. This includes, to a limited extent, Urdu and Tagalog.

Language Assistance Plan Outline

After analyzing the four factors, the City of Lodi developed the following Language Assistance Plan to assist persons of limited English proficiency.

How the City of Lodi Staff may identify an LEP person who needs language assistance:

- Examine records of requests for language assistance from past meetings and events to determine the possible need for assistance at future events;
- When City of Lodi -sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and speak to each attendee to informally gauge their ability to speak and understand English. The staff member will ask a question that requires a full sentence reply to verify proficiency;
- Have the Census Bureau’s “Language Identification Flashcards” at City of Lodi events so that individuals can self-identify as needing translation assistance. Although staff may not be able to assist at the meeting, they will be able to provide translated materials after the event, and the cards will be a tool to identify language needs for future meetings. Language Identification cards

will also be available at the Lodi Transit Station lobby at the reception desk and will be used by reservationists;

- Survey drivers and other front-line staff, such as dispatchers, on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.

Language Assistance Measures

The City of Lodi will continue to implement the following procedures:

- Census Bureau's "Language Identification Flashcards" will be located at the Customer Service window in Lodi Transit Station at all times.
- If an individual is a Spanish-speaker, the City of Lodi has a Spanish-speaking reservationist available at Lodi Transit Station (per Transit Service Contract requirement). This individual handles reservations and assists customers at the customer service window.
- 'Google Translate' Online Translation tool is available on the Transit website
- When an interpreter is needed, in person or on the telephone, and the City of Lodi staff has exhausted the above options, staff will first attempt to determine what language is required. Staff will utilize the telephone interpreter service - Language Line Services.

City of Lodi Staff Training

All City of Lodi Transit Administrative staff will be provided with the LAP Plan and will be educated on the following procedures. This information will also be part of the staff orientation process for new hires.

Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- Language assistance services the City of Lodi offers;
- Use of LEP "Language Identification Cards" for the Census Bureau;
- How to use the "Language Line" interpretation and translation services;
- Documentation of language assistance requests; and
- How to handle a Title VI and/or LEP complaint.

Outreach Techniques

City of Lodi will use the following outreach techniques:

- When staff is hosting a meeting or workshop or presenting a pertinent topic, all meeting notices and flyers and agendas will be printed in Spanish, and an alternative language if it is determined that such language is necessary.
- The City will include notations in public notices in appropriate non-English languages that provide a

contact through which the individual can be informed in their language of the process/project, and the individual will have the opportunity to provide input. In addition, all Council agendas will include Spanish language instructions to request interpretation services for all public hearings.

- In addition to the existing Spanish language translations of key print materials, the City of Lodi will provide translation of schedules, maps, and notices in languages otherwise determined to be necessary, and will make these available at Lodi Station, and on board vehicles.

Monitoring and Updating the Language Assistance Plan

The City of Lodi's Transit System Language Assistance Plan is designed to be easily updated. At a minimum, the City of Lodi will follow the Title VI Program update schedule of submission every 3 years.

Each update of the LEP Plan will examine plan components including:

- How many LEP persons were encountered annually?;
- Were the needs of these LEP persons met?;
- What is the current LEP population in the City of Lodi service area?;
- Is a change needed in the types of language translation services provided?;
- Is there still a need for continued language assistance for previously identified City of Lodi Transit System programs? Are there other programs that should be included?;
- Have the City of Lodi's available resources, such as technology, staff, and financial costs changed?;
- Has the City of Lodi fulfilled the goals of the LAP Plan?; and
- Were any complaints received?

Dissemination of the City of Lodi Language Assistance Plan

The City of Lodi will include the Language Assistance Plan along with the Title VI Program on the City of Lodi transit website (www.lodi.gov/transit). Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan. Copies of the Language Assistance Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions regarding this plan should be directed to the City of Lodi Title VI Coordinator:

City of Lodi Title VI Coordinator
221 West Pine Street
PO Box 3006
Lodi, California 95240
Phone: (209)333-6706

Appendix LAP-1: 2011-2013 American Community Survey 3-year Estimates: Lodi city, CA and State & County QuickFacts for Lodi city, CA

2011-2013 American Community Survey 3-Year Estimates: Lodi, CA				
Estimated 2015 Total Population from State & County QuickFacts: 64,596				
Language Spoken at Home	Estimate	Margin of Error (+/-)	Percent	Percent Margin of Error (+/-)
Population 5 years and over	58,708	+/-642	90.9%	(X)
English only	38,811	+/-1,622	66.1%	+/-2.7
Language other than English	19,897	+/-1,633	33.9%	+/-2.7
Speak English less than "very well"	9,606	+/-1,178	16.4%	+/-2.0
Spanish	15,082	+/-1,537	25.7%	+/-2.6
Speak English less than "very well"	7,268	+/-1,075	12.4%	+/-1.8
Other Indo-European languages	3,610	+/-711	6.1%	+/-1.2
Speak English less than "very well"	1,704	+/-456	2.9%	+/-0.8
Asian and Pacific Islander languages	1,036	+/-475	1.8%	+/-0.8
Speak English less than "very well"	555	+/-283	0.9%	+/-0.5
Other languages	169	+/-146	0.3%	+/-0.2

Sources:

“Selected Social Characteristics in the United States: 2011-2013 American Community Survey 3-Year Estimates (DP02)”

Weblink:

http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_3YR_DP02&prodType=table

and

“State & County QuickFacts, Lodi city, California”

Weblink: <http://www.census.gov/quickfacts/table/PST045215/0642202,00>

Appendix LAP-2: 2010-2014 American Community Survey 5-year Estimates: Language Spoken at Home By Ability to Speak English for the Population 5 Years and Over

	Lodi city, California	
	Estimate	Margin of Error
Total:	58,613	+/-520
Speak only English	37,606	+/-1,266
Spanish or Spanish Creole:	15,525	+/-1,212
Speak English "very well"	7,796	+/-803
Speak English less than "very well"	7,729	+/-808
French (incl. Patois, Cajun):	195	+/-93
Speak English "very well"	158	+/-81
Speak English less than "very well"	37	+/-30
French Creole:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Italian:	84	+/-66
Speak English "very well"	49	+/-57
Speak English less than "very well"	35	+/-34
Portuguese or Portuguese Creole:	89	+/-65
Speak English "very well"	81	+/-63
Speak English less than "very well"	8	+/-13
German:	216	+/-87
Speak English "very well"	184	+/-83
Speak English less than "very well"	32	+/-32
Yiddish:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Other West Germanic languages:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Scandinavian languages:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Greek:	15	+/-17
Speak English "very well"	0	+/-29
Speak English less than "very well"	15	+/-17
Russian:	43	+/-50
Speak English "very well"	8	+/-13
Speak English less than "very well"	35	+/-45
Polish:	52	+/-58
Speak English "very well"	35	+/-37
Speak English less than "very well"	17	+/-26
Serbo-Croatian:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Other Slavic languages:	93	+/-147
Speak English "very well"	93	+/-147
Speak English less than "very well"	0	+/-29

Armenian:	10	+/-14
Speak English "very well"	0	+/-29
Speak English less than "very well"	10	+/-14
Persian:	159	+/-133
Speak English "very well"	124	+/-110
Speak English less than "very well"	35	+/-33
Gujarati:	6	+/-9
Speak English "very well"	6	+/-9
Speak English less than "very well"	0	+/-29
Hindi:	171	+/-144
Speak English "very well"	79	+/-58
Speak English less than "very well"	92	+/-103
Urdu:	869	+/-340
Speak English "very well"	324	+/-193
Speak English less than "very well"	545	+/-214
Other Indic languages:	1,016	+/-462
Speak English "very well"	483	+/-317
Speak English less than "very well"	533	+/-230
Other Indo-European languages:	494	+/-350
Speak English "very well"	202	+/-170
Speak English less than "very well"	292	+/-211
Chinese:	385	+/-213
Speak English "very well"	173	+/-129
Speak English less than "very well"	212	+/-151
Japanese:	100	+/-46
Speak English "very well"	65	+/-39
Speak English less than "very well"	35	+/-25
Korean:	61	+/-87
Speak English "very well"	35	+/-53
Speak English less than "very well"	26	+/-34
Mon-Khmer, Cambodian:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Hmong:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Thai:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Laotian:	5	+/-10
Speak English "very well"	0	+/-29
Speak English less than "very well"	5	+/-10
Vietnamese:	51	+/-43
Speak English "very well"	28	+/-31
Speak English less than "very well"	23	+/-30
Other Asian languages:	308	+/-275
Speak English "very well"	157	+/-151
Speak English less than "very well"	151	+/-134
Tagalog:	518	+/-227
Speak English "very well"	212	+/-126

Speak English less than "very well"	306	+/-134
Other Pacific Island languages:	178	+/-210
Speak English "very well"	99	+/-132
Speak English less than "very well"	79	+/-83
Navajo:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Other Native North American languages:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Hungarian:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Arabic:	299	+/-296
Speak English "very well"	150	+/-157
Speak English less than "very well"	149	+/-140
Hebrew:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
African languages:	58	+/-99
Speak English "very well"	37	+/-63
Speak English less than "very well"	21	+/-36
Other and unspecified languages:	7	+/-13
Speak English "very well"	7	+/-13
Speak English less than "very well"	0	+/-29

Source:

“2010-2014 American Community Survey 5-Year Estimates: Language Spoken at Home By Ability to Speak English for the Population 5 Years and Over (B16001)”

Weblink:

http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_B16001&prodType=table