

FTA TITLE VI ASSESSMENT & IMPLEMENTATION PLAN

INTRODUCTION

The City of Maricopa's mission is to continually improve the quality of the City's transportation network, thus, providing our citizens with the safest and most efficient transportation system possible.

The City of Maricopa is the secondary recipient for Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) funds. In addition to Federal financial assistance, the City of Maricopa receives technical assistance with transportation related projects. As a regulatory condition of obtaining these funds, the City of Maricopa is required to administer a program that establishes Title VI goals and objectives, which pertain to a multi-modal transportation system. Every member of the Development Services Department is responsible for implementation and monitoring compliance with the Title VI Program.

The focal point of nondiscrimination law is Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin. This focal point refers particularly to the responsibilities of the City of Maricopa and has to comply with requirements by the **Federal Transit Administration (FTA)**. There is, however, a broader application of nondiscrimination law that is found in other statutes, regulations, and executive orders. Discrimination based on sex, disability, and age are prohibited, as well as, unfair and inequitable treatment of persons as a result of projects, which are undertaken with Federal financial assistance. This broader application refers to requirements by the **Federal Highway Administration (FHWA)**. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients and contractors whether those programs and activities are federally funded or not.

Inquiries concerning policies, compliance with applicable laws, statutes, regulations, and complaints may be directed to: Arizona Department of Transportation-Civil Rights Office, 1135 N. 22nd Avenue, Mail Drop 154A, Phoenix, Arizona 85009.

TITLE VI POLICY

It is the policy of the City of Maricopa to ensure that all its programs, policies, and activities do not have the effect of excluding persons from participation in, denying the benefits of, or subjecting persons to discrimination due to race, color, or national origin. It is the responsibility of every person employed within the City of Maricopa to incorporate and implement actions consistent with nondiscrimination in programs.

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, and national origin in federally assisted programs. The City of Maricopa is a recipient of federal funds and as such, it, as well as, all of its responsible agents, contractors, and consultants, is required to assure such nondiscrimination. This prohibition against discrimination applies to all phases, activities, and programs of the City of Maricopa when any project or program receives federal assistance, regardless of whether that particular program or activity is directly federally funded or assisted.

This prohibition against discrimination applies not only to activities and programs provided directly by Arizona Department of Transportation through its staff and resources, but also to activities and programs funded totally or in part by Federal Transit and Federal Highway Administration through contracts or other funding relationships, or assistance. Due to its broad scope and applicability both civil rights and program personnel are involved in assuring that discrimination does not occur.

The City of Maricopa is given the authority to administer and monitor this Title VI Program as communicated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation.

Brenda S. Fischer
City Manager

Date

GOALS & OBJECTIVES

The City of Maricopa has a commitment to public participation for all transportation plans and construction projects. The City of Maricopa will adhere to the regulations set forth by the Federal Transit Administration and Federal Highway Administration, and require that all sub recipients demonstrate explicit consideration and response to public input received during the planning and program development processes. The public participation process will provide early and continuing involvement; full public access to citizens, public agencies, providers of private transportation, and the citizens affected by transportation plan and construction projects; and clear, accurate, and timely information. The goals and objectives of this policy are:

1. Bring a broad cross-section of the public into the public policy and transportation planning decision making process.
2. Provide citizens with opportunities to participate in developing plans and programs for their community.
3. Make information on government activities widely available to the public.
4. Maximize the use of communications technology to facilitate the exchange of information between public officials and citizens, including use of the City of Maricopa web site and other electronically accessible formats (newsletter, e-mail, etc.).
5. Ensure that technical information is available in an understandable form and that all citizens are afforded access to this information.

The Citizen Participation Plan (Article 16-4 of the Zoning Code) was approved for the Planning Department in 2007. This current plan is based upon Article 16-4, but expands upon it in a number of ways and has a focus on the Transportation Department. Included is a structured approach consisting of three levels of public involvement, depending on the nature and scope of each project or plan. This plan also takes into account new methods, and, in fact, new technologies, which give the public greater access to the transportation planning process. The City of Maricopa will actively seek public input through a variety of techniques, which includes media relations (newspapers, television, etc.), public notices, appropriate comment periods, newsletters, surveys, workshops and charrettes, public hearings, and input from local member governments and their appointed committees and similar entities. The specific techniques used will depend on the requirements of each specific planning task.

The City of Maricopa shall consult with agencies responsible for historic preservation, natural resource conservation, environmental protection, and land use management, as appropriate, in the development of the short and long-term transportation plans. In conjunction with the development of long-term transportation planning, including the Regional Transportation Plan (RTP) and the Regionally Significant Routes for Safety and Mobility (RSRAM) Plan, environmental mitigation shall be discussed. A general discussion of potential environmental impacts, avoidance, and mitigation activities shall be developed by the City of Maricopa in consultation with federal, state, tribal agencies, environmental, and other regulatory agencies.

It is the policy of the City of Maricopa to have a proactive, public participation process that provides complete information, timely public notice, and full public access to City of Maricopa's activities at all key stages in the decision making process. It is also the City of Maricopa's policy to involve the public early in the planning process, and to actively seek out the involvement of communities most affected by particular plans or projects. Furthermore, it is a goal that all the City of Maricopa's transportation plans and programs be developed in a manner that assures that the public and affected citizens are afforded ample opportunity to participate in the development of such plans.

ASSESSMENT

The major Title VI challenges faced by the planning and construction processes are to ensure effective and comprehensive participation throughout the process, including participation from low income, minority, and traditionally underserved populations; to seriously consider and analyze all input; to address prospective impacts and benefits; and to document all of the above.

The City of Maricopa acknowledges that it is committed to the development of a culture of municipal governance that complements formal representative government with a system of participatory governance. The City of Maricopa has a legal obligation to establish appropriate mechanisms, processes, and procedures to enable the local community to participate in its affairs.

PLAN

The City of Maricopa will continue to identify specific outreach methods for use during the public involvement process. These methods and activities will work toward improving participation by low income and minority populations, person with limited English proficiency, and persons with disabilities. Methods include, but are not limited to:

- City of Maricopa will update and maintain a mailing database to ensure that the database includes any changes to local government offices and contacts. With the assistance from regional community leaders, updates will be added to the database to increase outreach to underserved communities.
- City of Maricopa will update the Citizen Participation Plan with continued emphasis and augmentation of outreach techniques and opportunities for low income, minority, and disabled populations.
- Through updates of the City of Maricopa website, the Development Services Department web pages will also continue to be improved, thus, becoming more user friendly and accessible, with greater opportunity for participation by all members of the public.

Development Services staff will continue with efforts discussed in this plan. Many of these are on-going efforts that will be evaluated annually and are an important component of the overall transportation planning process.

LIMITED ENGLISH POLICY

Limited English Proficiency is a term used to describe individuals who do not proficiently speak or understand the English Language; the City of Maricopa is home to such individuals. Executive Order (E.O.) 13166, Improving Access to Services for Persons with Limited English Proficiency, August 2000 is directed at implementation of protections afforded by Title VI of the Civil Rights of 1964 to these individuals. The City of Maricopa is committed to providing all individuals affected by the City of Maricopa activities with meaningful access to programs and services regardless of their language barriers.

The City of Maricopa will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our public participation process. The policy of the City of Maricopa is to ensure meaningful communication with LEP citizens. All representatives of the City of Maricopa will comply with this policy and this policy will be provided without cost to the persons being served.

According to the 2010 Census Statistics estimate, Maricopa's population is a little over forty-three thousand. Also according to the 2010 Census Bureau study of Maricopa's population the number and percentage of persons over 18 who speak a language other than English and who do not speak English well is as follows:

Language	LEP#	% of Maricopa Population
Spanish	3,396	15.2%
Indo-European	451	1.8
Asian and Pacific Island	600	2.7%
Other	168	.06

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts, or through formal arrangement that includes advance notice to the City of Maricopa, which will allow adequate preparation to fulfill the LEP individual's request. The City of Maricopa may need to seek assistance from other local organizations providing interpretation, translation, or technology and telephonic interpretation services. All City of Maricopa staff will be provided notice of this policy and procedure. Staff who may have direct

contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

The City of Maricopa will conduct a regular review of the language access needs of our citizen population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

PROCEDURES

1. Identifying LEP Persons and Their Language

The City of Maricopa will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card or “I speak cards,” available online at www.lep.gov, or posters to determine the language. In addition, when records are kept of past interactions with citizens, the language used to communicate with the LEP person will be included as part of the record.

2. Obtaining a Qualified Interpreter

The City of Maricopa will maintain an accurate and current list showing the name, language, phone number, and hours of availability of bilingual staff.;

Contact the appropriate bilingual staff member to interpret;

Obtain an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will only be used as interpreters if specifically requested by the LEP individual. Children may be used to interpret information and accurate communication.

3. Providing Written Translation

If a LEP individual requests translation of a vital program documents, the City of Maricopa will provide the translated document in the requested language. The City of Maricopa will provide the translated document within 14 working days from the date of the request.

4. Providing Notice to LEP Persons

The City of Maricopa will include a statement on all public notices informing LEP persons of the availability of free-of-charge language assistance. At a minimum, the City will post an LEP notice on the City of Maricopa website and at Maricopa City Hall.

5. Monitoring Languages Needs and Implementation

On an ongoing basis, the City of Maricopa will assess changes in demographics, types of services, or other needs that may require re-evaluation of this policy and its procedures.

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EXTERNAL TITLE VI COMPLAINT PROCESS

Any person who believes they have been discriminated against on the basis of race, color, or national origin by the City of Maricopa (hereinafter referred to as “the City”) may file a Title VI complaint by completing and submitting a Title VI Complaint Form. The City will investigate complaints received no more than 180 days after the alleged incident. The City will process complaints that are complete. Once the complaint is received, the City will review it to determine its jurisdiction. The complainant will receive an acknowledgement letter informing them whether the complaint will be investigated.

The City or its designee has 60 days to investigate the complaint. If more information is needed to resolve the case, the City may contact the complainant. The complainant has 20 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive requested additional information within 10 business days, the City can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

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

Arizona Department of Transportation- Civil Rights Office
1135 N. 22nd Avenue
Mail Drop 154A
Phoenix, Arizona 85009

OR

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Ave., SE,
Washington, DC 20590

EXTERNAL TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act and related nondiscrimination statutes and regulations require that no person in the United States shall, on the ground 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 following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete, sign and return this form to: Human Resources Director, Title VI Complaint, City of Maricopa, P. O. Box 610, Maricopa, Arizona 85139.

1. Complainant's Name _____

2. Address _____

3. City _____ State _____ Zip Code _____

4. Telephone Number (home) _____ (business) _____

5. Person discriminated against (if someone other than the complainant)

Name _____

Address _____

City _____ State _____ Zip Code _____

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

Was it because of:

a. Race/Color b. Sex c. Disability d. National Origin e. Age

7. What date did the alleged discrimination take place?



8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. You may attach additional pages or any written materials or other information that you think is relevant to your complaint.

9. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? Yes No

If yes, check each box that applies:

Federal agency Federal court State agency State Court Local agency

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

Name _____

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____

11. Please sign below.

Signature

Date



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