



LAKE HAVASU CITY TRANSIT

TITLE VI PLAN AND IMPLEMENTATION PROGRAM

Dated August 25, 2020

Nondiscrimination in Federally Assisted Programs

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Introduction

In accordance with Title VI of the Civil Rights Act of 1964, this program reflects the Lake Havasu City Transit Division's commitment to ensuring that no person 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 provided by Lake Havasu City Transit.

Lake Havasu City has provided services to the local community surrounding area since 2005. Over the years, the transit programs have been funded by Lake Havasu City, Federal Transit Administration 5310, 5311, 5339, and, 5307 grant funds, and local sponsorships. The Lake Havasu City Transit Division is a division of Lake Havasu City Public Works Department.

In accordance with the FTA Title VI Circular, Lake Havasu City Transit is required to submit a Title VI Program triennially. The Title VI Program is a compilation of documents, plans, maps, policies and standards, etc. that demonstrate Lake Havasu City Transit's compliance with Title VI. Guidance provided by FTA Title VI Circular 4702.1B requires approval of the City Council of Lake Havasu City.

History of Lake Havasu Transit

Lake Havasu City has been providing its citizens transit service for over 30 years. Throughout this time there has been a variety of public transit offerings that have changed with the growth of the City. As the surrounding area began to develop it was identified that the public needed a transit service for its unique rural desert community. The City began offering a dial-a-ride service in 1986 which was well received by the community and supported by the City. As the community continued to grow so did the need for additional transit. The original service that started in 1986 remained the same for many years with the only change being the name from dial-a-ride to City Transit. Annual ridership increased to 140k in 2005 a peak that has never been surpassed. Again, population continued to grow bringing increases to both the ridership and the expenses to deliver the service. The City began to work toward a solution that would continue to fill needs of the transit dependent citizens while still maintaining a demand response service for seniors and persons with disabilities and still be financially manageable.

The City contracted with a transit consulting group to seek out a solution and a replacement of the current City Transit service. At the conclusion of the transit study from the consultant, the City Council approved the plan to bring a fixed route transit system to the City in 2006. Supplemental funding would come from the City, Federal and state funding through ADOT's 5311 grant program. The new fixed route was utilized from the start in the early years of operation and continued until 2010. In early 2010 the consequences of the recession started to affect the local and surrounding economies and transit was affected as well, seen through ridership's declining numbers

During this time period the City would lose two funding sources, state and federal, that were key in the creation of the fixed route service. Also, the outcome of 2010 Census directly impacted the 5311 grant funding the City was receiving from ADOT. Lake Havasu City's population exceeded 50,000 making the City ineligible to receive grant funding from the state. The next transit funding opportunity would come from the 5307 Federal grant program. With the reduction of grant revenue and a potential general fund subsidy dramatically increasing the City Council had to make the difficult decision of eliminating public transit service in 2014. In an effort to continue to offer transportation to the most transit dependent citizens, the City Council directed the transit department to reopen as a much smaller service providing curb-to-curb service to seniors and persons with disabilities for grocery, medical and employment rides.

The Transit Division worked with ADOT to become a recipient of its 5310 grant program "Enhanced Mobility of Seniors and Individuals with Disabilities Program." The City continued its financial support through the general fund and offer the service under the name of Havasu Mobility. Ridership increased and citizens began to inquire frequently when there would be a public transit system available to all residents. In 2016, the Transit Division facilitated meetings with internal City management, the Lake Havasu MPO, and ADOT to bring a transit study to Lake Havasu City. The completed Transit Study-Plan was adopted by the City Council in January 2020. With a new supportable vision and sustainable plan for transit, a new City Manager, pro transit City Council, and Transit Manager, Lake Havasu City has successfully become a direct recipient of 5307 FTA apportionments. The Transit Division is currently in the process of submitting all required documentation and grant requests in TrAMS with an estimated launch of a fixed route in 2021.

Signed Policy Statement

A policy statement signed by the Transit Manager assuring Lake Havasu City Transit's compliance with Title VI of the Civil Rights Act of 1964 is attached as **Attachment A**.

Title VI Notice to the Public

The Lake Havasu City Transit's Title VI Notice to the Public shall be posted at the following locations:

Lake Havasu City Transit Office

Lake Havasu City Transit Meeting Room

On board vehicles operated by Lake Havasu City Transit

On the Lake Havasu City website

A copy of the public notice is attached as **Attachment B**:

Attachment A

Title VI Non- Discrimination Policy Statement

Lake Havasu City Transit is committed to complying with the requirements of Title VI in all of its programs and activities. Questions policy assures full compliance with Title VI of the Civil Rights act of 1964 as well as the Restoration Act of 1987, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related statutes and regulations in all programs and activities. In accordance with Title VI and other civil rights statues, no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Lake Havasu City Transit sponsored program or activity. There is no distinction between the sources of funding.

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

As required in FTA C 4702.1B, all sections of the Circular which pertain to FTA recipients from urbanized areas with a population of less than 200,000 are taken into consideration and applied as applicable to this assessment. LHCT has no sub-recipient(s) and will be a direct recipient of 5307 FTA funds.



Patrick Cipres

Transit Manager-Lake Havasu City



Title VI Notification

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “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.” (42 U.S.C. Section 2000d)

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color or national origin by a recipient of Federal Transit Administration funding can file an administrative complaint with the Federal Transit Administration’s Office of Civil Rights under Title VI of the Civil Rights Act of 1964. Complaints should be signed and include contact information and should be sent to:

Lake Havasu City Transit
900 London Bridge Road
Building B
Lake Havasu City, AZ 86404
Phone: (928) 453-7600

Title VI Notificación

Título VI de la ley de derechos civiles de 1964 prohíbe la discriminación sobre la base de raza, color u origen nacional en programas y actividades que reciban asistencia financiera Federal. Específicamente, título VI estipula que "ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, se excluirán de la participación en, negar los beneficios de o ser objeto de discriminación bajo ningún programa o actividad que reciba asistencia financiera Federal." (42 U.S.C. sección 2000d)

Individuos u organizaciones que creen que se les ha negado los beneficios de, excluido de la participación en, o sujetas a discriminación por motivos de raza, color u origen nacional por un beneficiario de la financiación de la Administración Federal de tránsito puede presentar una queja administrativa con la Administración Federal de tránsito Office of Civil Rights en virtud del título VI de la ley de derechos civiles 1964. Quejas deben firmarse y incluyan información de contacto y deben enviarse a:

Lake Havasu City Transit
900 London Bridge Road
Building B
Lake Havasu City, AZ 86404
Phone: (928) 453-7600



Lake Havasu City Transit

Title VI / ADA Complaint Procedures

Non Discrimination Complaint Procedures

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

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, national origin, or disability may file a Discrimination complaint by completing and submitting the Lake Havasu City Transit's Title VI Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The Title VI / ADA administrator can assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted the Lake Havasu City Transit Title VI Administrator will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by Lake Havasu City Transit or submitted to the State or Federal authority for guidance.

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- (7) Lake Havasu City Transit will notify the ADOT Civil Rights Office of ALL Discrimination complaints within 72 hours via telephone at 602-712-8946; or email at civilrightsoffice@azdot.gov.
- (8) Lake Havasu City Transit's Division has 10 days to investigate the complaint. If more information is needed to resolve the case, the Lake Havasu City Transit may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the Transit Division can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- (9) After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.
- (10) A copy of either the closure letter or LOF must be also be submitted to ADOT within 72 hours of that decision. Letters may be submitted by hardcopy or email.
- (11) A complainant dissatisfied with Lake Havasu City Transit's decision may file a complaint with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) offices of Civil Rights: ADOT: ATTN ADA/Title VI Program Coordinator 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 FTA: Attention Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

A copy of these procedures can be found online at: www.lhcaz.gov



Lake Havasu City Transit

Title VI / ADA Complaint Form

Discrimination Complaint Form

Lake Havasu City Transit is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis race, color, or national origin (including Limited English Proficiency), as provided by Title VI of the Civil Rights Act of 1964, as amended, or on the basis of age, sex/gender, ability, gender identity or expression, and sexual orientation as provided by other civil rights statutes. Complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please call (928) 453-5479. The completed form must be returned to Lake Havasu City Transit, Attn: Title VI Administrator, 900 London Bridge Road, Bldg. B, Lake Havasu City, AZ. 86404 or email: cipresp@lhcaz.gov



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Title VI/ADA Complaint Form

Section I:

Name:

Address:

Telephone (Home):

Telephone (Work):

Electronic Mail Address:

Accessible Format Requirements?

Large Print

Audio Tape

TDD

Other

Section II:

Are you filing this complaint on your own behalf?

Yes*

No

**If you answered "yes" to this question, go to Section III.*

If not, please supply the name and relationship of the person for whom you are complaining.

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

Yes

No

Section III:

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

Race Color National Origin

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

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

Section VI:

Have you previously filed a Discrimination complaint with this agency?

Yes

No

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If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?
 Yes No
If yes, check all that apply:
 Federal Agency: ____
 Federal Court:____ State Agency: _____
 State Court : _____ Local Agency: _____

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

Name:

Title:

Agency:

Address:

Telephone:

Section VI:

Name of agency complaint is against:

Name of person complaint is against:

Title:

Location:

Telephone Number (if available):

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

Signature

Date

Please submit this form in person at the address below, or mail this form to: cipresp@lhcaz.gov

Spanish Complaint Form



Transporte de la Ciudad de Lake Havasu
Forma de Quejas Bajo el Título VI/ADA

Sección I:		
Nombre:		
Domicilio:		
Teléfono (Hogar):		Teléfono (Trabajo):
Domicilio de Correo Electrónico:		
¿Requerimientos de Formato Accesible?	<input type="checkbox"/> Letra Grande	<input type="checkbox"/> Cinta de Audio
	<input type="checkbox"/> TDD	<input type="checkbox"/> Otro
Sección II:		
¿Está usted llenando esta queja a su propio nombre?		<input type="checkbox"/> Sí* <input type="checkbox"/> No
<i>*Si contestó "sí" a esta pregunta, pase a la Sección III.</i>		
Si contestó no, por favor provea el nombre y la relación de la persona por quien usted está registrando la queja.		
Por favor explique por qué está registrando esta queja por un tercero:		
Por favor confirme que usted ha obtenido el permiso de la parte agraviada si está registrando la queja a nombre de un tercero.		<input type="checkbox"/> Sí <input type="checkbox"/> No
Sección III:		
Yo creo que la discriminación por la que pasé fue basada en (marque todo lo que sea aplicable):		
<input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen Nacional <input type="checkbox"/> Discapacidad		
Fecha de la Presunta Discriminación (Mes, Día, Año): _____		
<p>Explique con la mayor claridad posible lo que sucedió y por qué cree usted que se le discriminó. Describa a todas las personas involucradas. Incluya el nombre y la información de contacto de la/s persona/s que le discriminó/aron (si lo sabe), así como los nombres y la información de contacto de cualquier testigo. Si se necesita más espacio, por favor use la parte posterior de esta forma.</p>		

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Sección VI:		
¿Ha usted registrado previamente una queja de discriminación con esta agencia?	<input type="checkbox"/> Sí	<input type="checkbox"/> No
Si contestó "sí", por favor provea cualquier información de referencia con respecto a su queja previa.		
Sección V:		
¿Ha usted registrado esta queja con cualquier otra agencia federal, estatal, o local, o con cualquier corte federal o estatal?		
<input type="checkbox"/> Sí <input type="checkbox"/> No		
Si contestó "sí", marque todo lo que sea aplicable:		
<input type="checkbox"/> Agencia Federal: ____		
<input type="checkbox"/> Corte Federal: _____ <input type="checkbox"/> Agencia Estatal: _____		
<input type="checkbox"/> Corte Estatal : _____ <input type="checkbox"/> Agencia Local: _____		
Por favor provea información sobre la persona contacto en la agencia/corte en la que se registró la queja.		
Nombre:		
Título:		
Agencia:		
Domicilio:		
Teléfono:		
Sección VI:		
Nombre de la agencia contra la cual es la queja:		
Nombre de la persona contra la cual es la queja:		
Título:		
Ubicación:		
Teléfono (si está disponible):		

Usted puede adjuntar cualquier material por escrito o cualquier otra información que usted crea que es relevante para su queja.

A continuación, se requieren su firma y la fecha.

Firma

Fecha

Por favor presente esta forma en persona en el domicilio de abajo, o envíe esta forma por correo electrónico a: <mailto:CipresP@lhcaz>.



Lake Havasu City Transit

Title VI / ADA Investigations, Complaints and Lawsuits

Discrimination Investigations, Complaints, and Lawsuits

In order to comply with the 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 the entities other than FTA; lawsuits; and complaints naming the recipient. This list shall include the date that the investigation, lawsuit, or complaint was filed; 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.

Investigations:

- Within 10 working days of receipt of the formal complaint, the Title VI Administrator will notify the complainant and begin an investigation (unless the complaint is filed with an external entity first or simultaneously).
- The investigations will address complaints against the Lake Havasu City Transit Division. The investigation will be conducted in conjunction with and under the advice of the FTA Civil Rights Division.
- The investigation may include discussion(s) of the complaint with all affected parties to determine the problem. The complainant may be represented by an attorney or other representative of his/her own choosing and may bring witnesses and present testimony and evidence in the course of the investigation.
- The investigation will be conducted and completed within 60 days of the receipt of the formal complaint.
- Based upon all the information received, an investigation report will be written by the Title VI Administrator and submitted to the City Attorney's office for review and guidance.
- The complainant will receive a letter stating that final decision by the end of the 60 day time limit. Most investigations are completed within 30 days.
- The complainant shall be notified of his/her right to appeal the decision. Appeals may be made to the Federal Transit Administration, the Arizona Department of Transportation, or the Equal Employment Opportunity Commission.

A copy of these procedures can be found online at: www.lhcaz.gov

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The list of complaints and investigations if any since the submission of Lake Havasu City’s Title VI Program from 2010 through 2020 is shown on this table. This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

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

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Public Participation Plan

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, which explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities. Efforts to involve minority and LEP populations in public participation activities can include both comprehensive measures, such as placing notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient's decision-making process.

INTRODUCTION

Lake Havasu City has provided subsidized public transportation service to citizens in a variety of ways, including Dial-A-Ride in the early years, Curb-to-Curb service for the elderly and disabled, and a fixed route service that began in 2006 and modified as funding changed over the years until 2014. As part of this transportation planning process, Lake Havasu City Transit desires and requests citizen input on the planning, and proposed projects created as a result of the findings from the Lake Havasu City Transit study. Lake Havasu City Transit recognizes the importance and necessity of the public participation process.

At this time the following group and individuals govern the activities of Lake Havasu City Transit until the creation of the Technical Advisory Committee (TAC) and Transit Commission. The Lake Havasu City Council, the Mayor, City Manager, City Attorney, and, the Public Works Director.

All City Council meetings are open to the public. Members of the public may request time on the agenda of the City Council to comment on specific subjects of interest to the City Council. A minimum of two weeks advance notice should be given for requested agenda time.

GOALS AND OBJECTIVES

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

Lake Havasu City Transit is committed to the availability of timely, complete information; to the notification of and public access to the decision-making process; and to ongoing public participation throughout the transportation planning process including, but not limited to, the development of the Transportation Improvement Program,

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review of transit services, fares and operating perimeters and Federal Transit Administration (FTA) civil rights issues such as Title VI, Disadvantage Business Enterprise (DBE), Equal Opportunity Program (EEO) and Americans With Disabilities Act (ADA) and the Public Participation Process. Through this Public Participation Process, Lake Havasu City Transit aims to identify methods for obtaining public input and encouraging public participation in the transit planning process.

STAKEHOLDERS AND PUBLIC GROUPS

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

- Neighborhood organizations;
- Hospital and medical offices;
- Chamber of Commerce and other business groups;
- Groups representing travel modes - transit, bicycle, pedestrian, freight;
- Advocacy groups for the disadvantaged and/or minority groups;
- Media – newspapers, television, radio;
- Governmental agencies;
- Educational Institutions (school districts, community colleges, private schools, State universities;

INFORMATION ACCESS

All planning information of Lake Havasu City Transit is available for public review. The information can be viewed at the Lake Havasu City Transit Dispatch Office, 900 London Bridge Road, B, Lake Havasu City, AZ. 86404. Additional information will also be posted online at www.lhcaz.gov transit page.

OUTREACH TECHNIQUES

Information about all Lake Havasu City Transit meetings will be added to the existing Public Meeting Calendar that is produced weekly and is located on the City's website. In addition, the agenda for the meetings will be posted at all Lake Havasu City Transit facility buildings and stops.

Meeting information will also be included in the Lake Havasu City Transit newsletter, as appropriate. This newsletter is published quarterly and distributed to transit passengers and on social media. Regular meetings, as well as special activities related to transit planning, Title VI and project development would be included.

Press releases to area newspapers, television stations, and radio stations will also be used to notify citizens of upcoming activities of Lake Havasu City Transit.

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

Lake Havasu City web site ww.lhcaz.gov will be used to provide information about Lake Havasu City Transit activities including information about the development of public transit, schedules, and special events. It will also list Federal Transit Administration (FTA) civil rights documents such as Title VI and others. Lake Havasu City Transit representatives will be listed along with contact information.

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Formal notices for public input meetings are published on the City and transit website pages, social media and local newspaper Today's News Herald.

INPUT MECHANISMS

Lake Havasu City Transit accepts input and comments from the public through a variety of means:

- a) Lake Havasu City Transit website at www.lhcaz.gov
- b) By mail to 900 London Bridge Rd., Lake Havasu City, AZ. 86404
- c) By emailing to cipresp@lhcaz.gov
- d) By faxing a request or letter to 928.854.7702

Comment forms can also be obtained at www.lhcaz.gov or www.mobility@lhcaz.gov, by calling 928.453.7600 to have one mailed, by emailing a request to cipresp@lhcaz.gov or by faxing to 928.854.7702

The public may submit comments to their respective Lake Havasu City Transit commission members. Comments on Lake Havasu City Transit services, plans, reports, and programs may be made at public input meetings. Lake Havasu City Transit ensures that all public input meeting locations are accessible in accordance with the Americans with Disabilities Act (ADA).

Members of the public or a representative of a group, with expressed comments on a particular topic may request of Lake Havasu City Transit Administrator an appointment to serve as a citizen representative on an appropriate subcommittee if one is activated.

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

Lake Havasu City Transit will consider and respond to all public input received during the planning and program development processes. If significant written or oral comments are received on transit services, FTA civil rights or plans, a summary, analysis, and report on the disposition of the comments will be made a part of the conclusion of the public participation process.

SCHEDULE

Notification and announcement of all upcoming public input meetings are made approximately 30 days in advance of the scheduled meeting through the methods described in the Outreach Techniques section of this plan. Legal notice of a scheduled public input meeting is published in local newspaper Today's News Herald approximately 30 days prior to the meeting.

Regularly scheduled public input meetings occur on an as needed basis based on specific subject matter such as the development of the Transit Study, review of transit services, fares and operating perimeters and Federal Transit Administration (FTA) civil rights issues such as Title VI, Disadvantage Business Enterprise (DBE), Equal Opportunity Program (EEO) and Americans with Disabilities Act (ADA). Other public input meetings are held throughout the year, as necessary.

Updates and revisions to Lake Havasu City Transit Public Participation Plan require a 45-day comment period. Lake Havasu City Transit Commission will approve this document following the completion of the public comment period.

EVALUATION

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

CONTACT INFORMATION

Lake Havasu City Transit believes firmly in the essential role of the public in the transportation planning process, welcoming any and all comments from citizens or groups concerning transportation issues.

Lake Havasu City Transit may be contacted at the following:

Lake Havasu City Transit
Public Works Department
900 London Bridge Road Bldg. B
Lake Havasu City, AZ. 86404
Phone: (928) 453.5479
Fax: (928) 854.7702
www.lhcaz.gov

Lake Havasu City Transit



Limited English Proficiency Plan LEP

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language. Arizona's diverse population makes it critically important Lake Havasu City Transit be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

Laws and Policy

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency* is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

Program Responsibility

Executive Order (EO) 13166 directs recipients of Federal financial assistance to take reasonable steps to provide limited English proficient individuals with meaningful access to their programs, activities and services.

Notify LEP customers of the availability of language assistance services LEP persons have the right to language assistance at no cost to them in their spoken language. Language identification cards or posting signs in public areas are methods that can be used to provide notice of the service.

Translation of vital documents in languages other than English

It is appropriate to have written materials that have been historically provided in English to applicants, customers and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. Lake Havasu City Transit will indicate on its web site and newspaper publications that translation can be provided, with appropriate notice.

Vital Documents are documents that convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in the program or activity. Examples of vital documents include, but are not limited to: applications, public notices, consent forms, letters containing important information

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regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance and outreach and community education materials. It is recommended that divisions/programs develop criteria for deciding which documents are vital thereby subject to translation.

Translating documents for LEP to a fourth (4th) grade literacy level ensures the targeted audience understands the information. Community based organizations or focus groups can assist with testing translations for language and literacy level appropriateness.

Section Five of the US Department of Transportation guidance on LEP requires a four-factor analysis to determine the need for translation services in order to ensure LEP populations are able to receive information about and can participate in the planning process in the language they best understand.

Demography:

According to the U.S. Census Bureau, 2010-2014, American Community Survey five year estimates, 3.9% of Lake Havasu City Transits area population is considered to be Limited English Proficient. This equates to 2,028 individuals or 3.9% of the population five years of age or older who report speaking English less than "very well". The predominate language spoken by these individuals is Spanish. Under the Department of Justice's (DOJ) Safe Harbor provision, it is necessary to translate materials when five percent or 1,000 persons, whichever is less, speak English less than "very well".

Frequency:

The Transit departments' policy is to take reasonable steps to provide timely, meaningful access to LEP persons to the services and benefits of the various transportation programs provided to the general public. The intent of this guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on the Transit department.

As the LEP demographic increases and new transit routes and transit related activities increase the transit department can provide free language assistance services to LEP individuals whom they encounter or whenever an LEP individual requests language assistance services.

Personnel will inform members of the public that language assistance services are available free of charge to LEP persons and that Lake Havasu City transit personnel will provide these services to them.

The steps taken are in consideration of Department of Transportation, Federal Transit Administrative guidance including, the frequency with which LEP individuals come in contact with the program:

- Information inquiries to the dispatch office through phone or in person. Phone calls into the dispatch office are the primary contact mechanism into the transit department.
- Drivers when on a fixed route weekly
- Complementary para-transit drivers weekly
- Demand response transportation weekly
- Public events or meetings
- Transit stops and kiosks

(2) The Frequency With Which LEP Individuals Come in Contact With the Program, Activity, or Service

Recipients should assess, as accurately as possible, the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance, as the more frequent the contact, the more likely enhanced language services will be needed. The steps that are reasonable for a recipient that serves an LEP person on a one-time basis will be very different than those expected from a recipient that serves LEP persons daily.

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Recipients should also consider the frequency of different types of language contacts, as frequent contacts with Spanish-speaking people who are LEP may require certain assistance in Spanish, while less frequent contact with different language groups may suggest a different and/or less intensified solution. If an LEP individual accesses a program or service on a daily basis, a recipient has greater duties than if the same individual's program or activity contact is unpredictable or infrequent. However, even recipients that serve LEP persons on an unpredictable or infrequent basis should use this balancing analysis to determine what to do if an LEP individual seeks services under the program in question. This plan need not be intricate. It may be as simple as being prepared to use a commercial telephonic interpretation service to obtain immediate interpreter services. Additionally, in applying this standard, recipients should consider whether appropriate outreach to LEP persons could increase the frequency of contact with LEP language groups.

Importance:

Transportation planning is an important facet of the community and affects all residents. All residents are encouraged to participate in public meetings.

Resources:

Due to limited resources and small staff, interpretation and translation services are not available without advance notice; however, public notices are available in English and Spanish.

Based on the four-factor analysis, Lake Havasu City Transit will continue to provide public notices in English and Spanish. Translation and interpretation services will be provided through public online translation sites, bilingual community members and, if not cost prohibit and funds permit, through a language interpretation and translation service. The goal of Lake Havasu City Transit is to engage all community members in transit planning and delivery process.

The Department of Transportation Policy Guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based upon a local assessment. Due to current financial constraints, translation of large plan documents and maps are considered not warranted at this time. Lake Havasu City Transit will provide translation services, if requested, with 10-days' notice prior to when the services are needed.

PERSONS WITH LIMITED ENGLISH PROFICIENCY	ESTIMATE	% 5 YEARS & OVER	% 5 YEARS & OLDER WITH LEP
Total Persons 5 years & Over	51,366	100.00%	---
English Speaking Only	46,179	89.90%	---
Limited English Proficiency	2,028	3.90%	100.00%
Spanish with LEP	1,562	3.00%	77.00%
Other India-European languages with LEP	87	0.20%	4.30%
Asian & Pacific Island languages with LEP	357	0.70%	17.60%
Other Languages with LEP	22	0.00%	1.10%

Source: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-year estimates ACS data are based on a sample and are subject to sampling variability

Limited English Proficient (LEP) persons refers to persons age 5 years and over for who English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the Census they speak English less than very well, not well, or not at all.

Program Areas

- Lake Havasu Transit Plan
- Public Involvement Plan
- Transportation Improvement Plan

These programs are in coordination with the LHMPO

The Title VI Administrator provides oversight to the program areas through contract reviews and personal interaction in an effort to ensure their compliance with Title VI and other nondiscrimination related authorities.

Program Responsibility

Executive Order (EO) 13166 directs recipients of Federal financial assistance to take reasonable steps to provide limited English proficient individuals with meaningful access to their programs, activities and services.

- *Notify LEP customers of the availability of language assistance services*

LEP persons have the right to language assistance at no cost to them in their spoken language. Language identification cards or posting signs in public areas are methods that can be used to provide notice of the service.

- *Translation of vital documents in languages other than English*

It is appropriate to have written materials that have been historically provided in English to applicants, customers and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. Lake Havasu City Transit will indicate on its web site and newspaper publications that translation can be provided, with appropriate notice.

Safe Harbor Provision

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

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

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

- (1) Notice of Non-Discrimination and Reasonable Accommodation
- (2) Outreach Materials
- (3) Bus Schedules

- (4) Route Changes
- (5) Public Hearings

Non-Elected Committees – Commission Membership table (TBD)

At this time the Lake Havasu City Council will service as the Transit Commission until the board can be created.

BODY	CAUCASIAN	LATINO	AFRICAN AMERICAN	ASIAN AMERICAN	NATIVE AMERICAN
Population					
Committee Name					
Committee Name					
Committee Name					

Monitoring for Sub recipient Title VI Compliance

Lake Havasu City Transit does not have any sub-recipients therefore the Transit department does not monitor sub recipients for Title VI compliance.

Title VI Training Opportunities

When a new hire starts employment with Lake Havasu City Transit, the LEP policy adopted by Lake Havasu City Transit will be provided to the new employee to help understand of the importance to outreach to and communication with limited-English speaking persons.

As new policies/procedures are developed, or existing policies/procedures are amended, these new documents are distributed to affected employees through various methods, including but not limited to paper distribution, electronic documents, postings in employee break rooms, and scheduled group or individual training sessions.

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

Title VI training has been done in several ways. The most common way is through ADOT sponsored training sessions that are given in conjunction with state conferences, such as AzTA Annual conference, or scheduled training that takes place in the various regions that have transit operations to FTA funds through ADOT. Additionally, the various COGs or MPO’s will provide training, with ADOT, in their regions that complements the training provided by ADOT.

The most recent training was held on site in the transit building in conjunction with PASS (Passenger Safety and Sensitivity) training. The transit supervisor is a certified trainer for safety, defensive driving, PASS. The Lake Havasu City Transit supervisor has facilitated six trainings on site since February 2019 as well as attended multiple DOT, FTA, ADOT, and AzTA sponsored trainings.

All required training for Title VI and 5311 Grants will be attended by the following:

- 1) Title VI Coordinator or the Assistant to the Title VI Coordinator
- 2) Operations Manager
- 3) Additional staff as required.

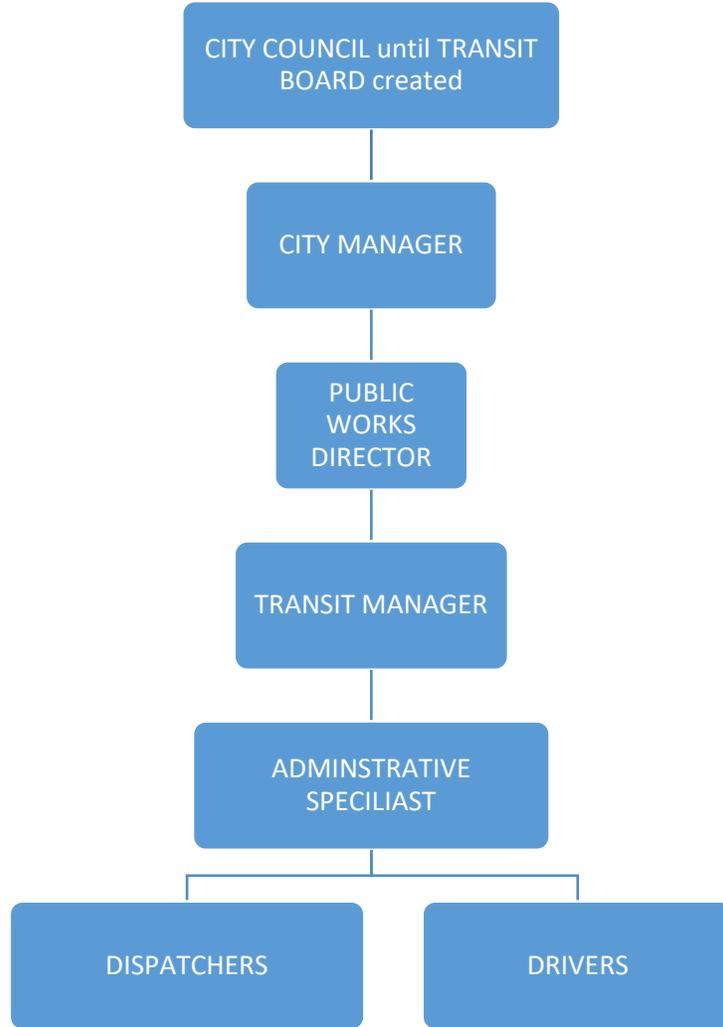
Currently, we are not aware of any additional training that is upcoming. We will attend any training that is scheduled by FTA or ADOT.

Title VI Equity Analysis

If a direct recipient of 5307 FTA allocations is planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. "Facilities" in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

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

Organizational Chart



**City Council Approval for the Title VI Program
Resolution**

RESOLUTION NO. 20-3433

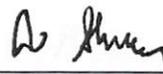
**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY,
MOHAVE COUNTY, ARIZONA, ADOPTING THE LAKE HAVASU CITY TRANSIT
TITLE VI (NONDISCRIMINATION) PLAN AND IMPLEMENTATION PROGRAM**

RECITALS: Title VI of the Civil Rights Act of 1964 ("Title VI") prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Recipients of federal funding for transportation related program must submit a Title IV Plan that documents compliance with federal VI guidelines. Lake Havasu City receives federal funding to assist with transit programs.

IT IS RESOLVED that the Mayor and City Council of Lake Havasu City, Arizona, adopt the Lake Havasu City Transit Title IV Plan and Implementation Program dated August 25, 2020, attached as Exhibit A.

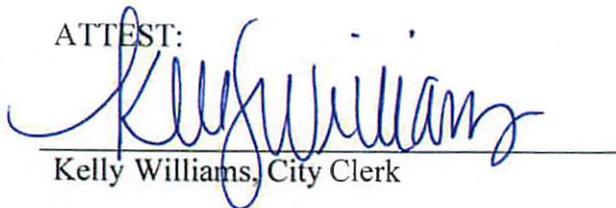
PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on August 25, 2020.

APPROVED:



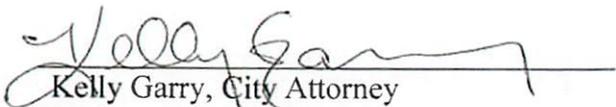
Cal Sheehy, Mayor

ATTEST:



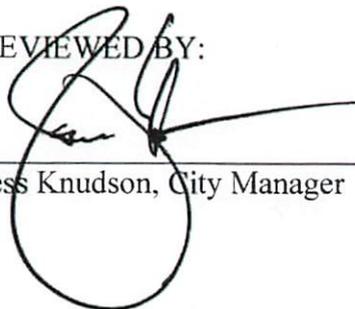
Kelly Williams, City Clerk

APPROVED AS TO FORM:



Kelly Garry, City Attorney

REVIEWED BY:



Jess Knudson, City Manager

Service Standards

Lake Havasu City Transit will be setting service standards when operations begin Summer of 2021. As soon as this is implemented the Title VI plan will be amended.

Vehicle load for each mode

Vehicle load will be established as soon as the vehicles are purchased and put into operation hopefully by the Summer of 2021. As soon as this is implemented the Title VI plan will be amended.

Vehicle headway for each mode

Vehicle headway for each mode will be determined when service is established hopefully by the Summer of 2021. As soon as this is implemented the Title VI plan will be amended.

On time performance for each mode

On time performance for each mode will be determined when service is established hopefully by the Summer of 2021. As soon as this is implemented the Title VI plan will be amended.

Service availability for each mode

Service availability for each mode will be determined when service is established hopefully by the Summer of 2021. As soon as this is implemented the Title VI plan will be amended.

Service Policies

Lake Havasu City Transit will strive to provide equitable service availability to customers within the service area. Goals for our service availability will be set as soon as the direction for service is established. The Title VI plan will be amended as soon as this is established.

Transit Amenities for each mode

Transit Amenities for each mode will be determined when service is established hopefully by the Summer of 2021. As soon as this is implemented the Title VI plan will be amended.

Vehicle Assignment for each mode

Vehicle Assignment for each mode policy will be determined when service is established hopefully by the Summer of 2021. As soon as this is implemented, the Title VI plan will be amended.

Attachment B:



Lake Havasu City Transit

Title VI Notification

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “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.” (42 U.S.C. Section 2000d)

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color or national origin by a recipient of Federal Transit Administration funding can file an administrative complaint with the Federal Transit Administration’s Office of Civil Rights under Title VI of the Civil Rights Act of 1964. Complaints should be signed and include contact information and should be sent to:

Lake Havasu City Transit
900 London Bridge Road
Building B
Lake Havasu City, AZ 86404
Phone: (928) 453-7600

Transporte de la Ciudad de Lake Havasu

Notificación del Título VI

El Título VI del Decreto de Derechos Civiles de 1964 prohíbe la discriminación basada en raza, color u origen nacional en programas y actividades recibiendo asistencia financiera Federal. Específicamente, el Título VI estipula que “ninguna persona en los Estados Unidos deberá, por motivos de raza, color u origen nacional, ser excluida de la participación en, denegada de los beneficios de, o verse sujeta a la discriminación bajo cualquier programa o actividad recibiendo asistencia financiera Federal.” (Código 42 U.S.C. Sección 2000d)

Los individuos u organizaciones que crean que se les han denegado los beneficios de, excluido de la participación en, o se hayan visto sujetos a discriminación por motivos de raza, color u origen nacional por un receptor de fondos de la Administración Federal de Transporte puede registrar una queja administrativa con la Oficina de Derechos Civiles de la Administración Federal de Transporte bajo el Título VI del Decreto de los Derechos Civiles de 1964. Las quejas deben firmarse e incluir información de contacto y deben enviarse a:

Lake Havasu City Transit
900 London Bridge Road
Building B
Lake Havasu City, AZ 86404
Teléfono: (928) 453-7600

LAKE HAVASU CITY TRANSIT

Attachment C:

Federal Fiscal Year 2020 Certifications and Assurances for FTA Assistance Programs

FEDERAL FISCAL YEAR 2020 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: Lake Havasu City Transit

The Applicant certifies to the applicable provisions of categories 01–20. 

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs

13 State of Good Repair Grants

14 Infrastructure Finance Programs

15 Alcohol and Controlled Substances Testing

16 Rail Safety Training and Oversight

17 Demand Responsive Service

18 Interest and Financing Costs

19 Construction Hiring Preferences

20 Cybersecurity Certification for Rail Rolling Stock and Operations

FEDERAL FISCAL YEAR 2020 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE

PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2020)

AFFIRMATION OF APPLICANT

Name of the Applicant: Lake Havasu City Transit

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2020, irrespective of whether the individual that acted on his or her Applicant’s behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2020.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____

Date: 7.13.20

Name Jess Knudson _____

Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Lake Havasu City Transit _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature Kelly Garry _____

Date: 7/9/2020

Name Kelly Garry _____

Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.