

Memorandum



Date: March 11, 2014

To: Honorable Chairwoman Rebeca Sosa and Members
Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Title VI Program Update to the Federal Transit Administration Circular 4702.1B for
Miami-Dade County/Miami-Dade Transit

The attached report is provided to the Board of County Commissioners (Board) for its information, per the requirements outlined in the Federal Transit Administration (FTA), Title VI Requirements and Guidelines for FTA Recipients and dated October 12, 2012.

The FTA, through the enforcement of Title VI of the Civil Rights Act, ensures that *"no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance"* (42 United States Code Section 2000d). As a recipient of federal funds, Miami-Dade Transit's (MDT) Office of Civil Rights and Labor Relations is responsible for developing, implementing and monitoring the department's Title VI program.

The 2013 update was developed to assist MDT in the administration and management of all Title VI-related program activities. The department's Title VI Program Update, in accordance with FTA Circular 4702.1B, covers nine general reporting requirements, and five program-specific requirements and guidelines for recipients based on the population served by MDT. In addition, MDT has an established Title VI Working Committee which meets regularly to address all Title VI-related issues.

Attached is the 2013 Title VI Program Update Executive Summary which provides an overview of the plan's various components. Specifically, it includes the following:

1. A copy of MDT's Title VI Notice to the public which indicates that MDT complies with all Title VI requirements. The Title VI Notice is posted throughout MDT properties/facilities, at the Metrorail stations, and on MDT buses.
2. Instructions to the public on how to file a Title VI discrimination complaint, including a copy of the complaint form (available in English and Spanish), are available on the MDT website. These forms are also available from the department's Office of Civil Rights and Labor Relations, upon request. (<http://www.miamidade.gov/transit/non-discrimination-program.asp>)
3. A listing of all public transportation-related Title VI investigations, complaints or lawsuits filed with MDT since the time of the last submission is included as part of the submittal.
4. MDT's public involvement plan demonstrating adherence to the guidance outlined by the Metropolitan Planning Organization's 2007 public participation plan. In addition, MDT has also developed and implemented two Title VI Limited English Proficiency (LEP) policies and procedures for use.
5. MDT's plan for providing language assistance to persons with limited English proficiency, based on the U.S. Department of Transportation's (USDOT) LEP Guidance. Since the prior submission in 2010, MDT has developed and implemented two administrative policies and

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procedures for MDT internal staff to ensure compliance regarding the LEP population. MDT has also developed a Spanish language information page on the MDT website which directs the public to call Miami-Dade County's dedicated telephone number for transit-related travel issues (305) 891-3131.

6. A racial breakdown of the membership of transit-related, non-elected planning boards, advisory councils, committees or similar bodies, and a description of efforts made to encourage participation of minorities on such committees. i.e., Citizens' Independent Transportation Trust.
7. A narrative detailing how MDT monitors its sub-recipients per the new program requirements is included. To date, sub-recipients are required to complete/adhere to a Title VI Municipality Information Questionnaire/Checklist. MDT will visit each municipality and provide program-specific training upon request. Additionally, the MDT Grants Division is finalizing two Standard Operating Procedures to ensure Federal award regulatory compliance in accordance with laws, and provisions of Federal contract and grant agreements.
8. A Title VI Municipality Checklist to ensure compliance by local municipalities.
9. A copy of the Federal Fiscal Year 2013 FTA Certifications and Assurances, signed on March 5, 2013, is included.

The update also includes program-specific requirements that consist of: the latest MDT Service Standards; demographic data; all of the requirements that encompass MDT's Title VI Monitoring Program; an explanation of MDT's public engagement process for the development of policies governing major service changes; and the results of two Fare Equity Analyses for the most recent fare increases.

As both a direct and indirect recipient of FTA funds, MDT must comply with Title VI of the Civil Rights Act of 1964, the USDOT's implementation regulations in 49 CFR Part 21, and FTA's Title VI Circular 4702.1B. The newly implemented requirement that the Title VI Program Update Response to FTA be provided to the Miami-Dade County's governing Board, is a newly implemented requirement and will be met on a tri-annual basis.

My office has reviewed this plan and approved it on October 28, 2013. A copy of the entire report and its appendices are available for review on MDT's website, <http://www.miamidade.gov/transit/draft-2013-title-vi-program-report.asp>.

Should you have any questions, please contact Mrs. Ysela Llor, MDT Director at (786) 469-5411.

c: Alina Hudak, Deputy Mayor
Ysela Llor, Director, Miami-Dade Transit

Attachments: 2013 Title VI Program Update Executive Summary (November 30, 2013)
Program Update Response (October 28, 2013)

**2013 TITLE VI
PROGRAM UPDATE
FTA C4702.1B**

**MIAMI-DADE TRANSIT
MIAMI-DADE, FLORIDA**



November 30, 2013

EXECUTIVE SUMMARY

The 2013 Title VI Program Update FTA C4702.1B represents the 2013 Triennial Update of the original document submitted by Miami-Dade County in November of 1988. Circular FTA 4702.1B sets forth guidelines for providing information on the non-discriminatory provision of transit services and benefits as required by Title VI of the Civil Rights Act of 1964.

The 2013 Triennial Update serves as the framework for Miami-Dade Transit's Title VI Compliance over the next three years. Per the requirements of Title VI of the Civil Rights Act of 1964, "no person in the United States, shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

MDT's Title VI Program Update includes nine general reporting requirements and five program specific requirements and guidelines for recipients based on the population MDT serves.

GENERAL REPORTING REQUIREMENTS

1. Title VI Notice to the Public- MDT's Notice to the Public informing the community of their rights under Title VI of the Civil Rights Act of 1964 was reproduced in poster form and distributed throughout MDT's fleet of buses and Metrorail Stations.
2. Title VI Complaint Procedures- MDT developed Title VI Complaint Procedures in English, Spanish and Creole that detail how to file a Title VI Complaint if the public indicates they have been discriminated against. The procedures are posted on the MDT website, and are available from the Office of Civil Rights and Labor Relations (OCR/LR) upon request.
3. Title VI Complaint Form - MDT developed a Title VI Complaint form in English, Spanish and Creole for the public to use when submitting a complaint. The form is not only posted on the MDT website, but is also available from the OCR/LR upon request.
4. Public Outreach and Involvement Activities - MDT encourages public involvement and participation, and adheres to the guidance outlined by the Metropolitan Planning Organization's 2007 Public Participation Plan. To ensure full compliance, MDT developed two Transit Administrative Policies and Procedures for internal use.
5. Access for Limited English Proficiency (LEP) Persons - MDT updated the originally submitted (June 15, 2010) Four-Factor Analysis to include two approved Transit Administrative Policies and Procedures for MDT internal staff to ensure compliance regarding the LEP population; established a Title VI Working Committee that meets monthly to address all Title VI related issues; added a Spanish language information page to the MDT website that directs them to call the County's Transit dedicated line (305) 891-3131 regarding trip planning; as well as developed

a Transit Administrative Policy and Procedure to ensure Service and/or Fare Equity Analyses are completed during the planning stages.

6. Minority Representation on Planning and Advisory Boards - MDT was asked to provide the racial breakdown of the membership of all non elected transit related planning and advisory boards. The recruitment process, as well as the minority representation for membership was submitted for Miami-Dade County's Citizens Independent Transportation Trust.
7. Sub-Recipient Monitoring - MDT submitted a narrative description detailing how MDT monitors its sub-recipients. The new requirements include the completion/adherence of a Title VI Municipality Information Questionnaire/Checklist; mandatory site visits to all participating municipalities and program specific training upon request. Additionally, the MDT Grants Division is finalizing the completion of two Standard Operating Procedures (SOP's) to ensure federal regulatory compliance that the federal awards are used for authorized purposes in accordance with laws, regulations and provisions of contract or grant agreements.
8. Title VI Equity Analysis for Determining Site or Location of Facility - MDT included applicable language on the Title VI Checklist to ensure municipality compliance.
9. Annual Certifications and Assurances - As a federal grant recipient, MDT files its annual Certifications and Assurances with FTA. The 2013 Title VI Program Update submission includes the most recent annual certification and assurance that was signed March 5, 2013.

PROGRAM SPECIFIC REQUIREMENTS

1. Service Standards and Policies- MDT's service standards provide a comprehensive consistent and fair evaluation of both existing and proposed activities, and were adopted in 2009 (Resolution No. R01282-09) regarding the annual update of the 2009 Transit Development Plan 2010-2019. Each year an update is provided to the Board of County Commissioners as information.
2. Demographic Data - MDT prepared demographic and service profile maps and charts. Maps within the report include a base map of MDT's service area, a demographic GIS Map of MDT's Service Area and a demographic GIS Map that provides Census tract information.
3. Title VI Monitoring Program - MDT's Monitoring Program is comprehensive and encompasses all of Miami-Dade County. Assessments for compliance include a bi-annual assessment during contractual line-ups regarding routes verses the established service standards.
4. Public Engagement Process for setting the Major Service Change Policy, Disparate Impact Policy and Disproportionate Burden Policy - MDT is providing a countywide public engagement process from October 1, 2013 to December 30, 2013 for the development of policies governing a Major

Service Change, MDT Title VI Disparate Impact Policy and MDT Title VI Disproportionate Burden Policy. Once finalized the new policies will be incorporated into existing Transit Administrative Policies and Procedures for implementation.

5. Results of Service and/or Fare Equity Analysis - MDT has completed two Fare Equity Analyses regarding fare increases. The first analysis was completed in May of 2011 and was as a result of the impending implementation of a transfer fee for commuters transferring from the South Florida Regional Transportation Authority (SFRTA) / Tri-Rail System into the MDT system. The second analysis was completed during FY 2013-2014 as a result of MDT's October 1, 2013 fare increase.

As a recipient of FTA funds, MDT must comply with Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation's (DOT) implementing regulations at 49 CFR Part 21, and FTA's Title VI Circular 4702.1B. Through the successful implementation of the 2013 Title VI Program, MDT is able to ensure non-discriminatory provisions of transit services throughout Miami-Dade County.

Memorandum



Date: October 28, 2013

To: Allna T. Hudak, Deputy Mayor
Miami-Dade County

From: Ysela Llort, Director
Miami-Dade Transit

A handwritten signature in black ink, appearing to read "Ysela Llort", written over the printed name.

Subject: Approval -- MDT 2013 Title VI Program Update Response to FTA C4702.1B

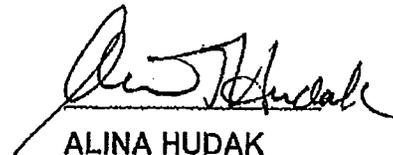
Attached for your review and approval please find Miami-Dade Transit's Title VI 2013 Title VI Program Update Response to FTA C 4702.1B that was completed in accordance with federal regulations.

Per the requirements outlined in FTA C4702.1B, October 1, 2012 – Title VI Requirements and Guidelines for Federal Transit Administration Recipients, Chapter III, 4., in significant part, "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, the Title VI Program must be approved by the recipient's appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. Recipients shall submit a copy of the board resolution, meeting minutes or similar documentation with the Title VI Program as evidence that the appropriate governing entity or official (s) has approved the Title VI Program. FTA will review and concur or request the recipient to provide additional information.

MDT's 2013 Title VI Program Update Response to FTA C4702.1B includes the following:

- 1.) A copy of MDT's Title VI notice to the public indicating that the recipient complies with Title VI;
- 2.) MDT's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form;
- 3.) A list of all public transportation-related Title VI investigations, complaints, or lawsuits filed with MDT since the time of the last submission;
- 4.) MDT's Public Participation plan;

- 5.) MDT's plan for providing language assistance to person with limited English proficiency, based on the Department of Transportation (DOT) LEP Guidance;
- 6.) Racial breakdown of the membership of transit related, non-elected planning boards, advisory councils or committees or similar bodies and a description of efforts made to encourage participation of minorities on such committees;
- 7.) Narrative description of efforts of the primary recipient to ensure sub-recipients are complying with Title VI;
- 8.) Title VI Analyses conducted during planning stage prior to construction of a facility, vehicle storage facility, maintenance facility or operation center regarding the location of the facility. (Note: MDT was notified October 28, 2013 of a Title VI Compliance Determination re: the siting of a Trolley facility for the City of Coral Gables. The Issue is currently under review by MDT).
- 9.) MDT's system-wide service policies, Definitions for 'Major Service Change', 'Disparate Impact Policy' and 'Disproportionate Burden Policy', and all Title VI Service/Fare Analysis.



ALINA HUDAK
APPROVED