

MEMORANDUM

Agenda Item No. 5(F)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving the
Department of Transportation
and Public Works' updated 2022
Title VI Program; and
authorizing the County Mayor to
submit the 2022 updated Title VI
Program to the Federal Transit
Administration

Resolution No. R-29-25

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.


Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: January 22, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Resolution Approving the Department of Transportation and Public Works' 2022
Updated Title VI Program Plan

Executive Summary

As a condition of receiving ongoing federal funds, the Federal Transit Administration (FTA) requires each transit agency to submit an updated Title VI Program Plan every three years. The FTA regulations require the Department of Transportation and Public Works (DTPW) to brief its governing board regarding DTPW's Title VI Program and related policies and obtain its governing board's approval of the updated Title VI Program. As such, this resolution of the Board of County Commissioners (Board) approves the DTPW's 2022 updated Title VI Program for submission to the FTA. Attached as Exhibit 1 is the 2022 updated Title VI Program Executive Summary that provides an overview of the program's various components, including an explanation as to how DTPW responded to each of the FTA's requirements. Additionally, DTPW received an extension due to the transition of roles within the Office of Civil Rights and Labor Relations (OCR/LR), resulting in a vacancy for the Title VI Manager position.

Recommendation

It is recommended that the Board, through the attached resolution, approve the 2022 updated Title VI Program.

Scope

The scope of this item is countywide as it covers all transportation facilities and amenities.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to submit the 2022 updated Title VI Program to the FTA.

Fiscal Impact/Funding Source

There is no financial impact to approving the 2022 updated Title VI Program.

Track Record/Monitor

Melissa Rolle-Scott, Assistant Director and Chief Administrative Officer or her designee, will oversee the submission of the 2022 updated Title VI Program to the FTA.

Background

DTPW, as a federal grant recipient, is required by the FTA to conform to Title VI of the Civil Rights Act of 1964, as amended. Title VI requires that no person in the United States, on the grounds of race, color, or national origin be excluded from, be denied the benefits of, or be subjected to

discrimination, under any program or activity receiving federal financial assistance. Moreover, in the administration of its Civil Rights Program, DTPW complies with Presidential Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations," and Presidential Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency."

DTPW has prepared its 2022 updated Title VI Program in compliance with Title 49 CFR Section 21.9(b) and with FTA Circular 4702.1B "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," issued October 1, 2012 (FTA Circular). Although this is a three-year look back from December 1, 2019, through November 30, 2022, DTPW's Office of Civil Rights and Labor Relations has taken the necessary steps to ensure that all future Title VI updates are submitted to the Board for approval well in advance of FTA due dates.

A copy of the entire 2022 updated Title VI Program and its appendices are available for review at <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:a6ebb3e4-9c90-3d34-9388-15a3c3e2d962>.

A handwritten signature in blue ink, appearing to read "JM", is positioned above a horizontal line.

Jimmy Morales
Chief Operating Officer

**Department of Transportation and Public Works
Miami-Dade County, Florida**



**2022 TITLE VI
PROGRAM UPDATE
Executive Summary**

Submitted in fulfillment of Title VI of the Civil Rights Act of 1964
and FTA Circular 4702.1B

EXECUTIVE SUMMARY

DTPW, as a federal grant recipient, is required by the Federal Transit Administration (FTA) to conform to Title VI of the Civil Rights Act of 1964, as amended (Title VI). Title VI requires that no person in the United States, on the grounds of race, color, or national origin be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance. Presidential Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Populations” addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency” addresses services to those individuals with Limited English Proficiency (LEP).

DTPW has prepared its 2022 Title VI Program Update (2022 Program Update) in compliance with Title 49 CFR Section 21.9(b) and with FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients,” issued October 1, 2012 (FTA Circular).

DTPW’s Office of Civil Rights and Labor Relations (Office of Civil Rights) requested an extension to file its 2022 Program Update due to a vacancy of the Title VI Manager position. The request was granted by FTA’s Region IV Civil Rights Officer. This report represents the 2022 triennial update of the original document submitted by Miami-Dade County in November 1988. This 2022 Program Update is a three (3) year lookback for the period of December 1, 2019 to November 30, 2022.

The 2022 Program Update complies with FTA Circular, covers nine (9) general reporting requirements, includes five (5) program-specific requirements, and offers guidelines for recipients based on the population served by DTPW.

GENERAL REPORTING REQUIREMENTS

1. Title VI Notice to the Public. DTPW’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 DTPW’s fleet of buses and Metrorail Stations. Additionally, the Notice can be found on DTPW’s website at <https://www.miamidade.gov/transit/library/title-vi-outreach-statement.pdf>. The Notice also includes a Spanish and Haitian Creole translation within the text of each poster.
2. Title VI Complaint Procedure. DTPW’s Title VI Notice to the Public includes instructions on how to file a complaint alleging discrimination based on race, color, or national origin. Additionally, the complaint procedure is also described on DTPW’s website at https://www.miamidade.gov/global/service.page?Mduid_service=ser1499958278524275.
3. Title VI Complaint Form. Any person who believes they have been discriminated against under Title VI may file a formal complaint with DTPW’s Office of Civil Rights. The complaint form is posted on DTPW’s website at <https://www.miamidade.gov/transit/library/title-vi-discrimination-form.pdf>. There were no Title VI complaints, investigations, or lawsuits filed against DTPW during the reporting period.
4. Public Outreach and Involvement Activities. Public involvement is an integral part of proactively ensuring unintentional negative impacts on protected populations. During a typical year, DTPW actively engages the public by participating at local events, conducting interactive presentations,

and performing outreach activities throughout the DTPW transit service area and within communities across Miami-Dade County. However, during this reporting cycle, and specifically 2020-2021, due to the SARS-CoV-2 (Covid-19) pandemic and social distancing restrictions, DTPW was unable to safely conduct the typical in-person outreach activities. To ensure meaningful public input, DTPW expanded outreach efforts to include a combination of social media and digital advertising.

5. Access for Limited English Proficiency (LEP) Persons. DTPW is committed to full compliance with Title VI and Executive Order 13166 to provide meaningful access to programs, services, and benefits for persons with limited English proficiency, or LEP. In 2011, DTPW adopted the “Miami-Dade Transit Implementation Plan on Language Assistance.” This plan continues to guide DTPW as to how best to serve Miami-Dade County’s LEP populations.
6. Minority Representation on Planning and Advisory Boards. DTPW provided the demographic breakdown of both the Miami-Dade Transportation Planning Organization (TPO) and the Citizen’s Transportation Advisory Committee (CTAC).
7. Sub-Recipient Monitoring. As a designated recipient of FTA funds, DTPW receives, administers, and allocates funds to subrecipients and is responsible for documenting compliance with Title VI. DTPW’s responsibilities include monitoring subrecipient compliance with Title VI, collecting and reviewing Title VI documents, including subrecipient Title VI data to FTA, and providing assistance and support to subrecipients.
8. Title VI Equity Analysis for Determining Site or Location of Facility. In accordance with 49 CFR part 21, the FTA requires that recipients conduct a Title VI equity analysis during the planning stages when determining the site or locations of facilities to ensure that any displacements of persons from their residences and business are not determined on the basis of race, color, or national origin. During the time period of this Program Update, there were no facilities sited for construction that would meet the definitions and requirements as outlined in the FTA Circular.

During this reporting period, there were certain construction projects that were not included in this 2022 Program Update. Those projects have independent National Environmental Policy Act (NEPA) analysis done and are filed separately with the FTA from this 2022 Program Update.

9. Annual Certification and Assurances. As a federal grant recipient, DTPW files its annual Certification and Assurances with FTA. The most recent annual certification and assurance was signed May 22, 2022.

PROGRAM SPECIFIC REQUIREMENTS

1. Service Standards and Policies. DTPW’s system-wide service standards are contained in the agency’s “Miami-Dade Transit Service Standards” document dated November 4, 2009. These standards and policies assist in guiding the development and delivery of service in support of DTPW’s mission to enhance the quality of life of Miami-Dade County residents, businesses, and visitors by delivering safe, clean, efficient, reliable, sustainable, and equitable public transportation infrastructure and services. They also provide benchmarks to ensure that service

design and operations practices do not result in discrimination on the basis of race, color, or national origin.

2. Demographic Data. Consistent with the requirements of Title VI, DTPW staff use geographic information systems (GIS) mapping software to create maps that identify affected low-income, minority, and LEP communities. The analysis is shared with DTPW staff working with affected communities to identify strategies to engage minority, low-income, and LEP populations.
3. Title VI Monitoring Program. As mentioned above, as a designated recipient of FTA funds, DTPW receives, administers, and allocates funds to subrecipients and is responsible for documenting compliance with Title VI. DTPW's responsibilities include monitoring subrecipient compliance with Title VI, collecting and reviewing Title VI documents, including subrecipient Title VI data to FTA, and providing assistance and support to subrecipients.
4. Major Service Change Policy, Disparate Impact Policy, and Disproportionate Burden Policy. All changes in service meeting the definition of "Major Service Change" are subject to a Title VI equity analysis prior to Board approval of the service charge. While performing a Title VI equity analysis, DTPW will analyze how the proposed Major Service Change could disparately impact minority populations, as compared to non-minority populations. Additionally, DTPW will also analyze how the proposed Major Service Change could disproportionately burden low-income populations, as compared to non-low-income populations.
5. Service and/or Fare Equity Analysis. During the reporting period for this 2022 Program Update, DTPW had two (2) Major Service Changes:

- Addition of New Bus Route (Northwest Miami-Dade Bus Express Rapid Transit (BERT) Route 175)

The BERT Route 175 is part of the SMART Plan and is the first BERT route to be implemented out of a county-wide network of BERT routes. It links the newly constructed I-75/Miami Gardens Drive park-and-ride lot with the Palmetto Metrorail Station and utilizes the newly constructed express lanes on I-75 and the Palmetto Expressway. The service will operate weekdays up to 10-minute frequency from 5:30 AM to 9:30 AM and 3:00 PM to 7:30 PM.

The Board approved the addition of the new BERT Route 175 by Resolution No. R-823-19, dated July 23, 2019.

- Proposed Amendment to Miami-Dade County Implementing Order No. 4-133, "Schedule of Transit Fares, Rates, and Charges"

Due to the Covid-19 pandemic, transit fares were suspended from March 2020 to June 1, 2021. The Mayor administratively effectuated a temporary STS fare rate modification from \$3.50 to \$2.00 per ride, which authority to do so without Board approve was going to expire June 30, 2021. The reduced fare provided temporary relief to STS riders that were negatively impacted by Covid-19. To further address the impacts of Covid-19, the Mayor recommended to eliminate the Bus to Rail Transfers, Rail to Bus Transfers, and the Shuttle Fare, as this would allow DTPW greater flexibility with vehicle assignments needed to address

overcrowding and social distancing. Additionally, since Covid-19 has changed commuting habits, DTPW requested to establish a new \$45.00 Transit Monthly Parking Pass.

The Board approved the requested changes by Resolution No. R-593-21, dated June 15, 2021.



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(F)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(F)
1-22-25

RESOLUTION NO. R-29-25

RESOLUTION APPROVING THE DEPARTMENT OF
TRANSPORTATION AND PUBLIC WORKS' UPDATED 2022
TITLE VI PROGRAM; AND AUTHORIZING THE COUNTY
MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT
THE 2022 UPDATED TITLE VI PROGRAM TO THE FEDERAL
TRANSIT ADMINISTRATION

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, a public hearing was held prior to final Commission action,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the Department of Transportation and Public Works' 2022 updated Title VI Program, a copy of which is on file with the Department of Transportation and Public Works Office of Civil Rights and Labor Relations, and authorizes the County Mayor or County Mayor's designee to submit the 2022 updated Title VI Program to the Federal Transit Administration.

The foregoing resolution was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Roberto J. Gonzalez	aye
Keon Hardemon	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA BY
ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Annery Pulgar Alfonso

A handwritten signature in black ink, appearing to be "AP", written over a horizontal line.