

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS
County of Placer

TO: BOARD OF SUPERVISORS

DATE: JULY 8, 2014

FROM: KEN GREHM^A / WILL GARNER^{WG}

SUBJECT: TITLE VI CIVIL RIGHTS PROGRAM POLICY - TRANSIT

ACTION REQUESTED / RECOMMENDATION

1. Adopt a Resolution authorizing the Chair to approve the Placer County Department of Public Works (DPW) Title VI Civil Rights Program Policy for Placer County Transit and Tahoe Area Regional Transit. There is no net County cost.

BACKGROUND / SUMMARY

Placer County annually receives funding from the Federal Transit Administration (FTA) directly from FTA and as a sub recipient to both Caltrans and Nevada Department of Transportation. As a recipient of FTA funds, Placer County is required to conform to Title VI of the Civil Rights Act of 1964 and its amendments. Title VI of the Civil Rights Act of 1964 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.

FTA requires the Title VI program be available to the public, approved by the Board of Supervisors and submitted to FTA every three years. DPW has prepared an updated Title VI program policy document. Notices announcing the availability of the document for review have been posted in bus stops, on buses, in two local newspapers and on-line since May of 2014. The program policy document describes the Federal requirements under Title VI and identifies Placer County's procedures for carrying out those requirements. Once approved, this program policy will be valid through 2017.

ENVIRONMENTAL

The project is statutorily exempt from CEQA pursuant to section 21080(b)(10), as it is a project to provide passenger service. These activities are also categorically exempt pursuant to NEPA requirements.

FISCAL IMPACT

There is no fiscal impact associated with the Title VI Program Policy. The document was prepared by DPW staff within the budgeted resources of the department.

Attachments: Resolution

Placer County Department of Public Works – Placer County Transit & Tahoe Area
Regional Transit Title VI Civil Rights Program Policy

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of : ADOPT A RESOLUTION
AUTHORIZING THE CHAIR TO APPROVE THE
PLACER COUNTY DEPARTMENT OF PUBLIC
WORKS TITLE VI CIVIL RIGHTS PROGRAM POLICY
FOR PLACER COUNTY TRANSIT AND TAHOE AREA
REGIONAL TRANSIT

Resol. No:.....

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, Placer County is a recipient of Federal Transit Administration (FTA) funds; and

WHEREAS, the Department of Public Works has prepared the Title VI Program Policy in
accordance with FTA Circular 4702.1B; and

WHEREAS, The Title VI Program Policy is required to be submitted to FTA every three years;
and

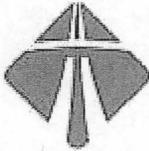
NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of the County of Placer,
State of California, that the Placer County Department of Public Works Title VI Civil Rights
Program Policy for Placer County Transit and Tahoe Area Regional Transit is hereby
approved.

PLACER COUNTY DEPARTMENT OF PUBLIC WORKS

PLACER COUNTY TRANSIT

&

TAHOE AREA REGIONAL TRANSIT



PLACER COUNTY TRANSIT
"We're going your way!"



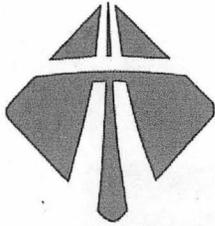
**TITLE VI CIVIL RIGHTS
PROGRAM POLICY**

Draft: May, 2014

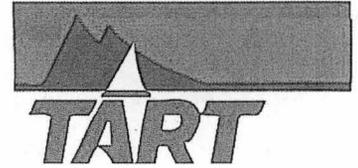
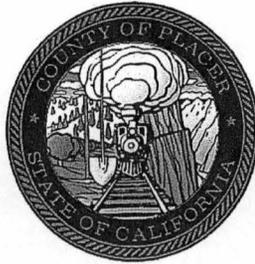
Approved by Board of Supervisors on _____

TABLE OF CONTENTS

PURPOSE.....	1
STATEMENT OF POLICY.....	1
DESCRIPTION OF TRANSIT SERVICES.....	2
GENERAL REPORTING REQUIREMENTS.....	3
1) Annual Title VI Certifications and Assurances	3
2) Requirement to Prepare and Submit a Title VI Program.....	3
3) Requirement to Notify Beneficiaries of Protection Under Title VI.....	3
4) Title VI Complaint Procedures.....	3
5) Title VI Investigations, Complaints and Lawsuits.....	4
6) Requirement to Promote Inclusive Public Participation.....	4
7) Requirement to Provide Meaningful Access to Limited English Proficient (LEP) Persons	4
The Number of LEP persons eligible to be served or likely to be encountered.....	5
The frequency with which LEP individuals come into contact with the program.....	5
The nature and importance of the County's transit service to people's lives.....	6
Resources and Costs	6
Conclusion of Four Factor Analysis	6
Existing Efforts to Provide Spanish Language Information	6
Upcoming Actions.....	7
8) Minority Representation of Planning and Advisory Bodies.....	7
9) Providing Assistance to Sub-recipients	7
10) Monitoring Sub-recipients	8
11) Determination of Site or Location of Facilities	8
12) Requirement to Provide Additional Information on Request	10
13) Requirements for Fixed Route Transit Providers	10
14) Summary of Public Outreach since last Title VI submittal	10
 Attachment 1: Title VI Non-Discrimination Policy with Complaint Procedure	 11
Attachment 2: List of Transit-Related Title VI Investigations, Complaints,& Lawsuits.....	15
Attachment 3: Public Participation Plan	16
Attachment A: Threshold for Civil Rights Programs.....	19
Attachment B: Sample Notice.....	20
Attachment 4: System-Wide Service Standards (Vehicle Load and Headway).....	21
Attachment 5: System-Wide Service Policies (Vehicle Assignment & Transit Amenities)	23
Attachment 6: Placer County Board of Supervisors Resolution	24



PLACER COUNTY
TRANSIT



TAHOE AREA
REGIONAL TRANSIT

PLACER COUNTY DPW/TRANSIT SERVICES TITLE VI PROGRAM POLICY

Placer County Department of Public Works (DPW)/Transit Services is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services or programs on the basis of race, color or national origin as afforded under Title VI of the Civil Rights Act of 1964.

Purpose: The purpose of this policy is to establish guidelines to effectively monitor and ensure that Placer County's transit services is in compliance with all Federal Transit Administration (FTA) Title VI requirements in order to carry out the provisions of the Department of Transportation (DOT) Title VI Regulations at 49 CFR Part 21. This policy follows the requirements detailed in FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," dated October 1, 2012.

Statement of Policy:

Placer County DPW/Transit Services, as a federal grant recipient, is required by the FTA to conform to Title VI of the Civil Rights Act of 1964 and its amendments. Title VI of the Civil Rights Act of 1964 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 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency.

The County is committed to enforcing the provisions of Title VI and protecting the rights and opportunities of all persons associated with the County or affected by its programs. The County's commitment includes vigorously enforcing all applicable laws and regulations that affect the County and those organizations, both public and private, which participate and benefit through our programs.

The County will take positive and realistic affirmative steps to ensure that all persons and/or firms wishing to participate in its programs are given an equal and equitable chance to participate.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

The County's sub-recipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services.

The Placer County Department of Public Works is responsible for providing leadership, direction and policy to ensure compliance with Title VI of the 1964 Civil Rights Act in respect to its transit services. Any person(s) who feels that they have been discriminated against is encouraged to report such violations in writing to the County's Risk Management office as described in Attachment #1.

Description of Transit Services:

The Placer County Department of Public Works operates two separate transit systems within Placer County: Placer County Transit (PCT) and Tahoe Area Regional Transit (TART). PCT operates in western Placer County and TART operates in eastern Placer County.

Placer County Transit (PCT)

PCT directly operates routes between 1) Alta, Colfax and Auburn, 2) Auburn and the Watt-I-80 Light Rail, 3) Dry Creek Road in North Auburn to Downtown Auburn, and 4) Lincoln, Rocklin and Sierra College.

PCT contracts Dial-A-Ride service and the Taylor Road Shuttle to MV Transportation (as of November 1, 2013). Dial-A-Ride provides service based on reservations directly to requested destinations within the service area. Dial-A-Ride is provided in Auburn in the Highway 49 Corridor, Loomis, Rocklin and Granite Bay. The Taylor Road Shuttle was established in 2001 to provide service to Newcastle, Penryn and Loomis from Auburn to Sierra College.

The Placer Commuter Express (PCE) was funded as a demonstration program, beginning in August of 2004, with Congestion Mitigation Air Quality (CMAQ) funds for the first two years, and it is now fully funded by local jurisdictions. This service provides four morning commute runs to downtown Sacramento and three return trips in the afternoon. The service begins in Colfax and stops at Clipper Gap, Auburn, Penryn, Loomis, Rocklin and Roseville. PCT provides the PCE service under contract to Amador Stage Lines for three runs

The Placer County Vanpool program is administered by PCT. The vanpools are leased from a private firm and driven by one of the commuters in the vanpool. Currently there are 10 vanpools originating from Placer County to various employers in Sacramento and Davis.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

Tahoe Area Regional Transit (TART)

TART operates public bus transit service in North Tahoe. TART's "Mainline" route runs year-round between Tahoma on the west shore to the Hyatt in Incline Village. The route serves Tahoe City, Kings Beach and all of the other communities along this route. TART also operates route service between Tahoe City, Squaw Valley and Truckee. In the summer time, TART adds additional daytime service. In the Winter TART operates a route on Highway 267 between Truckee and Kings Beach/Crystal Bay.

General Reporting Requirements:

Below are the requirements that all FTA recipients and sub recipients must follow to ensure that their programs, policies and activities comply with the DOT Title VI regulations. Placer County operates 21 vehicles in peak fixed route service. As such, this document will not include the Title VI requirements required for urbanized areas over 200,000 population operating 50 or more fixed route vehicles in peak service.

1) Annual Title VI Certifications and Assurances

Placer County must annually execute and submit the annual Certifications and Assurances. The document is submitted electronically through FTA's TEAM web site. The Certifications and Assurances are executed by both the DPW designated official and the County Counsel office. Placer County also submits a paper version of the Certifications and Assurances to Caltrans Division of Mass Transit and Nevada DOT to fulfill the County's requirement as a subrecipient of FTA 5311 funds.

2) Requirement to Prepare and Submit a Title VI Program

This program will be adopted by Resolution of the Placer County Board of Supervisors

3) Requirement to Notify Beneficiaries of Protection Under Title VI

In order to comply with 49 CFR Section 21.9(d), Placer County has provided information to the public regarding the County's Title VI obligations, and has apprized members of the public of protections against discrimination afforded to them by Title VI. The County has disseminated this information on the County's web site and on buses operated by Placer County. On occasion, this information will be printed and posted at key bus stop kiosks. This information is printed on the Countywide Transit Connections brochure. This information is included in Attachment 1 to this document.

4) Title VI Complaint Procedures

Placer County developed a Title VI complaint procedure in December, 2009. The purpose of the complaint procedure is to provide the public with instructions on filing a civil rights complaint against Placer County's Transit services, and for investigating and tracking those complaints. The Placer County Title VI complaint procedure is included in Attachment 1.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

5) Title VI Investigations, Complaints and Lawsuits

Placer County is responsible for complying with 49 CFR Section 21.9(b) by preparing and maintaining a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the County that allege discrimination on the basis of race, color or national origin. The list shall include the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation; the status of the investigation, lawsuit, or complaint; and actions taken by the County in response to the investigation, lawsuit or complaint. Placer County has had no Title VI complaints regarding transit services in the past three years as of May 1, 2014.

6) Requirement to Promote Inclusive Public Participation

Placer County's plan to promote inclusive public participation is shown in Attachment 3 of this document. Placer County ensures that minority and LEP populations, as with all members of the public, will be empowered to participate in decisions involved with the County's transit system.

7) Requirement to Provide Meaningful Access to Limited English Proficient (LEP) Persons

Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP).

Assessment of LEP Access

The US Department of Transportation (DOT) issued its Policy Guidance Concerning Recipients Responsibilities to LEP [Federal Register: December 14, 2005 (Volume 70, Number 239)]. This policy states that DOT recipients are required to take reasonable steps to ensure meaningful access to programs by LEP persons. There are four factors for agencies to consider when assessing language needs and determining what steps they should take to ensure access for LEP persons, regardless of whether or not the agency chooses not to prepare a written LEP plan:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service of the grantee;
- 2) The frequency with which LEP individuals come into contact with the program;
- 3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and

4) The resources available to the recipient and costs.

The number of LEP persons eligible to be served or likely to be encountered

The non-English language that Placer County Transit Services needs to address is Spanish. According to the 2007-2011 American Community Survey for Placer County 16,740, or 5.2% of the County’s population speak English less than “very well”. 51% of that population is Spanish speaking. The remaining 49% are a large variety of Indo-European, Asian and Pacific and other languages. These numbers, as well as our experience, show that Spanish is the one non-English language that Placer County needs to address for the purposes of LEP requirements. Spanish speaking persons who are identified as speaking English less than “very well” represent 2.7% of Placer County’s population, compared to 13.1% statewide in California.

Summary of Limited English Proficiency Statistics

	California	Placer County
Total Population	34,781,291	322,714
Population Speaking English Less Than Very Well - Percent	19.6%	5.2%
Spanish Speaking Population Speaking English Less Than Very Well - Percent	13.1%	2.7%

Source: U.S. Census Bureau American Community Survey 5-Year Estimates. 2007-2011 for Placer County; 2008-2012 for California

In October of 2010 and April of 2011, an on-board survey was conducted on Placer County Transit. The survey form was offered in both English and Spanish. 4% of the forms were returned in Spanish.

The frequency with which LEP individuals come into contact with the program

Placer County assumes that the LEP individuals are regular users of the transit services provided by Placer County. At Placer County Transit, we observe relatively little interaction with Spanish speaking individuals to the point of language being a barrier to use of the service. As noted above, 4% of the survey respondents used a Spanish survey form. Based on observed interaction with the public in the field, our Tahoe Area Regional Transit (TART) operation serves Spanish speaking individuals daily. 2,663 out of 8,936, or 30%, of the 2010 Census population in Tahoe Census Designated Places within Placer County is Hispanic or Latino which supports our observations. However, at Lake Tahoe,

much of the ridership, particularly during the winter ski season, are temporary residents that are not necessarily counted in the Census.

The nature and importance of the County's transit service to people's lives

This assessment makes the assumption the transit service is important to people's lives. Section IV the DOT Policy Guidance Concerning Recipients Responsibilities to LEP Persons lists "Public transportation passengers" as an example of persons who are served or encountered by DOT recipients and should be considered when planning language services.

Resources and Costs

Given the relatively small amount of LEP persons encountered in day to day service, there has not been significant investment in Spanish language materials.

Conclusion of Four Factor Assessment

Given the relatively modest size of the County's transit services and the small amount of LEP persons Countywide, Placer County has determined that it is not necessary to develop a formal LEP plan. This is done with the full understanding that the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to the County's transit program. In addition, the County will continue to develop materials to provide meaningful access to Spanish speaking persons.

Existing Efforts to Provide Spanish Language Information

- ♦ Placer County currently provides the TART system map and brochure in both Spanish and English.
- ♦ The South Placer Transit Information Center, which was implemented in May of 2011, includes a Spanish language option to obtain transit information and to book rides on demand response services.
- ♦ The Nextbus website providing predicted arrival times for Tahoe Area Regional Transit is available in Spanish.
- ♦ Unmet transit needs workshop notices are posted in both English and Spanish on buses and at bus stops.
- ♦ Key service advisories and notices have been published in Spanish.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

- ♦ Placer County provides a 5% pay increase incentive for employees who are able to contribute to their duties with written and verbal bi-lingual fluency.
- ♦ Placer County has hired key office personnel in the Tahoe office fluent in Spanish to assist with Spanish speaking callers and English-Spanish translation of service advisories.

Upcoming Actions

- ♦ Placer County is in the process of redesigning the PCT schedule and service guide. This effort will be produced in Spanish as well as English.
- ♦ Key information available on the County web site will continue be translated and published in Spanish.

8) Minority Representation on Planning and Advisory Bodies

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

9) Providing Assistance to Subrecipients

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

Placer County currently has two sub-recipients: The City of Auburn and The City of Lincoln. As such, Placer County will provide the following information to these sub-recipients:

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

- a. Sample Notices to the public informing beneficiaries of their rights under DOT's Title VI regulations, procedures on how to file a Title VI complaint, and Placer County's Title VI Complaint form.
- b. Sample procedures for tracking and investigating Title VI complaints filed with sub-recipients, and when Placer County expects sub-recipients to notify Placer County of complaints received.
- c. Demographic information on the race and English proficiency of residents served by sub-recipients. This information will assist sub-recipients in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.
- d. Other data such as travel patterns and surveys obtained by Placer County that will assist sub-recipients in complying with Title VI.

10) Monitoring of Sub-recipients

In accordance with 49 CFR 21.9(b), and to ensure that sub-recipients are complying with the DOT Title VI regulations, primary recipients must monitor their sub-recipients for compliance with the regulations. Importantly, if a sub-recipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance.

Placer County currently has two sub-recipients: The City of Auburn and The City of Lincoln. As such, Placer County will monitor following to ensure compliance by these sub-recipients:

- a. Document Placer County's process for ensuring that the City of Auburn and the City Lincoln are complying with general reporting requirements of FTA Circular 4702.1B
- b. Obtain a copy of the Title VI program from both sub-recipient jurisdictions.
- c. At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by Placer County, the County shall request that the City of Auburn and/or City of Lincoln verify their level and quality of service is provided on an equitable basis.

11) Determination of Site or Location of Facilities

Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under

any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.” For the purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in the System-Wide Service Standard Requirements in Attachment 5, nor does it include transit stations, power substations, etc. as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

The Placer County Department of Public Works will ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all transit facility projects covered under Title 49 CFR Section 21.9(b)(3).

- a. Placer County DPW will complete a Title VI equity analysis during the planning stage with regard to where a transit project is located or sited to ensure the location is selected without regard to race, color, or national origin. Placer County DPW will engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis will compare the equity impacts of various siting alternatives, and the analysis will occur before selection of the preferred site.
- b. When evaluating locations of transit facilities, Placer County DPW will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis will be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
- c. If Placer County DPW determines that the location of the project will result in a disparate impact on the basis of race, color or national origin, Placer County determine if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color or national origin. Placer County DPW will demonstrate how both tests are met and will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color or national origin and then implement the least discriminatory alternative.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

12) Requirement to Provide Additional Information on Request

Placer County will provide additional information, if at the discretion of FTA, more information is necessary to be provided in order to investigate a complaint or discrimination. Placer County will submit an updated Title VI program every three years to the FTA regional civil rights officer. The submittal of the Title VI program is done through FTA's TEAM grant management system.

13) Requirements for Fixed Route Transit Providers

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

Placer County qualifies for a reduced level of Chapter IV reporting. If a fixed route transit provider does not operate 50 or more fixed route vehicles in peak service the transit provider is only required to set system-wide standards and policies. Please refer to Placer County's System-Wide Service Standards (Attachment 4) and System-Wide Service Policies (Attachment 5).

14) Summary of Public Outreach since last Title VI submittal.

Each year Placer County participates with the Placer County Transportation Planning Agency in holding unmet transit needs workshops throughout the County to take a variety of public input regarding transit services. In 2014, there were 14 public workshops for unmet transit needs in Placer County. 138 comments were received from the public. There have not been any recent increases in fare revenue or any service reductions to warrant a public hearing. Placer County held public hearings in 2009 in relation to fare increases on both PCT and TART services. In 2010, a public hearing was held at the Board of Supervisors meeting in Lake Tahoe in regard to the potential reduction of service on TART, which did not take place. Placer County transit staff are active participants in the BEST STEP, a local group of social service providers that meet monthly to discuss transit issues specific to their client needs. Placer County staff also participates actively on the Social Services Transportation Advisory Council. Placer County staff holds board member seats on the Truckee-North Tahoe Transportation Management Association, and on the Tahoe Transportation District Board. Placer County Staff is also a committee member on the North Lake Tahoe Resort Association Transportation & Infrastructure Committee. Staff has actively participated in public workshops and meetings held by all of these entities.

Attachment 1

Placer County DPW/Transit Services
Title VI Non Discrimination Policy
With complaint procedure
(Also Published in Spanish on Website)

**PLACER COUNTY DPW/TRANSIT SERVICES
TITLE VI NON DISCRIMINATION POLICY**

Placer County DPW/Transit Services is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services or programs on the basis of race, color or national origin as afforded under Title VI of the Civil Rights Act of 1964.

Statement of Policy:

Placer County DPW/Transit Services, 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 and its amendments. Title VI of the Civil Rights Act of 1964 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 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency.

The County is committed to enforcing the provisions of Title VI and protecting the rights and opportunities of all persons associated with the County or affected by its programs. The County's commitment includes vigorously enforcing all applicable laws and regulations that affect the County and those organizations, both public and private, which participate and benefit through our programs.

The County will take positive and realistic affirmative steps to ensure that all persons and/or firms wishing to participate in its programs are given an equal and equitable chance to participate.

The County's sub-recipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services.

The Placer County Department of Public Works is responsible for providing leadership, direction and policy to ensure compliance with Title VI of the 1964 Civil Rights Act in respect to its transit services. Any person(s) who feels that they have been discriminated against is encouraged to report such violations in writing to the County's Risk Management office:

**Placer County Department of Public Works
3091 County Center Drive, Suite 220
Auburn, CA 95603**

**Your Rights Under
Title VI
of the Civil Rights Act of 1964**

This document outlines the Title VI complaint procedures related to providing programs, services, and benefits. It does not, however, deny the complainant the right to file formal complaints with the California Department of Transportation, the Secretary of the US Department of Transportation, Equal Employment Opportunity Commission (EEOC), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 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. Two Executive Orders extend Title VI protections to Environmental Justice, which also protects persons of low income, and Limited English Proficiency (LEP).

Title VI Complaint Procedure:

1. Any person who believes that they have been subjected to discrimination may file a written complaint with the Placer County Department of Public Works. Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident. The complaint procedure may be obtained from the Placer County web page at either www.placer.ca.gov/transit or www.placer.ca.gov/tart. The complaint procedure may be requested via e-mail at pct@placer.ca.gov or tart@placer.ca.gov. The complaint may be via telephone at 530-745-7591. The complaint procedure can be obtained by writing to Placer County Department of Public Works, 3091 County Center Drive #220, Auburn, CA 95603.
2. The complaint must be a written statement that contains all of the information identified below in sections a through g.
 - a. Name, address, and telephone number of the complainant.
 - b. The basis of the complaint (race, color, national origin).
 - c. The date or dates on which the alleged discriminatory event or events occurred.
 - d. The nature of the incident that led the complainant to feel discrimination was a factor.
 - e. Names, addresses and telephone numbers of persons who may have knowledge of the event.
 - f. Other agencies or courts where complaint may have been filed and a contact name.
 - g. Complainant's signature and date.

If the complainant is unable to write a complaint, Placer County Department of Public Works staff will assist the complainant. If requested by complainant, Placer County will provide a language or sign interpreter.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

The complaint may be sent to the following address:

Placer County Department of Public Works

3091 County Center Drive, Suite 220

Auburn, CA 95603

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

This notice is posted on buses, at key bus stops and at transit offices:

NOTICE:

In order to comply with 49 CFR Section 21.9(d):

The County of Placer certifies that,
No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit related benefits.

Additional information on the County's obligations under this code can be obtained on the County website at <http://www.placer.ca.gov/Departments/Works/Transit.aspx> or by submitting a written request to Placer County Transit, 11460 F Ave. Auburn, CA 95603 or Tahoe Area Regional Transit, PO Box 1909 Tahoe City, CA 96145.

To file a complaint, filing instructions can be found on the County website at <http://www.placer.ca.gov/Departments/Works/Transit.aspx> or by requesting the form in writing from the **Placer County Department of Public Works** office at, **3091 County Center Drive, Suite #220, Auburn, CA 95603.**

(This notice is also posted in Spanish)

Attachment 2

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

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

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

Placer County has not received Title VI Investigations, Complaints or Lawsuits. Below is the list that will be used for tracking these incidents:

Investigations, Lawsuits and Complaints

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.	N/A			
2.	N/A			
Lawsuits				
1.	N/A			
2.	N/A			
Complaints				
1.	N/A			
2.	N/A			

Attachment 3

Public Participation Plan PLACER COUNTY (PCT) AND TAHOE AREA REGIONAL TRANSIT (TART)

POLICIES & PROCEDURES FOR **PUBLIC PARTICIPATION PROCESS**

ARTICLE I, PURPOSE

Pursuant to 49 USC Chapter 53, Section 5307 (d)(1)(I) Federal Transit Administration (FTA) grantees are required to develop a local process to solicit and consider public comment prior to a fare increase or major service reduction. In addition, FTA grantees must solicit public input and consider public comment for its charter services program and for its Federal civil rights program (Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity, Disadvantaged Business Enterprise, and Americans with Disabilities Act). Public meetings are not a mandatory requirement; however, an opportunity for a public hearing must be given.¹ This Policy describes when an opportunity for a public hearing will be provided, how hearings will be conducted, and how the results of hearings will be considered in the decision-making process.

ARTICLE II, BACKGROUND

Placer County Transit (PCT and Tahoe Area Regional Transit (TART), henceforth referred to as “Placer County ” (County), welcomes and encourages citizen input into its service planning process. To achieve this end, County will strive for an open exchange of information and ideas between the public and transit decision-makers. The overall objective of the County’s public participation process is that it be proactive; provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. By doing so, County hopes to build support among the public who are stakeholders in the transportation investments that impact their community. Placer County Provides transit services over a vast geographic area. Public workshops, meetings and hearings will be held in the location and forum most appropriate for the actions proposed. This includes meetings of the Board of Supervisors, Municipal advisory Committees, City Councils, The Placer County Transportation Planning Agency or Sacramento Area Council of Governments.

ARTICLE III, FARE INCREASE AND MAJOR SERVICE CHANGES

For the purpose of this Policy, a major service change” is defined as: 1) A 25% or greater reduction in

¹ For the purpose of developing its FTA transportation plans, programs and projects, Placer County will rely on the public participation process of the Placer County Transportation Planning Agency & Sacramento Area Council of Governments.

Placer County Title VI Program – Transit Services

2013/14 – 2015/16

Placer County Department of Public Works

either the service miles or the service hours of any established fixed-route or route segment, 2) A 25% or greater reduction in service area or service hours for complementary paratransit service, 3) The removal of greater than 25% of the bus stops on any established fixed-route segment 4) A 25% or greater reduction in either the service miles or hours in any day service day of the week. The Board of Supervisors will approve all major service reductions and fare increases. Major service reductions entirely within a City or County other than Placer will require action of the appropriate jurisdiction prior to action of the Board of Supervisors. The County will provide the opportunity for public participation for major service reductions.

The County may temporarily change service levels to reflect emergency or other operating conditions without providing for public participation. Except in those situations where advanced notification is impractical, County will notify the public of the changes by posting notices in all County vehicles and other means designed to inform the public.

ARTICLE IV, CHARTER SERVICES PROGRAM

There is no requirement to hold a public hearing for the Charter Bus services program. Placer County does not provide Charter bus service.

ARTICLE V, CIVIL RIGHTS PROGRAMS

County must provide for public participation in assuring compliance with Federal civil rights programs as mandated by the FTA. It is the responsibility of the County to assure compliance with these programs as each mandated threshold is surpassed. See **Attachment A** for current threshold levels.

ARTICLE VI, POLICIES AND PROCEDURES

Section 1 – Public Input

While written comments will be encouraged, County staff will also chronicle verbal comments. County staff is required to consider each suggestion made in the public participation process, though County is not required to implement each suggestion.

County will provide forms for making written comments/suggestions on all buses and at the County Transit offices. Nonetheless, these forms need not be used to submit a suggestion or comment. The County Staff will furnish a summary of comments received and County staff's response to the Board of Supervisors.

Section 2 – Public Notices

Each notice of an opportunity for a public hearing will be posted in all County buses, in the County passenger shelters, at Board Of Supervisors office, and in the Placer County Library. In addition, a notice will be published for two consecutive days in local newspapers of general circulation. Direct-mail

notices will be sent to appropriate agencies that are deemed by County to be directly affected by or involved with the proposed action. A period of not less than 10 calendar days will be allowed for a written public hearing request. If requested, the date of the offered public hearing will be scheduled at the appropriate hearing board and noticed in the same manner as the opportunity notice. See **Attachment B** for a sample Notice of Public Hearing. A staff report that outlines each item under consideration will be available upon request and at the public hearing. Included in this staff report will be a description of the proposed action, its purpose, any information and data relevant thereto, and will contain other information that is deemed relevant.

Section 3 – Joint Hearing With Other Jurisdictions

For a public hearing which may involve the County and other City Departments or other public agencies, County will provide for joint hearings with the affected Departments/agencies at a mutually agreeable time and place. For any such joint hearings, the affected Departments/agencies will designate its representatives and advise County thereof.

Section 4 – Conduct of Public Hearing

Public hearings will be designed to provide a means by which County may inform the public of the basis for proposed actions, and the hearings will not be designed to be adversarial in nature. The public hearing will be conducted in an orderly manner under the control of the chairperson or an assigned staff person. Minutes of the public hearing and written public testimony and a staff report will be available to the public for examination at County offices.

Section 5 – Recommendation to the Board of Supervisors

Any subsequent recommendations to the Board of Supervisors will document input received from public hearings related to the proposed action.

Attachment A, Public Participation Plan

Thresholds for Civil Rights Programs

Title IV, Civil Rights Act of 1964

A Federal Transit Administration grantee that operates in an urbanized area with a population of 200,000 people or more is required to submit a Title VI Program assurance plan to FTA as described in FTA Circular 4702.1.

Equal Employment Opportunity

A Federal Transit Administration grantee that both employed 50 or more transit-related staff (including operational personnel) and received \$1 million in capital or \$250,000 in planning assistance in the previous fiscal year must submit a formal Equal Employment Opportunity plan as described in FTA Circular 4704.1.

Disadvantaged Business Enterprise

A Federal Transit Administration grantee that receives capital or operating assistance of \$250,000 or more (exclusive of vehicles) or \$100,000 in planning assistance must submit a written Disadvantaged Business Enterprise program as described in FTA Circular 4716.1A

Americans with Disabilities Act

No entity will discriminate against an individual with a disability in connection with the provision of transportation service.

Attachment B, Public Participation Plan

PLACER COUNTY

SAMPLE

NOTICE OF PUBLIC HEARING

Re: ****PROPOSED ACTION****

- I. NOTICE IS HEREBY given that, if written request(s) to hold a public hearing is received by Placer County within 10 days of the publication of this notice, a public hearing will be held by on ****DATE**** at ****TIME****, The purpose of this public hearing is to consider ****PROPOSED ACTION****.
- II. Placer County is the designated recipient of Federal funds apportioned to the County. As required by the Federal Transit Administration (FTA), Placer County will offer the opportunity for a public hearing to consider the ****PROPOSED ACTION****.
- III. The ****PROPOSED ACTION**** is published to afford affected citizens, private transportation providers, and locally elected officials an opportunity to examine its content and to submit comments regarding performance of the recipient and the ****PROPOSED ACTION****. If no requests are received, this ****PROPOSED ACTION**** becomes the recommended action.
- IV. Accommodations for those individuals with disabilities will be provided upon request. Please call Placer County Department of Public Works, at (530) 889-7500, at least three working days before the public hearing.
- V. Written comments should be forwarded to Transit Manager, Placer County Department of Public Works, 3091 County Center Drive, Suite 220, Auburn CA 95603, and postmarked no later than ****DATE****.
- VI. An Staff report outlining the proposed action will be available for public review at the public hearing, Placer County Department of Public Works offices after ****DATE****. If you cannot attend the meeting but wish to make comments, call the Department of Public Works Transit Manager, at (530) 889-7500. Please leave a recorded message if no one is available to speak to you personally.

Transit Manager

Placer County

Attachment 4
System-Wide Service Standards
Placer County Transit & Tahoe Area Regional Transit

1. Vehicle Load

Vehicle Load can be expressed as the ratio of passengers on-board to the number of seats on a vehicle. When maximum load factors are reported as being exceeded, the ridership will be monitored to determine if the load factor is being exceeded on a regular basis. If load factors are exceeded regularly, additional capacity will be added or routes or schedules will be modified.

Bus Load Factor Standards				
Vehicle Type	Seated Capacity	Standing Capacity	Total Capacity	Maximum Load Factor
25' Cutaway	18	5	23	1.3
30' Standard Bus	32	15	47	1.5
35' Standard Bus	35	18	51	1.5
40' Standard Bus	38	20	58	1.5
45' Commuter Coach	57	15	72	1.3

2. Vehicle Headway

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

Placer County's maximum headway is 60 minutes on all fixed routes with the following exceptions:

- a) The Taylor Road Shuttle is a deviated fixed route which operates on 120 minute headways due to the rural nature of the route.
- b) Placer Commuter Express operates four morning and four afternoon runs into and out of Downtown Sacramento. These routes are not scheduled to operate on any particular headway. Instead they are clustered in an attempt to optimize the match of service to demand within the amount of service offered. As of January 1, 2014 there are four morning runs arriving in Downtown Sacramento between 6:50 AM and 7:40 AM, and four runs departing Downtown Sacramento between 4:17 PM and 5:15PM.

3. On-Time Performance

Placer County fixed route buses shall depart no more than 5 minutes late from the scheduled departure time. The service shall strive to meet this standard 90% of the time. No bus shall depart a designated time point prior to its scheduled departure time 100% of the time. Placer County's goal is to make 95% of all timed transfers. Periodically, time points may need to be changed to adjust for changing travel times.

4. Service Availability

Placer County fixed route transit services are primarily intercity or intercommunity routes spanning long distances. Routes are planned and designed to serve major corridors within Placer County including the Interstate 80, Highway 65, Highway 49, Highway 89, Highway 28 and Highway 267. The availability of routes is based on the ridership demand balanced with available resources.

Attachment 5
System-Wide Service Policies
Placer County Transit & Tahoe Area Regional Transit

FTA requires that all providers of fixed route public transportation develop qualitative policies for the following procedures. These policies are to be set by individual transit providers; therefore, these policies will apply to individual agencies rather than across the entire transit industry.

- Vehicle Assignment
- Transit Amenities

1. Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and on routes throughout the transit provider's system. Transit vehicles in Placer County will be assigned based on capacity and route characteristics. The 35' buses are the only fixed route buses suitable for the Placer County Transit Auburn-Light Rail route because they have the fuel capacity to operate 500 miles in one day. The two diesel powered buses are better suited for the Tahoe Area Regional Transit Highway 267 bus route due to their superior power over the 9% alpine grade. The 45' commuter diesel buses are used only on the Placer Commuter Express routes due to their capacity to carry 57 passengers. The 25' cut-away buses are used on the Taylor Road Shuttle and Auburn-Alta route because they deviate off route and have better turning radius and tree clearance than the larger buses. The remaining buses are assigned across routes as available. There is very little difference within the fleet in regard to passenger amenities or capacity.
2. Transit Amenities refer to items of comfort, convenience and safety that are available to the general riding public. Fixed route transit providers must set a policy to ensure equitable distribution of transit amenities across the system. This requirement applies after a transit provider has decided to fund an amenity. Transit amenities may include: seating (benches, seats at stops/stations); bus shelters; printed information (signs, system maps, schedules; digital equipment ie: NextBus software; Waste receptacles including trash and recycling). Placer County will place transit amenities throughout the system within Placer County. Placer County does not have decision making authority over the siting of physical transit amenities like passenger shelters within cities or adjacent Counties. Placer County will coordinate with all jurisdictions in which Placer County buses operate to encourage the proper placement of passenger amenities. Placer County will ensure that private transit providers under contract with the County make all vehicle passenger amenities are properly in use for the benefit of passengers.

Attachment 6
Placer County Board of Supervisors Resolution
Authorizing Approval of Title VI Program Policy

<Insert Executed Resolution>