



**City of Bisbee
Transit Advisory Committee
118 Arizona Street
Bisbee, AZ 85603**

Wednesday, November 19, 2014 at 9:00am

Agenda

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

9:00 a.m. Call to Order

Roll Call:

Bonnie Baccus, Bus Rider
Luis Ruiz, CCAH
Troy Lopes, CCS Transportation Coordinator
Shirley Doughty, City Council Liaison

Connie Gastelum/Chris Vertrees, SEAGO
Humberto Rivera/Jessica Urrea, Douglas Rides
Nicole Patrick, ADOT 5311 Manager
Corinna Carbajal, Transit Manager

CALL TO THE PUBLIC –

Item 1.

Discussion Only, Bisbee Bus Grant for FY 2014-2015 Awards.

Discussion only, grant awards. Grant funds will be used to continue to manage and operate the Bisbee Bus transit system serving the City of Bisbee and Naco, Arizona with the capital awards for new bus stop shelters and video and reporting equipment.

Corinna Carbajal, Transit Manager

Item 2.

Discussion Only, Bus Procurement and Bus Stop Shelters and Benches from possible State Contract and Discussion on Locations of Shelters and Benches.

Discuss only, the new bus procurement and bus stops using the Arizona State Contract. Discussion on locations of bus stop shelters and benches.

Corinna Carbajal, Transit Manager

Item 3.

Discussion and Possible Action, Title VI, LEP and Public Participation Plans.

Discussion and possible action on the updated Title VI, LEP and Public Participation Plans.

Corinna Carbajal, Transit Manager

Item 4.

Discussion Only, Report on FY2013-2014 Bisbee Bus 5311 Grant, Maintenance Issue and Contractor Contract Status.

Discussion and Possible Action, report on the FY 2013-2014 5311 Grant, Administrative, Operating and Capital costs and Contractor Contract status.

Corinna Carbajal, Transit Manager

Item 5.

Discussion Only, Report from Catholic Community Services.

Report on last quarter including ridership statistics, maintenance and equipment, personnel updates and training, future goals and changes since prior meeting, marketing and future plans.

Troy Lopes, CCS Transit Coordinator

Item 6.

Discussion and Possible Action on 5 Year Plan, Mission Statement, Goals, Objectives, and Performance measures.

Discuss and possible action on 5 year plan, mission statement, goals, objectives, and performance measures.

Corinna Carbajal, Transit Manager

STAFF COMMENTS: Tentative schedule for next year, ADOT application training in December 2014, new Website and Google GTFS.

MEMBER'S COMMENTS:

ADJOURNMENT:

Next meeting: tentative February 18. 2015

PERSONS NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT CORINNA CARBAJAL, COMMITTEE LIAISON, AT (520) 432-6016, AT LEAST TWENTY-FOUR HOURS BEFORE THE MEETING.



CITY OF BISBEE

BISBEE BUS

TITLE VI PROGRAM PLAN AND COMPLAINT PROCEDURE POLICY

TITLE VI PROGRAM AND COMPLAINT PROCEDURE POLICY

Overview

The City of Bisbee operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he/she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Bisbee.

In addition, the City of Bisbee is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its programs, activities, or services on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability. All persons, regardless of their citizenship, are covered under this regulation.

The City of Bisbee prohibits discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability in its employment and business opportunities.

The City of Bisbee will not condone retaliation against an individual for his/her involvement in asserting his/her rights pursuant to Title VI or because he/she filed a complaint or participated in an investigation under Title VI, and /or this regulation.

As a Federal Transit Administration (FTA) fund sub-recipient, the City of Bisbee Transit Program, the Bisbee Bus will ensure that its programs, policies and activities comply with the Department of Transportation (DOT) Title VI Regulations of the Civil Rights Act of 1964. This policy was prepared with guidance from FTA Circular 4702.1B dated October 1, 2012. The legal authority states the following:

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.

The Bisbee Bus will ensure that the level and quality of its transportation service is provided without regard to race, color, national origin, age, sex, sexual orientation, gender identity, or disability. The Bisbee Bus will promote the full and fair participation of all affected populations in the transportation decision-making process.

In addition, the Bisbee Bus will make good faith efforts to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, activities, and services on minority populations and low-income populations within the Bisbee Bus's service area as provided herein.

The Bisbee Bus will ensure that Limited English Proficient (LEP) individuals have access to the Bisbee Bus's programs, activities, and services. This regulation shall be maintained in English and Spanish and provided in other languages upon a 24 hour request to the Bisbee Bus.

APPLICABILITY

This policy is applicable to all City of Bisbee employees, members of the public and all contractors hired by City of Bisbee.

Failure of a Bisbee Bus employee to follow this policy and procedure shall subject such employee to disciplinary action up to and including employment termination.

GENERAL REQUIREMENTS AND GUIDELINES

The Bisbee Bus will carry out its programs, activities, and services in compliance with Title VI of the Civil Rights Act of 1964. The City of Bisbee or any of its employees will not, on the grounds of race, color, national origin, age, sex, sexual orientation, or gender identity, exclude any person from participating in, deny the benefits of, or subject him/her to discrimination under any of Bisbee Bus's programs, services, or activities.

The City of Bisbee, Bisbee Bus, and Bisbee Bus Contractors or any of its employees will not, on the grounds of race, color, national origin, age, sex, sexual orientation, or gender identity:

- a) Provide any service, financial aid, or benefit that is difference from that provided to others;
- b) Subject an individual to segregation or separate treatment;
- c) Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others;
- d) Deny any individual service, financial aid, or benefits under any of Bisbee Bus's programs, services, or activities;
- e) Treat individuals differently in terms of whether they satisfy admission or eligibility requirements; and
- f) Deny an individual the opportunity to participate as a member of a planning or advisory body.

The Bisbee Bus shall evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether these changes have a discriminatory impact on low-income, minorities, and Limited English Proficient individuals.

Bisbee Bus holds at least one Transportation Advisory Committee Meeting every quarter to ensure that all individuals are afforded an opportunity to participate in transportation decisions.

As of November 12th, 2014, the Bisbee Bus has not received or investigated any Title VI complaints. Legal Counsel and the City of Bisbee's Transit Program Manager will maintain a list (a minimum of four years in active status) of any Title VI investigations, complaints, or lawsuits filed which allege the Bisbee Bus discriminated against a person or group on the basis of race, color, national origin, age sex, sexual orientation, gender identity, or disability. This list will include:

- a) The date the investigation, complaint, or lawsuit was filed;
- b) A summary of the allegation(s);
- c) The status of the investigation, complaint, or lawsuit; and
- d) Any actions or corrective actions taken by the Bisbee Bus in response to the investigation, complaint or lawsuit.

The Bisbee Bus will keep the public informed of the protections against discrimination afforded to them by Title VI and the Bisbee Bus's obligations under Title VI by posting this policy, or a *Title VI Policy Statement*: (1) on Bisbee Bus's website www.cityofbisbee.com (2) on transit vehicles, and (3) in printed

rider's guides (4) bus shelters & stops, (5) the Bisbee City Hall ADA room and meetings rooms (6) Contractor facilities. *Title VI Program Plan* will be posted in English and Spanish at the City of Bisbee City Hall and provided in other languages upon a 24 hour request to the City of Bisbee.

The City of Bisbee/Bisbee Bus will take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs, activities and services for individuals who are Limited English Proficient (LEP).

The Bisbee Bus will provide information, upon request from FTA and/or Arizona Department of Transportation, in order to investigate complaints of discrimination, or to resolve concerns about possible noncompliance with Title VI.

The Bisbee Bus will submit its Title VI Program to the FTA's regional civil rights officer once every three years to ensure compliance with Title VI Requirements.

Bisbee Bus will ensure that minority and low-income individuals have meaningful access to Bisbee Bus's programs, activities and services.

TITLE VI POLICY STATEMENT

The Bisbee Bus is committed to providing public transportation in an environment that is free from discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability. Bisbee Bus operates its programs, activities and services without regard to race, color, national origin, age, sex, sexual orientation, gender identity, or disability.

As a Federal Transit Administration (FTA) fund recipient, Bisbee Bus will ensure that its programs, policies and activities comply with Title VI of the Civil Rights Act of 1964, as amended, and Department of Transportation regulations.

Any person, who believes that he/she, has been subjected to discrimination on the basis of race, color, nation origin, age, sex, sexual orientation, gender identity, or disability with respect to Bisbee Bus's programs, activities, services, or other transit related benefits, may file a Title VI complaint. Complaints must be filed in writing and signed by the complainant, or a representative, and should include the complainants name, address, and telephone number or other means by which the complainant can be contacted. Complaints must be filed within 180 days of the date of the alleged discriminatory act.

To request additional information on Bisbee Bus's non-discrimination obligations or to file a Title VI Complaint, please submit your request or complaint in writing to the following means:

- a) The City of Bisbee website at www.cityofbisbee.com
- b) By mail to 118 Arizona St., Bisbee, AZ 85603
- c) By emailing ccarbajal@cityofbisbee.com
- d) By faxing a request or letter to 520-432-6272

Complaint Forms can also be obtained at www.cityofbisbee.com, by calling 520-432-6016, to have one mailed to you, by emailing a request to ccarbajal@cityofbisbee.com or by faxing 520-432-6272.

Title VI Complaints may be filed directly to:

Federal Transit Administration Office of Civil Rights

Title VI Program Coordinator

East Building, 5th Floor – TCR

1200 New Jersey Avenue, SE

Washington, DC 20590

Arizona Department of Transportation Civil Rights Office

Title VI Program Manager

206 S. 17th Ave., Mail Drop 155A, RM 183

Phoenix, AZ., 85007

(602) 712-8946

DEFICIENCIES WITH TITLE VI COMPLIANCE

Compliance Reviews will be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under 49 CFR 21.11(a).

If FTA determines that the Bisbee Bus is in noncompliance with Title VI, it will transit a *Letter of Finding* that describes FTA’s determination and requests that the Bisbee Bus voluntarily take corrective action(s which FTA deems necessary and appropriate.

Bisbee Bus will submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within 30 days of receipt of FTA’s *Letter of Finding*.

PUBLIC PARTICIPATION REQUIREMENTS

The Bisbee Bus will adopt the present Public Participation Plan (Attachment F) as the basis for public participation as it relates to Title VI compliance. Bisbee Bus will use various media methods to disseminate the public’s rights and obligations as well as the development of this plan and future updates. Information to the public will be disseminated:

- On the City of Bisbee website at: www.cityofbisbee.com
- At Bisbee City Hall, 118 Arizona St., Bisbee, AZ 85603
- At public and project meetings on subjects related to Bisbee Bus
- On transit vehicles

Guidance on Promoting Inclusive Public Participation

Bisbee Bus has adopted a Public Participation Plan as the basis for Bisbee Bus’s guidance on public participation regarding Title VI, fare and service changes and other matters relating to the transit system. Locations for public participation outreach include:

- On the Bisbee Bus website at: www.cityofbisbee.com
- At the Bisbee Bus Center
- At public and project meetings on subjects related to Bisbee Bus
- On transit vehicles and at transit centers

Requirements to Provide Meaningful Access to Limited English Proficiency Persons

It is the policy of Bisbee Bus to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) (Attachment G) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination.

Bisbee Bus will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided, if requested, within a 24 – hour notice.

LEP requests shall be submitted to City of Bisbee Transit Program Manager, Bisbee Bus 118 Arizona St. Bisbee, AZ 85603, via telephone to: 520-432-6016, via fax to: 520-432-6272 or via email to ccarbajal@cityofbisbee.com

Customer service representatives at Bisbee Bus are available to provide transit information to LEP persons by calling 520-508-1936 in addition to the City of Bisbee Program Manager (520) 432-6016. Materials on board buses are available in English and Spanish, including rider notices and Rider Guides.

ADMINISTRATION OF REGULATION

Bisbee Bus will integrate the provisions within its Title VI Program into all programs, activities, and services provided by Bisbee Bus.

Bisbee Bus will integrate the Title VI Program into its policies and procedures.

Approved:

Corinna Carbajal

Date

Bisbee Bus Program Manager/ Transit Administrator

DEFINITIONS

“Adverse Effect” means having a harmful or undesired effect.

“Discrimination” refers to any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, sub recipient, or contractor that results in disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color, national origin, age, sex, sexual orientation, or gender identity.

“Disparate Impact” refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

“Disproportionate Burden” refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

“Disparate Treatment” refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.

“Gender Identity” refers to an individual’s gender, or lack thereof, a person self identifies with. It is not necessarily based on biological fact, either real or perceived, nor is it always based on sexual orientation. The gender identities one may choose from include male, female, both, somewhere in between (third gender) or neither.

“Limited English Proficient (LEP) Persons” are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

“Low-Income Person” means a person whose median household income is at or below 150 percent of the U.S. Department of Health and Human Services (HHS) poverty guidelines.

“Low-Income Population” means any readily identifiable groups of low-income individuals who live in geographic proximity, and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

“Minority Individuals”

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
3. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.

4. Hispanic or Latino, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

5. Native Hawaiian and Other Pacific Islanders, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands.

“National Origin” means the particular nation in which a person was born, or where the person’s parents or ancestors were born.

“Race” means a group of people united or classified together on the basis of common history, nationality, or geographic distribution.

“Recipient” means one that has received or is receiving Federal Financial assistance under the Acts. The term includes sub-recipients of a recipient and sub-recipients in FTA’s State administered programs.

“Retaliation” any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or state law.

“Sex” refers to the classification of an individual’s gender as either male, or female.

“Sexual orientation” refers to an individual’s preference in terms of sexual relationship with others, whether the individual is homosexual, heterosexual, or bisexual.

“Vital Documents” are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, and notices informing customers of the availability of free language assistance).

Attachments for the Title VI Program

- A. Title VI Notice to the Public
- B. List of locations for the City of Bisbee Title VI Notice to Public Posting
- C. Title VI Complaint Procedures
- D. Title VI Complaint Form
- E. List of transit-related Title VI investigations, complaints, and lawsuits.
- F. Public Participation Plan
- G. Limited English Proficiency Plan
- H. Membership of the Bisbee Bus Transit Transportation Advisory Committee By Race
- I. Bisbee City Council Resolution approving the Title VI Program
- J. Service Standards, Policies, and Performance Measures

Attachment A Title VI Notice to the Public

The City of Bisbee – Bisbee Bus

The City of Bisbee complies with Title VI of the Civil Rights Act of 1964. The level and quality of transportation service will be provided without regard to race, color, national origin, age, sex or disability.

Any person who believes he/she or any specific class of persons is subjected to discrimination prohibited by Title VI may, by him/herself or by a representative, may file a written complaint with the City of Bisbee, the Arizona Department of Transportation (ADOT) Civil Rights Office, or the Federal Transit Administration (FTA). If the complaint is filed against the Bisbee Bus with the City of Bisbee, the Transit Director of the City of Bisbee is required to forward the complaint to the ADOT Civil Rights Office.

La Ciudad de Bisbee cumple con el Título VI de la Ley de los Derechos Civiles de 1964. El nivel y la calidad de servicios de transporte será proporcionada ocluir raza, color, país de origen, sexo, edad o discapacidad.

Cualquier persona que crea que él/ella o cualquier clase específica de personas ha sido sujeto a discriminación prohibida por el Título VI puede presentar una queja por él/ella misma o por un representante por escrito con la Cuida de Bisbee, en la Oficina de Derechos Civiles de ADOT o con la Administración Federal de Tránsito (FTA). Si la queja es contra el Bisbee Bus con La Ciudad de Bisbee, el Director de Tránsito, de La Cuida de Bisbee es requerido enviar la queja a la Oficina de Derechos Civiles de ADOT.

To file a Title VI complaint directly with the FTA or ADOT Civil Rights offices contact:

Para presentar una queja de derechos civiles directamente con el FTA o La Oficina de Derechos Civiles de ADOT contacté a:

Federal Transit Administration Office of Civil Rights (Oficina de Derechos Civiles de FTA)
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590
or
ADOT Title VI Civil Rights Office (Oficina de Derechos Civiles de ADOT):
206 S. 17th Ave., Mail Drop 155A, RM183
Phoenix, AZ 85007, (602) 712-8946

For more information on the City of Bisbee Civil Rights Program or to file a complaint with the City of Bisbee contact the Bisbee Bus Program Manager:

Para mas información sobre el programa de derechos civiles de la Ciudad de Bisbee o para presentar una queja con La Ciudad de Bisbee pongase en contacté a:

Corinna Carbajal
Program/Grants Administrator
118 Arizona St.
Bisbee, AZ 85603
[***ccarbajal@cityofbisbee.com***](mailto:ccarbajal@cityofbisbee.com)
[***www.cityofbisbee.com***](http://www.cityofbisbee.com)
520-432-6016 or TTY 711

If information is needed in another language, contact 520-432-6016.

Si usted necesita información en otro idioma, llame 520-432-6016.

The Americans with Disabilities Act of 1990 (ADA) protects persons with mental or physical disabilities from discrimination in connection with the provision of transportation service... Wheelchair accessible vehicles will be available and will be operated in compliance with the ADA

Attachment B

THE LIST OF LOCATIONS FOR THE CITY OF BISBEE TITLE VI POSTINGS:

- BISBEE CITY HALL - 118 Arizona St. Bisbee, AZ 85603 (main hall, ADA room & meeting rooms)
- SAN JOSE POST OFFICE - 1248 @. Highway 92, Bisbee, AZ 85603
- COPPER QUEEN BRANCH POST OFFICE - 6 Main St., Bisbee, AZ 85603
- BISBEE FOOD CO-OP – 72 Erie St. Bisbee, AZ 85603
- DEPARTMENT OF ECONOMIC SECURITY - 209 Bisbee Rd., Bisbee, AZ 85603
- BISBEE SENIOR CENTER – 300 Colling Rd., Bisbee, AZ 85603 (Shelter)
- SAFEWAY PLAZA - 101 Naco Highway, Bisbee, AZ 85603
- CITY OF BISBEE WEBSITE - www.cityofbisbee.com
- CITY OF BISBEE – 118 Arizona St. Bisbee, AZ 85603
- COPPER CITY VILLAS – 508 W. Melody Lane, Bisbee, AZ 85603 (Shelter)
- BUSES 091, 092, 402

Attachment C

Title VI Complaint Process

COMPLAINTS/LAWSUITS AND APPEALS

How to File a Title VI Complaint with the City of Bisbee/Bisbee Bus: Any person who believes that he/she, or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age sex, sexual orientation, gender identity, or disability with respect to the Bisbee Bus Transit programs, activities, services, or other transit related benefits, may file a written Complaint with the City of Bisbee. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within 180 days after the date of the alleged discrimination, but complainants are encouraged to submit complaints as soon as possible. The City of Bisbee will promptly investigate all Complaints filed under Title VI, pursuant to this Regulation. **Complaint must include the following information:**

- a) A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken.
- b) A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

A Complaint Form (Attachment D) can be used to file a Title VI complaint with Bisbee Bus. A *Complaint Form* will be made in an accessible format upon request. A *Complaint Form* can be obtained at:

- a) Bisbee Bus's website at www.cityofbisbee.com
- b) By calling Bisbee Bus at 520-432-6016 a complaint form can be mailed, faxed or emailed.
- c) By picking up a complaint form at the City of Bisbee, 118 Arizona St., Bisbee, AZ 85603
- d) By emailing ccarbajal@cityofbisbee.com
- e) By faxing a request or letter to 520-432-6272

If the Complaint is received by anyone besides the City of Bisbee Transit Program Manager, the individual in receipt of the Complaint shall forward it to the Transit Program Manager or his/her designee as soon as practicable but no later than two (2) working days of receipt. The Transit Program Manager shall immediately provide a copy of the Complaint to the Director of the program, activity or service that is identified as being out of compliance.

Bisbee Bus's Procedures for Investigating Complaints

The City of Bisbee Transit Program Manager or his/her designee shall promptly investigate the alleged complaint and shall prepare a written response as soon as practicable, but no later than ten (10) working days of his/her receipt of the complaint. The Transit Program Manager or his/her designee may consult with appropriate staff in the preparation of his/her response to the complaint.

Efforts to Contact Complainant

The Bisbee Bus Program Manager or his/her designee shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated. The Bisbee Bus Program Manager or his/her designee shall review and consider the response prepared by the Bisbee Bus Program Manager or his/her designee, all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. The Bisbee Bus Program Manager or his/her designee shall prepare a written report of his/her findings and if corrective action is required, a timetable for the completion of such action.

Completion of Investigation

As soon as it is practicable, but no later than twenty (20) working days following receipt of the initial complaint, City of Bisbee's Program Manager or his/her designee shall inform the complainant of his/her findings and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.

Appeal to or directly filing with the ADOT Civil Rights Office or FTA's Office of Civil Rights

If the complainant is not satisfied with the findings and/or action of Bisbee Bus Program Manager or his/her designee, then the complainant may file his/her Complaint with the ADOT Civil Rights Office or with the FTA's Office of Civil Rights. The complainant or his/her representative may also file directly with the FTA or ADOT Office of Civil Rights.

How to File a Title VI Complaint with the FTA and ADOT

Any person who believes that he/she, or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability with respect to the Bisbee Bus's programs, activities, or services, or other transit related benefits, may file a written Complaint with FTA or Arizona Department of Transportation (ADOT). A Complaint may be filed by the individual or by a representative. A Complaint must be filed within 180 days after the date of the alleged discrimination. FTA and ADOT will promptly investigate all Complaints filed under Title VI in accordance with DOT regulations *49 CFR 21.11(b) and 21.11 (c)*.

A. A Complaint must include the following information: A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken. In cases where a Complainant is unable or incapable of providing a written statement, but wishes FTA, ADOT or DOT to investigate alleged discrimination, a verbal Complaint of discrimination may be made to the FTA Director, Office of Civil Rights or ADOT Director, Office of Civil Rights. If necessary, the Civil Rights Official will assist the person in converting the verbal Complaint into writing. All Complaints must, however, be signed by the Complainant or his/her representative.

FTA Civil Rights Office Address:

Federal Transit Administration Office of Civil Rights

Attn: Title VI Program Coordinator

East Building, 5th Floor – TCR

1200 New Jersey Avenue, S.E.

Washington, DC 20590

TTY: 1-800-877-8339

Voice: 1-866-377-8642

ADOT Civil Rights Office Address:

ADOT Civil Rights Office

Attn: Title VI Program Manager

206 S. 17th Ave., Mail Drop 155A, RM183

Phoenix, AZ., 85007

Voice: (602) 712-8946

TDD: 711

B. A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

Complaint Acceptance

Once a Complaint has been accepted, FTA and ADOT will notify Bisbee Bus that it has been subject to a Title VI Complaint and ask Bisbee Bus to respond in writing to the Complainant's allegations. Once the Complainant agrees to release the Complaint to Bisbee Bus, FTA and ADOT will provide Bisbee Bus with the Complaint. FTA and ADOT may choose to close a Complaint if the Complainant does not agree to release the Complaint to Bisbee Bus. FTA and ADOT strive to complete a Title VI Complaint investigation within 180 days of the acceptance date of a Complaint.

Investigations

FTA and ADOT will make a prompt investigation whenever a compliance review, report, Complaint or any other information indicates a possible failure to comply with Title VI Regulations. FTA's and ADOT's investigation will include a review of the pertinent practices and policies of the Bisbee Bus, the

circumstances under which the possible noncompliance occurred, and other factors relevant to a determination as to whether Bisbee Bus has failed to comply with Title VI regulations.

Following the investigation, FTA's and ADOT's Office of Civil Rights will transmit to the Complainant and Bisbee Bus one of the following three letters based on its finding:

- a) Letter of Resolution: which explains the steps that the Bisbee Bus has taken or promises to take to come into compliance with Title VI.
- b) Letter of Finding (Compliance): which explains that the Bisbee Bus is found to be in compliance with Title VI. This letter will include an explanation of why Bisbee Bus was found to be in compliance, and provide notification of the Complainant's appeal rights.
- c) Letter of Finding (Noncompliance): which explains that the Bisbee Bus is found to be in noncompliance. This letter will include each violation referenced, the applicable regulations, a brief description of proposed remedies, notice of the time limit on the reconciliation process, the consequences for failure to achieve voluntary compliance, and an offer of assistance to the Bisbee Bus in devising a remedial plan for compliance.

Appeals Process

The letters of finding and resolution will offer the Complainant and the Bisbee Bus the opportunity to provide additional information that would lead FTA to reconsider its conclusions.

FTA requests that the parties in the Complaint provide this additional information within 60 days of the date of the FTA and ADOT letter of finding. FTA's and ADOT's Office of Civil Rights will respond to an appeal either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force.

Attachment D Title VI Complaint Form



Title VI Complaint Form

Note: The following information is needed to assist in processing your complaint.

Complainant's Information:

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Phone Number: _____ Work Phone Number: _____

Person Discriminated Against (someone other than complainant)

Name: _____ Do you have permission to file for this person?
Address: _____ Yes No
City: _____ State: _____ Zip: _____
Home Phone Number: _____ Work Phone Number: _____

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

Race/Color (Specify) _____ National Origin (Specify) _____
 Sex (Specify) _____ Age (Specify) _____ Disability (Specify) _____

On what date(s) did the alleged discrimination take place? _____

Describe the alleged discrimination. Explain what happened and who you believe was responsible (if additional space is needed, add a sheet of paper).

List names and contact information of persons who may have knowledge of the alleged discrimination.

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? 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: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Phone Number: _____ Work Phone Number: _____

Please sign below. You may attach any written materials or other information you think is relevant to your complaint.

Complainant Signature Date Number of attachments: _____

Submit form and any request for additional information to:

City of Bisbee
Bisbee Bus Program Manager
118 Arizona St.
Bisbee, AZ 85603

*If this information is needed in another language call 520-432-6016
Si usted necesita esta informacion en otro idioma, llame 520-432-6016*

Phone: (520) 432-6016 • Fax: (520) 432-6272

www.cityofbisbee.com

Attachment E

List of transit related Title VI investigations, complaints, and lawsuits

As of November 12th, 2014, the Bisbee Bus has not received or investigated any Title VI complaints.

BISBEE BUS TITLE VI COMPLAINT LOG					
	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin, sex, age, sexual orientation, or disability)	Status	Actions Taken	Intake signature
Complaints					
1					
2					
3					
4					
5					
Investigations					
1					
2					
3					
4					
5					
Lawsuits					
1					
2					
3					
4					
5					
Year: _____					

Attachment F

Public Participation Plan

INTRODUCTION

As part of this transportation planning process, the Bisbee Bus desires and requests citizen input on the work, projects, and products proposed and created by the Bisbee Bus. The City of Bisbee and the Bisbee Bus recognizes the importance and necessity of the public participation process.

The following group governs the activities of the Bisbee Bus:

The City of Bisbee's Transportation Advisory Committee (TAC) was created in 1999 by the City of Bisbee's City Council to assist with the administration, planning, operation and maintenance of public transit services in the City of Bisbee. There are 11 Committee Members that consist of City residents and passengers, and County organizations that recommend and approve the overall policy for the transit system. Each member entity receives one vote on the TAC. The TAC meets, on a quarterly or as needed basis, at 9:00 am at the City of Bisbee City Hall, 118 Arizona St. Bisbee, AZ 85603.

All meetings of Bisbee Bus TAC are open to the public. Members of the public may request time on the agenda to comment on specific subjects of interest. A minimum of one week 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..."

Bisbee Bus 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 Program of Projects, the Five-Year Short Range Transit Plan, the Transportation Improvement Program, 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), Americans With Disabilities Act (ADA), and the Public Participation Process. Through this *Public Participation Process*, Bisbee Bus aims to identify methods for obtaining public input and encouraging public participation in the transportation planning process.

STAKEHOLDERS AND PUBLIC GROUPS

Bisbee Bus has identified the following groups and individuals as those having potential interest in public input and participation opportunities:

- SEAGO, the regional Council of Governments (COG)
- Other Government Agencies, ADOT and Douglas Transit
- Business groups;
- Groups representing travel modes - transit, bicycle, pedestrian, freight;
- Premier Alliance and other advocacy groups for the disadvantaged and/or minority groups;
- Media – newspapers, television, radio;

- Educational Institutions (school districts, community colleges, private schools, State universities);
- Organizations or individuals who have been notified of public hearings for major projects, or organizations and individuals who have submitted written comments relating to public hearings for major projects, service changes and plans. These individuals and organizations would remain on the mailing list as long as the major project is under development.

INFORMATION ACCESS

All planning and programming information of Bisbee Bus is available for public review. The information can be viewed at the City of Bisbee, 118 Arizona St., Bisbee, AZ 85603. Additional information will also be posted online at www.cityofbisbee.com

OUTREACH TECHNIQUES

Information about all Bisbee Bus Public Hearings meetings will be added to the City of Bisbee website, distributed to the local City newspaper the Bisbee Observer for formal notification and the City of Bisbee Community Development Facebook page a minimum of twenty-four hours prior to the meetings.

Press releases to area newspapers and radio stations (KBRP) will also be used to notify citizens of upcoming activities of Bisbee Bus.

The Bisbee Bus maintains an active participation in the local government access cable channel (Channel 5). Programs describing the activities of Bisbee Bus will be included in the programming.

The City of Bisbee's website, www.cityofbisbee.com will be used to provide information about the Bisbee Bus Transit activities including information about the development of the Program of Projects, the Five-Year Short Range Transit Plan, the Transportation Improvement Program, and Federal Transit Administration (FTA) civil rights documents such as Title VI and others. The Bisbee Bus Program Manager will be listed along with contact information.

INPUT MECHANISMS

The Bisbee Bus accepts input and comments from the public through a variety of means:

- a) Bisbee Bus's website at www.cityofbisbee.com
- b) By mail to 118 Arizona St. Bisbee, AZ 85603
- c) By emailing to ccarbajal@cityofbisbee.com
- d) By faxing a request or letter to 520-432-6272

Comment forms can also be obtained via email at ccarbajal@cityofbisbee.com, by calling 520-432-6016 or by faxing to 520-417-4859.

The public may submit comments to their respective Bisbee Bus TAC member or to the committee itself. Comments on Bisbee Bus services, plans, reports, and programs may be made at public input meetings. The Bisbee Bus 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 the Bisbee City Council an appointment to serve as a citizen representative on the TAC. Interested members of the public will be able to offer input to the committees at a public forum element of each agenda.

The Bisbee Bus 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 7 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 hearing is published in the Bisbee Observer approximately 10 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 Program of Projects, the Five-Year Short Range Transit Plan, the Transportation Improvement Program, 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 the Bisbee Bus's Public Participation Plan require a 30-day comment period. The Bisbee Bus Transportation Advisory Committee will approve this document following the completion of the public comment period.

EVALUATION

The Bisbee Bus 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, the Bisbee Bus may revise these methods to incorporate new and innovative ways to involve the public in the transportation decision-making process.

CONTACT INFORMATION

Bisbee Bus 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.

The Bisbee Bus may be contacted at the following:

City of Bisbee
Program Manager/Transit Administrator
118 Arizona St.
Bisbee, AZ 85603
Phone: (520) 432-6016
Fax: (520) 432-6272
Website: www.cityofbisbee.com

Attachment G

Limited English Proficiency Plan

LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS

Bisbee Bus will seek out and consider the viewpoints of minority, low-income and Limited English Proficient (LEP) populations in the course of conducting public outreach and involvement activities. Bisbee Bus's public participation strategy will offer early and continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of proposed transportation decisions.

Bisbee Bus will ensure that individuals have access to its programs, activities and services by developing and carrying out the language plan herein. Bisbee Bus will continually assess the language assistance needs of the population to be served.

Bisbee Bus will use the following four factors to determine what measures must be undertaken to provide reasonable and meaningful access to LEP individuals.

- a) The number or proportion of LEP person eligible to be served or likely to be encountered by the program or recipient.
- b) The frequency with which LEP persons come into contact with Bisbee Bus programs, activities, and services.
- c) The nature and importance of the program, activity, or service provided by Bisbee Bus to LEP individual's lives.
- d) The resources available to the Bisbee Bus for LEP outreach as well as costs associated with the outreach.

ORAL LANGUAGE ASSISTANCE

The City of Bisbee's Transit, Bisbee Bus and its contractor maintain bilingual staff to provide Spanish-speaking interpretation for basic transit questions and trip planning assistance. The Bisbee Bus also utilizes Language Line Services to provide comprehensive translation services to its customers.

SAFE HARBOR STIPULATION

Federal law provides a "Safe Harbor" situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A "safe harbor" means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient's written-translation obligations under Title VI.

Bisbee Bus will comply with the Safe Harbor provisions when additional information is requested to be translated in languages other than English.

MINORITY REPRESENTATION OF PLANNING AND ADVISORY BODIES

Federal law states that a sub-recipient on the grounds of race, color, or national origin deny a person the opportunity to participate as a member of a planning advisory council or committees, the City of Bisbee complies with this law. The table depicting the demographics of the Bisbee Bus TAC is on Attachment H.

Attachment H
Membership of the Bisbee Bus Transportation Advisory Committee by Race

Table Depicting Minority Representation on Committees/Transit Advisory Council

Body	White	African American	Asian	American Indian or Alaskan Native	Native Hawaiian or Other Pacific Islander	Multi-Race	Hispanic
Population	59.30%	1.40%	0.50%	1.50%	0.10%	3.70%	36.20%
Transit Advisory Council	30%	10%	0	0	0	10%	50%

Attachment I

Bisbee City Council Resolution approving the Title VI Program

RESOLUTION R-14-20

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, FOR THE CONTINUED ADMINISTRATION AND OPERATION OF THE BISBEE BUS 5311 PUBLIC TRANSIT PROGRAM TO FORMALLY ADOPT THE TRANSIT PROGRAM'S TITLE VI PROGRAM PLAN.

WHEREAS, it is the mutual desire of the City of Bisbee and the State of Arizona to provide citizens in the region with all necessary means and opportunity to participate in public transportation;

WHEREAS, the City of Bisbee supports the ongoing administration and operation of its Bisbee Bus Transportation program;

WHEREAS, the City of Bisbee has the requisite Civil Rights, Substance Abuse and Drug Free Workplace, and Disadvantaged Business Enterprise (DBE) transit policies, and is committed to these policies and to providing the necessary matching funds; and

WHEREAS, the City of Bisbee wishes to receive all sources of revenue available to support transit opportunities for citizens in the region;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Bisbee, Arizona for the continued operation of the Bisbee Bus Transportation formally adopts a City of Bisbee's Transit Title VI Program Plan

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee, Arizona, County of Cochise, State of Arizona, this 18th day of November, 2014.

Adriana Z. Badal

ATTEST:

Ashlee Coronado, City Clerk

APPROVED AS TO FORM:

Anne Carl, City Attorney

Attachment J

SERVICE STANDARDS AND PERFORMANCE MEASURES

The following standards, performance measures and associated comments have been recently developed by the Bisbee Bus. These will ensure persons shall not be discriminated against by: routing, scheduling, and frequency of service and age, quality, and capacity of vehicles assigned to routes.

The *Vehicle loads* during the peak operating period should not exceed vehicles' achievable capacities. Each of the Bisbee Bus transit vehicles are 18 passengers (16 + 2 wheelchair), the maximum load is 23 passengers.

Bisbee Bus Performance Measures				
Service Design and Quality Standards				
	Seated	Standing	Total	Maximum Lad Factor
Bus 091 - 30 ft Cutaway	18	5	23	1.3
Bus 092 - 30 ft Cutaway	18	5	23	1.3
Bus 402 - 30 ft Cutaway	18	5	23	1.3

The *Vehicle headways* – the Bisbee Bus service operates only one 18 (16 +2) passenger cutaway bus on the route at any given time, the entire route takes 1 to 1 ½ hours depending on the schedule. At this time there is no headway standards needed since there is only one bus on the route. If the continued trend in increase passengers continues future scheduling will involve the consideration of a number of factors including but not limited to: ridership productivity, transit population needs and activities, and transit demand and a possible second bus on the route will require minimum 30 minute headway.

Bisbee Bus Performance Measures			
Service Design and Quality Standards			
Vehicle Headway	n/a	n/a	The fixed route is a single bus route, there are no other buses traveling the route

The *On-time performance requirements* – the Bisbee Bus is required to arrive at each stop no later than five minutes of published time in the schedule. Buses should not depart a time point prior to the time being published in the schedule and should be monitored by point checks along the route.

Service-availability – the Bisbee Bus Transit System distributes its service through every area of the City of Bisbee along the main thoroughfares and extending to Naco, Arizona. The Fixed-route system incorporates a 1 mile deviation so the buses are able to connect to all passengers within the City. All bus stops are clearly marked with a bus stop sign and contain benches/sitting areas where there are minimum 10 boardings per day. New service should be introduced as a one year pilot program with a focus on ridership and productivity. All vehicles are handicap accessible and are available for use equally each week.

These recommended Bisbee Bus performance measures provide a defined structure to monitor and evaluate services. These measures were developed to provide achievable benchmarks that will help guide service over time and comply with Title VI and ADA regulations.

Bisbee Bus Five Year Implementation Plan

Year	Plan year October 1 to September 30
	Current Budget Year
	Management Review Management "in-kind" contribution Council Support
	Marketing
2014-2015	Coordination Continue to support other programs Connect to Sierra Vista
	Capital Plan Purchase Vehicle (Bus) Purchase Shelters and Benches Purchase
	Funding
	Next Budget Year
	Management Review Management "in-kind" contribution Council Support
	Marketing
2015-2016	Coordination Continue to support other programs
	Capital Plan
	Funding
	Management Review Management "in-kind" contribution Council Support
	Marketing
2016-2017	Coordination Continue to support other programs
	Capital Plan
	Funding
	Management Review Management "in-kind" contribution Council Support
	Marketing
2017-2018	Coordination Continue to support other programs
	Capital Plan

Funding

Management Review Management "in-kind" contribution
Council Support

Marketing

2018-2019 Coordination Continue to support other programs

Capital Plan

Funding