



Title VI  
Compliance and  
Implementation  
Plan and  
Limited English  
Proficiency Plan

2017



## City of Plymouth

# Title VI Compliance and Implementation Plan and Limited English Proficiency Plan 2017

Adopted by the Plymouth City Council on November 29, 2016

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## INTRODUCTION

The purpose of this document is submittal of the City of Plymouth's Title VI Plan and Limited English Proficiency Plan to the Metropolitan Council in compliance with the Title VI Civil Rights Act of 1964<sup>1</sup> and accompanying federal laws. The Metropolitan Council is the primary recipient of federal transit funds for the region, which are distributed to regional transit providers, including Plymouth Metrolink, the City of Plymouth's transit service. Recipients of federal funds are required to publish or advertise that the program is an equal opportunity program and indicate that federal law prohibits discrimination.<sup>2</sup>

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The City of Plymouth, as a sub recipient of Federal Transit Administration funds, is required to submit to the Metropolitan Council a Title VI program that includes the following items:<sup>3</sup>

- ✓ Title VI Public Notice of Rights, Dissemination, Translation
- ✓ Title VI Complaint Procedure for filing and investigating a complaint
- ✓ Title VI Complaint Form
- ✓ List of allegations of discrimination based on Title VI including complaints, investigations and lawsuits
- ✓ Public Participation Plan including proactive strategies, procedures and desired outcome
- ✓ Limited English Proficiency Plan
- ✓ A table depicting racial composition of advisory councils non-elected membership
- ✓ A narrative or description for ensuring any sub recipients comply with Title VI
- ✓ Copies of any Title VI facility siting equity analyses
- ✓ City Council Resolution for the approval of the Title VI Program
- ✓ Information on system wide service standards and policies

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<sup>1</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

<sup>2</sup> Ibid.

<sup>3</sup> Quick Reference (FTA) Title VI Circular 4702.1B, October 3, 2012.

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# **PART I: TITLE VI COMPLIANCE AND IMPLEMENTATION PLAN**

## **GUARANTEED RIGHTS race, color, national origin**

**Objective:** Provide service and assistance to everyone in a fair, competent and effective manner to ensure each person's services are equally safe, reliable, convenient, and accessible.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA), Circular 4702.1B, October 1, 2012.

## I. INTRODUCTION

This Title VI Plan was developed to guide the City of Plymouth in administration and management of Title VI-related activities.

### A. Plymouth's Responsibilities as a Sub-Recipient

#### **Title VI Plan Review, Acceptance, and Self Certification**

As a sub-recipient of funding from the Federal Transit Administration, the City of Plymouth must comply with Title VI of the Civil Rights Act of 1964. Plymouth Metrolink must demonstrate its compliance with Title VI by submitting its Title VI plan to the Metropolitan Council for review and acceptance triennially.

- **Appoint and Identify the Title VI coordinator or Civil Rights Staff.**
  - This person or unit has primary responsibility for developing the local government Title VI implementation plan, answering questions on compliance efforts, and investigating complaints.
  
- **Minority representation on transit planning boards and commissions**
  - What is the racial makeup of planning and advisory boards?
  - How are people notified of the existence of advisory and planning bodies?
  - Are citizens provided an equal opportunity to participate as members?
  - What is the process for selection of committee or commission members?
  
- **Public notification.**
  - Is a citizen participation plan in place to inform citizens of new and existing program initiatives?
  - Are there mechanisms to disseminate information to minority media and minority organizations?
  - Are posters and brochures displayed and printed in the languages spoken by those affected by projects and programs?
  - Reasonable efforts must be initiated to meet the needs of individuals who are Limited English Proficient (LEP). Generally, if 5% or more of the individuals affected by a project or program speak a language other than English, the printing of documents in the language spoken should be considered.
  - How are individuals informed of their rights to file complaints?
  
- **Complaint procedure.**
  - Develop a Title VI or discrimination complaint procedure.
  - Ensure that employees and the public are aware of complaint procedure.
  - Information regarding the complaint procedure should be readily available when requested.
  
- **Consider program delivery issues.**
  - Consider whether a project is performed in an equitable manner (project decisions must be nondiscriminatory).
  - The location, eligibility requirements, hours of service, and the methodology of service delivery should not have an adverse effect on minority applicants/beneficiaries based



- on race, color, or national origin.
- Determine whether the level of service provided is the same for minority and non-minority beneficiaries.
- Does the entity employ staff in beneficiary contact positions without regard to race, color, or national origin?
- Consider whether or not staff members are aware of their responsibility to provide services without racial/ethnic discrimination.
- If discrimination is discovered, follow established procedures to ensure compliance.

## **II. PLYMOUTH METROLINK**

In 1984, the Plymouth City Council exercised its legal right and approved a Plymouth transit authority separate from regional transit authority.

The Plymouth Metrolink transit system provides express commuter bus service, reverse commuter bus service, local fixed route service, and Dial-A-Ride, a shared, curb-to-curb service. Plymouth Metrolink fixed route is the greatest portion of the service.

Fixed route buses provide an average of 1,800 rides each weekday to residents. Express commuter services connect riders between Plymouth, downtown Minneapolis, and the University of Minnesota on weekdays. The Metrolink also provides reverse commuter service between Plymouth and downtown. Fixed local shuttle buses travel through neighborhoods, to and from express services, transit hubs, and between local destinations.

Plymouth Metrolink Dial-A-Ride service provides an average 170 shared rides each weekday. Dial-A-Ride is a curb-to-curb, shared, demand response service available to everyone for \$3.00 a ride. The Plymouth Metrolink Dial-A-Ride service is available weekdays from 6 a.m. to 6 p.m. within Plymouth, and to select destinations and transit hubs around Plymouth, such as Ridgedale and Wayzata.

All Plymouth Metrolink buses are wheelchair accessible and have wheelchair lifts and bike racks. The Plymouth Metrolink fleet consists of 44 buses, which are operated and maintained for the city under contract by First Transit. Plymouth Metrolink facilities and amenities are operated and maintained by the City of Plymouth (Appendix A: Plymouth Metrolink Transit Facilities and Amenities).



The City of Plymouth has 4,653 businesses with over half of the establishments in the sectors of professional technical services, unclassified establishments, retail trade, and administrative support and waste management.<sup>6</sup> Over half (54%) of Plymouth’s jobs are in the sectors of manufacturing, retail trade, professional and technical services, and wholesale trade.<sup>7</sup> Plymouth Metrolink fixed routes and reverse commuter routes serve these areas in addition to the local routes in residential neighborhoods.

### III. GUARANTEED RIGHTS

Rights are guaranteed under Title VI of the 1964 Civil Rights Act and related statutes which state in part:

That no person in the United States shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance.<sup>8</sup>

This mandate requires recipients of federal funds to take affirmative steps to ensure that discrimination, as addressed by Title VI, does not occur in its organization or by its sub-recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants.<sup>9</sup> The City of Plymouth is committed to ensuring that no person is excluded from participation in, or denied the benefits of transit services on the basis of race, color, or national origin, as protected by Title VI.<sup>10</sup>

In addition, the City of Plymouth supports the requirement that “each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”<sup>11</sup>

#### Contact Information for the Title VI Manager:

Nur Kasin, / Transit Administrator  
Plymouth / Plymouth Metrolink  
Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482  
Phone: 763-509-5013 Fax: 763-509-5510 TDD: 763-509-5065  
[nkasin@plymouthmn.gov](mailto:nkasin@plymouthmn.gov)

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<sup>6</sup> North American Industry Classification System (NAICS) Business Inventory Workbook, November, 2012.

<sup>7</sup> Ibid.

<sup>8</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

#### IV. THE CITY'S COMMITMENT TO FAIRNESS PLEDGE

The City of Plymouth pledges that everyone will have access to all services and benefits regardless of race, color, national origin, sex, age, disability or socioeconomic status. The City of Plymouth will not tolerate discrimination by its employees or contractors.

The City of Plymouth prohibits all discriminatory practices that may result in an individual:

- Being denied any service, financial aid or benefit provided under a program to which he or she may be otherwise entitled.
- Being held to different standards or requirements for participation.
- Experiencing segregation or separate treatment in any part of a program.
- Being subject to distinctions in quality, quantity or manner in which a benefit is provided.
- Experiencing discrimination in any activities conducted in a City of Plymouth facility built in whole or part with federal funds.

The City of Plymouth will also:

- Avoid or reduce harmful human health and environmental effects on minority and low income populations.
- Ensure full and fair participation by all communities, including low income and minority populations in the transportation decision-making process.

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<sup>12</sup> Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

<sup>13</sup> U.S. Department of Transportation FTA Policy Guidance, January 22, 2001.

<sup>14</sup> Ibid.

## V. GENERAL REQUIREMENTS

### A. DISSEMINATION OF TITLE VI POLICY INFORMATION

Recipients of federal financial assistance are required to publish or advertise that the program is an equal opportunity program and/or indicate that federal law prohibits discrimination.

- **The Public**

The City of Plymouth Title VI information posters are prominently and publicly displayed in Plymouth Metrolink facilities, on Plymouth Metrolink revenue vehicles, on Plymouth Metrolink bus schedules, and all other printed transit material as well as the city web site at <https://www.plymouthmn.gov/commitmenttofairness> . The posters, schedules and electronic information provide the public with information regarding the city's Title VI program and the federal guaranteed rights. See Exhibit 7 for copy of Title VI informational poster.

The City of Plymouth Title VI contact information and the complaint form are posted on the city's web site, at <https://www.plymouthmn.gov/commitmenttofairness>

- **Staff**

All city transit employees receive information regarding the Title VI Plan, a copy of the full Title VI plan, the LEP Plan and the Acknowledgement of Receipt (Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans).

During orientation, new transit employees will receive a copy of the Commitment to Fairness, be informed of the provisions of Title VI, including the city's expectations of all employees to uphold the Commitment to Fairness and the Title VI Plan. New employees will receive a copy of the Title VI Plan and will be required to sign the Acknowledgement of Receipt (Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans).

Title VI information shall be disseminated to all city staff via the city's intranet site. This will remind staff of the city's Title VI policy statement and the responsibilities employees have as city representatives during their daily duties.

### B. TRANSIT RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

***NOTE: NO TRANSIT RELATED TITLE VI COMPLAINTS HAVE BEEN FILED TO DATE.***

The City of Plymouth will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt, copies of Title VI complaints and related documentation, records of correspondence to and from complainants, and Title VI investigations.

The Procedures for Complaints of Discrimination under Title VI are intended to provide aggrieved persons a way to raise complaints of discrimination regarding the City of Plymouth's programs, activities and services as required by statute. Intimidation or retaliation of any kind is

prohibited by law.<sup>16</sup> These complaint procedures apply to all complaints filed under Title VI, relating to any program or activity administered by the city or its sub-recipients, consultants, and contractors and includes all Title VI complaints of discrimination against city employees, contractors, and vendors.<sup>17</sup>

The purpose of the discrimination complaint procedures is to describe the process used by the City of Plymouth for processing complaints of discrimination under Title VI.<sup>18</sup> These procedures still allow the complainant to file complaints with other government agencies, and to seek private counsel for complaints alleging discrimination. The City of Plymouth's administrative process does not accommodate remedies such as punitive damages or compensation.

- **Administrative Process**

The City of Plymouth shall make every effort to address all complaints in a prompt and thorough manner. Every effort will be made to conclude each Title VI complaint within sixty (60) business days of receipt of the written complaint. The city's representatives will make every effort to resolve the complaint.

All complaints alleging discrimination based on the terms of race, color or national origin in a service or benefit provided by the City of Plymouth will be directly addressed by the City of Plymouth. The term refers to the complainant's protected group status.

During initial interviews, the city may request information regarding specific relief and settlement opportunities. Mediation meetings with the parties are encouraged and may be utilized at any stage of the process to achieve resolution.

Except for the final determination, which shall be determined to be substantiated, not substantiated, inconclusive, dismissed, withdrawn, or closed, the complaint, subsequent investigation, and all documentation relating to the complaint, is not public information and will be considered confidential by the city.

All Title VI and related statute complaints are considered formal as there is no informal process.<sup>19</sup>

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<sup>16</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Metropolitan Council, Title VI Compliance and Implementation Plan, 2011, p. 43.

- **How to File a Complaint**

- 1. Who May File a Complaint?**

Any individual, group of individuals, or entity that believes they have been discriminated against by a city employee, city contractor or city vendor, because of the complainant's race, color, national origin, ethnicity, sex, age, disability, or socioeconomic status, may file a written complaint with the City Clerk.

- 2. Complaint Forms**

Discrimination complaint forms (Appendix D: City of Plymouth Discrimination Complaint Form) are available at Plymouth City Hall and on the city's web site at <https://www.plymouthmn.gov/commitmenttofairness>, or by contacting the City Clerk: 763-509-5080, 763-509-5560 (fax), 763-509-5065 (TDD), and [sengdahl@plymouthmn.gov](mailto:sengdahl@plymouthmn.gov).

- 3. Submit Complaint to City within 180 days of Alleged Discrimination**

Complainants alleging discrimination against the City of Plymouth (Plymouth Metrolink), its employees, or its contractors because of race, color, national origin, ethnicity, sex, age, disability, or socioeconomic status, must file a signed, written complaint with the City Clerk at the Plymouth City Hall within 180 days from the date of the alleged discrimination, or from the date when the alleged discrimination became known to the complainant.

- 4. Assistance will be Provided**

The City of Plymouth shall provide appropriate assistance to complainants, including those persons with disabilities, and those who are limited in their ability to communicate in English. Persons requesting an American Sign Language (ASL) or foreign language interpreter, or other reasonable accommodation, may contact the City Clerk, Sandy Engdahl, at 763-509-5080, TDD: 763-509-5065, or [sengdahl@plymouthmn.gov](mailto:sengdahl@plymouthmn.gov). Language Line is a translation phone service that may be utilized as well. To date, there have not been any requests for a translated complaint form.

## **5. Required Elements of a Complaint**

### **a. Written**

All complaints must be submitted to the City Clerk on paper (hard copy) to be processed.

The complainant is required to submit a signed, original copy of the complaint. Allegations received verbally (by telephone or in person) or electronically (by fax or by e-mail) must be submitted as signed, written complaints before the complaint will be processed.

### **b. Signed**

The complainant(s) must complete and sign the complaint form.

### **c. Date of Occurrence**

The complaint must state the date of the alleged act of discrimination, or the date when the complainant(s) became aware of the alleged discrimination, or the date on which that conduct was discontinued (the latest instance of the conduct).

### **d. Description**

Present a detailed description of the occurrence and issues, including names and job titles of those individuals perceived as parties in the incident being described.

The description must include the basis for the complaint as it relates to Title VI regarding race, color, national origin, ethnicity, sex, age, disability, or socioeconomic status.<sup>20</sup>

The allegation must involve a program or activity of a recipient of federal aid, a sub-recipient, or a contractor.

### **e. Submit to the City Clerk**

Plymouth City Clerk  
3400 Plymouth Boulevard  
Plymouth, MN 55447-1482  
Phone: 763-509-5080 Fax: 763-509-5060 TDD: 763-509-5065  
[sengdahl@plymouthmn.gov](mailto:sengdahl@plymouthmn.gov) [www.plymouthmn.gov/metrolink](http://www.plymouthmn.gov/metrolink)

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<sup>20</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

It is the responsibility of the complainant to certify all mail sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked and reaches its destination in a timely manner.

## **6. Process**

### **a. Acknowledge Complaint**

The City Clerk will send the complainant a written acknowledgement within seven (7) calendar days of receiving the written complaint (meeting the requirements listed). The city will send a similar written notification that it received the complaint to the entity or entities alleged to have committed the violation. The entity or entities will have ten (10) calendar days from the date of receiving the written notification to respond in writing to the city.

In addition to the city's complaint process, the city may notify the complainant that he/she may file a Title VI complaint with the following offices:

The Metropolitan Council's Office of Diversity and Equal Opportunity  
390 North Robert Street, St. Paul, MN 55101  
Phone: 651-602-1000      [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us).

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Ave., SE  
Washington, D.C. 20590

## **7. Jurisdiction and Initial Investigation**

Upon receipt of the complaint, staff will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against a contractor of the City of Plymouth, the City of Plymouth will assume jurisdiction and will investigate the case. Complaints against other agencies may be referred to those agencies, the Metropolitan Council, or the appropriate federal agency for proper disposition pursuant to their procedures.

The city will send a written notification that it received the complaint to the entity alleged to have discriminated as listed in the complaint. The entity or entities will have ten (10) calendar days from the date of receipt of the written notification to supply a written response to the allegations.

### **a. Request for Additional Information**

Upon request by the city or any other investigating agency, the complainant must provide a written response with the information requested within ten (10) calendar



days of the request. A complainant's failure to provide the requested information may result in the administrative closure of the complaint.

**b. Dismissed and Withdrawn Complaints**

The city may dismiss or close a complaint for one of the following reasons:

- 1) The complainant may request the withdrawal of the complaint.
- 2) The complainant fails to respond, or does not respond in a timely manner, to requests for additional information needed to process or investigate the complaint.
- 3) The complainant cannot be located after reasonable attempts to contact the complainant.

**c. Investigation**

All complaints will be thoroughly investigated.

**1) Investigators**

The investigation will be conducted in a full, fair, and impartial manner by the the Transit Administrator (Title VI Manager), other city representatives, or the Metropolitan Council's Office of Equal Opportunity.

**2) Information**

Upon request by investigating agency, the complainant must provide additional information in writing, or an appropriate response to the request in writing, within ten (10) calendar days of the request. A complainant's failure to provide the requested information may result in the administrative closure of the complaint.

**3) Final Determination**

Complaints will be determined or deemed to be substantiated, not substantiated, inconclusive, withdrawn, dismissed, or closed. Results of the investigation will be presented to the City Manager or designee for a determination. Every effort will be made to respond to Title VI complaints within sixty (60) business days of receipt of such complaints.

**d. Post-Investigation**

The city will notify the parties of its final determination. The city's final investigative report and a copy of the complaint will be forwarded to the Metropolitan Council and the affected parties within sixty (60) business days of the acceptance of the complaint.



Following the investigation, the city will send a final written letter to the complainant(s) identifying the final determination of the complaint. In a letter notifying complainant that the complaint is not substantiated, the complainant will be advised of his or her right to:

- 1) Appeal within seven (7) calendar days of receipt of the final letter of determination; and/or
- 2) File a complaint externally with the Metropolitan Council's Office of Diversity and Equal Opportunity, the U.S. Department of Transportation and/or the Federal Transit Administration Office of Civil Rights.

If the complainant is not satisfied with the results of the investigation or the determination regarding the alleged discrimination and practices, the complainant will be advised of the right to appeal to the Metropolitan Council or the appropriate federal agency.

The Metropolitan Council's Office of Equal Opportunity Director of Equal Opportunity  
 390 North Robert Street, St. Paul, MN 55101  
 Phone: 651-602-1000 [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us).

Federal Transit Administration Office of Civil Rights  
 Attention: Title VI Program Coordinator  
 East Building, 5th Floor – TCR  
 1200 New Jersey Ave., SE, Washington, D.C. 20590

## C. DEMOGRAPHICS OF NON-ELECTED COMMITTEES AND COUNCILS

### 1. Plymouth Department Directors Chart

<b>Department Directors</b>	<b>Name</b>	<b>Gender</b>	<b>Race</b>
Administrative Services Director	Luke Fischer	M	White
City Manager	David Callister	M	White
Community Development Director	Steve Juetten	M	White
Fire Chief	Rodger Coppa	M	White
Park & Recreation Director	Diane Evans	F	White
Police Chief	Mike Goldstein	M	White
Public Works Director	Doran Cote	M	White
Transit Administrator	Nur Kasin	M	Black

#### **D. APPROVAL OF TITLE VI PROGRAM**

See Exhibit 7 for Approval of 2014 Title VI Program

#### **E. FACILITY SITING EQUITY ANALYSIS**

The City of Plymouth does not own or operate a Transit Operations/Maintenance Facility, and therefore is not required to complete a Title VI Facility Siting Analysis.

#### **F. MONITORING SUB-RECIPIENTS**

Plymouth Metrolink does not have sub recipients, and therefore does not keep a schedule of sub recipient Title VI program submissions.

#### **G. LIMITED ENGLISH PROFICIENCY PLAN**

##### **I. INTRODUCTION**

A Limited English Proficiency (LEP) person is one who does not speak English as their primary language, and who has a limited ability to read, speak, write, or understand English.<sup>31</sup>

Recent immigrants to the United States, including those persons who speak English, use public transportation at higher rates than those who were born in the U.S.<sup>35</sup> However, an immigrant's use of public transit tends to decrease with their length of residence in the United States.<sup>36</sup> Many immigrants switch from transit to personal vehicles because they view a personal vehicle as a symbol of assimilation, and because a personal vehicle provides greater mobility or access to economic and social opportunities beyond a transit system's service area.<sup>37</sup> Recent immigrants elect to continue using transit if their experience with public transportation is positive.<sup>38</sup> For transit agencies seeking to increase the number of "choice riders," it may be easier to retain riders who have had positive impressions of the system, than to attract people who have never used, or rarely used public transit.<sup>39</sup>

Agencies that provide language assistance to LEP persons in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers and should encourage riders to continue using the system after they are proficient in English and/or have more transportation options. Catering to LEP persons may also help increase and retain ridership among the agency's broader immigrant communities in two important ways: 1) agencies that reach out to recent immigrant populations in order to conduct a needs assessment and prepare a language implementation plan (pursuant to

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<sup>31</sup> LEP Executive Order 13166, August, 2000.

<sup>35</sup> The U.S. Department of Transportation Federal Transit Administration Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2008, p. 5.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

the U.S. Department of Transportation LEP Guidance) send a positive message to these persons that they are valued; and 2) community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant populations and ensuring that an agency's transit routes, hours and days of service, and other service parameters are responsive to the needs of these populations.<sup>40</sup>

## II. PURPOSE

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information.

**Purpose:** The City of Plymouth Transit Program has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to Plymouth Metrolink services including Commuter Express, Reverse Commuter Express, Local Fixed Route, Dial-A-Ride shared ride, and other transportation services as required.<sup>41</sup>

**LEP Definition:** A Limited English Proficiency (LEP) person is one who does not speak English as a primary language and who has a limited ability to read, speak, write, or understand English. For the purposes of this LEP plan, LEP persons are Plymouth Metrolink riders or potential riders, and the people who live and work with the riders and potential riders.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan, the City of Plymouth Transit Program conducted the U.S. Department of Transportation four factor LEP analyses which considered the following:

- 1) Number or proportion of LEP persons eligible in the Plymouth Metrolink service area likely to encounter a Plymouth Metrolink program, activity, or service;
- 2) Frequency with which LEP individuals come in contact with Plymouth Metrolink services;
- 3) Nature and importance of the Plymouth Metrolink program, activity or service provided to the LEP population; and
- 4) Resources available to Plymouth Metrolink and overall cost to provide LEP assistance.

A description of these considerations is provided in the Section V of this LEP Plan.

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<sup>40</sup> The U.S. Department of Transportation Federal Transit Administration Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2008, p. 5.

<sup>41</sup> Executive Order 13166, Limited English Proficiency (LEP), August, 2000.

### **III. COMMUNITY OUTREACH**

- A.** The City of Plymouth conducts community outreach efforts to engage the public in planning and decision-making processes, as well as marketing and outreach activities.
- B.** The City of Plymouth Transit Division tracks requests for service in the Customer Service Log. The public is always invited to review complaints, whether via e-mail, through a notification on the city web site, in public meetings, or in monthly and annual surveys.
- C.** When a major change to an existing service or addition of new service is proposed, the feasibility of the change is discussed at a City Council meeting. The public is invited to attend and participate in the discussion.
- D.** Citizens and passengers may contact Plymouth transit staff (Plymouth Metrolink), or the contracted staff to file a complaint or comment. All complaints and comments are input into the Customer Service Log, distributed as appropriate, and resolved. These issues are reviewed as received.
- E.** The Plymouth Metrolink page on the City of Plymouth web site has transit information including policies, maps, schedules, news, rider alerts, links, and meeting notices. This section clearly states contact information for the City of Plymouth, and lists the “Commitment to Fairness” policy. All this information is also located on all Plymouth Metrolink buses and in facilities.
- F.** The City of Plymouth has an eNotify Sign Up system on the city web site for people to receive updates on transit information, weather emergencies, new maps and schedules, new policies, news, rider alerts, and meeting notices.
- G.** Transit rider alerts, surveys and other information are directly distributed to passengers on buses by the drivers, posted at transit stations, park and ride lots, bus shelters and city facilities. The rider alerts and other information are also distributed electronically.
- H.** In addition to the transit stations, the Plymouth Metrolink bus schedules and maps are distributed in public places including all city facilities, the downtown area, Interfaith Outreach Community Partners (a local social services provider), the Hennepin County library in Plymouth, the senior housing facilities, low income housing facilities, and grocery stores near the park and ride lots. Plymouth Metrolink contact information, the city web site, and the “Commitment to Fairness” policy are included on every schedule. They are also distributed at the Metro Transit locations in downtown Minneapolis and on the Metro Transit web site.

- I. Annually in the fall, the city conducts a thorough on board passenger survey of fixed route and dial-a-ride program, service, fleet and facilities. Any passenger comments are listed separately and reviewed by the appropriate city staff person. Passengers are offered many ways in which to submit their surveys, opinions and comments (on the bus, email, fax, phone, walk, mail).
- J. Every five years the City of Plymouth conducts a citywide survey. A question regarding Plymouth transit was included in the most recent survey.
- K. The Plymouth Metrolink buses are present, and staff participates in city and community events, including the spring City Sampler, the summer Music in Plymouth, and Night to Unite.

#### **IV. FOUR FACTOR ANALYSIS**

This Limited English Proficiency Plan has been prepared to address the City of Plymouth's responsibilities as a recipient of federal transit funds as they relate to the needs of individuals with limited English language skills accessing the transit services offered by the City of Plymouth.

This Limited English Proficiency (LEP) Plan identifies reasonable steps for providing language assistance to LEP people who wish to access Plymouth Metrolink transit services. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.<sup>42</sup>

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. seq., and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination.<sup>43</sup> This Executive Order directs each federal agency to publish guidance for its respective recipients clarifying recipients' obligations to ensure that such discrimination does not take place.<sup>44</sup> This Executive Order applies to all state and local agencies which receive federal funds relating to services and facilities, and thus includes the City of Plymouth through the Plymouth Metrolink buses and facilities.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the City of Plymouth conducted the following U.S. Department of Transportation four factor LEP analysis.

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter the City of Plymouth program, activity or service.
2. The frequency with which LEP persons come in contact with the City of Plymouth programs, activities or services.
3. The nature and importance of programs, activities or services provided by the City of Plymouth to the LEP population.
4. The resources available to the City of Plymouth and overall cost to provide LEP assistance.

This LEP Plan<sup>45</sup> includes:

- The results of the four factor analysis, including a description of the LEP population(s) served by Plymouth Metrolink transit program.
- A description of how the city provides language assistance services.
- A description of how the city provides notice to LEP persons about the availability of language assistance.

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<sup>42</sup> Ibid.

<sup>43</sup> Executive Order 13166, Limited English Proficiency (LEP), August, 2000.

<sup>44</sup> Ibid.

<sup>45</sup> Requirements of an LEP Plan can be found in the Federal Transit Administration, Title VI Overview of C. 4702.1B, November 5, 2012, p. 21.

**A. Four Factor Analysis**

The City of Plymouth developed its LEP Plan as outlined below based on this four-factor analysis.

**1. The number or proportion of LEP persons in the service area eligible to be served or are likely to encounter a City of Plymouth program, activity or service.**

Anyone is eligible to ride the Plymouth Metrolink transit system for the rate charged. If a person meets certain criteria, they may qualify for a reduced fare. The City of Plymouth staff reviewed the population estimates for Plymouth as prepared by the Metropolitan Council and based upon the 2010-2014 American Community Survey (2014). For the purposes of this analysis, the service area for Plymouth Metrolink is considered the city of Plymouth.

In 2014, the population of the Plymouth was 72,868 with 31,031 households. According to the 2014 American Community Survey (ACS), 14.7% of the Plymouth population (10,084 residents) indicated they speak a language other than English in the home (Chart 1).

Chart 1 – City of Plymouth, Languages spoken at home

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent	Percent Margin of Error
Population 5 years and over	68,432	+/-452	68,432	(X)
English only	58,348	+/-896	85.30%	+/-1.2
Language other than English	10,084	+/-818	14.70%	+/-1.2
Speak English less than "very well"	2,940	+/-471	4.30%	+/-0.7
Spanish	2,598	+/-674	3.80%	+/-1.0
Speak English less than "very well"	698	+/-320	1.00%	+/-0.5
Other Indo-European languages	3,523	+/-586	5.10%	+/-0.9
Speak English less than "very well"	1,014	+/-261	1.50%	+/-0.4
Asian and Pacific Islander languages	2,910	+/-517	4.30%	+/-0.8
Speak English less than "very well"	1,015	+/-317	1.50%	+/-0.5
Other languages	1,053	+/-297	1.50%	+/-0.4
Speak English less than "very well"	213	+/-129	0.30%	+/-0.2

Figures gathered from 2010-2014 American Community Survey 5 year data profiles (2014)



## **2. The frequency with which LEP persons come in contact with transit programs, activities, or services.**

To assess the frequency transit staff interacts with LEP persons, city staff surveys all Plymouth Metrolink riders annually during one week in the fall. The survey is also distributed to seniors at the Plymouth Creek Center and to the Adult Education classes at Wayzata Central Middle School. Bus drivers ask passengers to place completed surveys in a special enclosed plastic box on the bus or communicate responses to transit staff at City Hall.

The surveys are presented on paper, two-sided, one sheet and only in English. The papers are distributed on the buses with pencils. The completed surveys are accepted on the bus in a secured box when the passengers exit the bus, and through the next week via fax, by email, by mail, by phone and in person. Respondents wrote their own languages in blanks provided in the survey. In 2014 and beyond, these surveys will be offered in the predominant languages indicated for Plymouth riders. In the future, surveys will be offered to the general public in alternative languages. To date, there has been no request for a translated survey form.

### **Plymouth Metrolink Surveys**

Of the 28 Plymouth Metrolink Dial-A-Ride surveys returned in 2015, 96.2% reported English to be their primary language. Out of the 180 Fixed Route surveys returned, 90.6% reported English as their primary language. 2.2% of respondents answered Spanish, 2.2% answered Hindi, and 5.0% answered 'other'

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<sup>65</sup> 2013 World Media Group, LLC; U.S. Census Bureau Data 2010; American Community Survey 5 Yr Summary File 2006-2010; Based on C16004 Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over – Universe: Population 5 Years and Over; Data Set 2006 – 2010 American Community Survey 5 – Year Estimates; <http://www.usa.com/school-district-2731780-population-and-races.htm>, September 17, 2013.

<sup>66</sup> Plymouth Metrolink Dial-A-Ride Survey, 2012.

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.



Of the 444 Plymouth Metrolink fixed route commuter surveys returned in 2012, almost a quarter of respondents (107 riders) speak a language other than English at home.<sup>69</sup> For three-quarters of riders (337), English is their primary (or only) language.<sup>70</sup> The three language areas other than English spoken in the home by a majority of the commuter survey respondents are listed below.<sup>71</sup>

- Indo-European origin
- Spanish
- Russian

All languages indicated by respondents in the 2012 Plymouth Metrolink ridership surveys are listed in Chart 17.

**Chart 17: Number of 2012 Plymouth Metrolink Survey Respondents Who Speak a Language Other Than English at Home**

Language	2012 Plymouth Metrolink Survey Respondents
Arabic	1
Bengali	3
Chinese	10
American Sign Language	1
Flemish	1
French	8
English	366
German	3
Greek	1
Hindi	13
Hungarian	1
Japanese	1
Kannada	2
Kiswahili	2
Korean	2
Mandarin	3
Marathi	2
Mina	1
Ngemba	1
Pashto	1
Persian	1

<sup>69</sup> Plymouth Metrolink Fixed Route Commuter Survey, 2012.

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

Polish	1
Portuguese	1
Russian	17
Sinhalese	1
Slovak	1
Somali	3
Spanish	24
Tamil	4
Telugu	13
Ukrainian	3
Urdu	1
Vietnamese	2

Staff maintains an electronic Customer Service Log to track all requests. A field in the Customer Service Log tracks LEP requests specifically. The Customer Service Log does not indicate any requests for LEP assistance received by city transit staff.

**Prong 3: Nature and importance of the program, activity or service provided by Plymouth Metrolink to the LEP population**

There is no single large geographic concentration of LEP group living in the Plymouth service area. The majority of the residential and school population in Plymouth and the surrounding communities speak primarily English.

Plymouth Metrolink provides LEP services to anyone who requests it.<sup>73</sup> Plymouth provides as much information as possible in graphic or numerical form. Information is also provided online, verbally by phone and in person, and through a TDD service.

**3. The resources available to the City of Plymouth for LEP outreach, and the overall costs to provide LEP assistance and outreach.**

Currently, the City of Plymouth has a Telecommunication Device for the Deaf (TDD) phone line published and available for use by anyone. The line is intercepted by an operator who works with a TTY (teletype terminal) that lets people who are deaf, hard of hearing, or speech-impaired communicate via telephone through synchronized

<sup>72</sup> The U.S. Department of Transportation Federal Transit Administration Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2007, p. 3.

<sup>73</sup> Ibid., p. 5.

conversation. It is similar to digital (cell) texting, although the land lines at City Hall do not have digital text capabilities.

#### **Prong 4: Resources available to Plymouth Metrolink for LEP outreach, and the overall costs to provide LEP assistance and outreach.**

The Plymouth Metrolink Dial-A-Ride brochures are widely distributed in English and are also translated and available (electronically and hard copy) in Russian, Spanish, Hindi and Somali, which were the predominant languages other than English at the time the brochures were published in 2009 (Appendix G).

The City of Plymouth assessed its available resources that could be used for providing LEP assistance, and has determined:

- That transit funds are available to provide a professional interpreter as requested. This can be requested through a professional service or through Hennepin County.
- That transit funds are available to fund an ongoing translation service online.
- Dial-A-Ride brochures are available in Russian, Spanish, Somali and Hindi (Appendix G).
- Pocket schedules are the most important documents to be translated.
- The City of Plymouth partners with local volunteers and with Hennepin County for outreach and translation efforts.
- Hennepin County, the local school districts, and social service agencies have services that focus on outreach to LEP individuals.

### **B. LEP Plan Based Upon Four Factor Analysis**

The City of Plymouth developed its LEP Plan as outlined below based on the four factor analysis.

The City of Plymouth has narrowed down the options to assist LEP individuals to utilize Plymouth Metrolink Dial-A-Ride transit services, commuter express routes, and local fixed routes. Professional interpreter and document translation services will be provided as needed or requested given the overall low percentage of LEP persons within the City of Plymouth service area.

Almost half the riders of Dial-A-Ride are LEP and may require some form of translation. Although it is cost prohibitive to provide the brochure in all the languages, the Dial-A-Ride services brochure is available translated into Russian, Somali, Hindi and Spanish.

#### **1. Language Assistance Measures**

Although there is a very low percentage in the total Plymouth Service Area of LEP individuals (persons who speak English “not well” or “not at all”), the City of Plymouth will ensure that the following measures are in place:

- The City of Plymouth Title VI Policy and Limited English Proficiency Plan is posted on the city web site at <https://www.plymouthmn.gov/commitmentofairness>
  - The City of Plymouth Title VI Policy and Limited English Proficiency Plan is posted at all transit facilities and in all buses.
  - When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and then access language assistance service. A translated document is available to generate such assistance.

## **2. Staff Training**

The following training will be provided to the City of Plymouth staff that is directly involved with the transit services:

- Information on the City of Plymouth's Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance and document translation requests via the Customer Service Log.
- Proper Handling of a Title VI/LEP Complaint according to the Title VI Complaint Procedures.

## **3. Outreach Techniques**

Due to the small local LEP population, the City of Plymouth-initiated outreach activities are expected to be minimal, but the following procedure will be utilized as the need arises:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to consist of primarily LEP individuals, then all documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population for that particular meeting.
- Bus schedules, maps, and other transit publications will be made available online in an alternative language when and if a specific and concentrated LEP population is identified.
- Dial-A-Ride brochures are available in Russian, Spanish, Somali and Hindi (Appendix G).
- The transit division will utilize a live translation program available in over 21 languages. This program will be utilized in communicating with the public regarding transit issues.

## **4. Monitoring and Updating the LEP Plan**

The LEP Plan will be reviewed and updated as needed and as required by the Metropolitan Council and the U.S. Department of Transportation. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is

available, and when it is clear that higher concentrations of LEP individuals are present in the City of Plymouth service area.

## **5. Dissemination of the City of Plymouth LEP Plan**

A link to the City of Plymouth LEP Plan and the Title VI Plan will be available on the city intranet. Any staff person or agency may contact the City Clerk to request a copy of the plans. In addition, the City of Plymouth is developing a translation option for the city's web site, which would allow translation of web site items into alternative languages.

Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person, and shall be provided a copy of the plan at no cost. LEP individuals may request a translated copy of the plan which the City of Plymouth will provide, if feasible.

## **H. PUBLIC PARTICIPATION PLAN**

**A.** As local government, the City of Plymouth promotes inclusive public participation in all planning and decision making processes, as well as its marketing and outreach activities.

### **1. Desired Outcomes**

- Draw public attention to public transit.
- A clear understanding of all effects of any change in the system.
- Public participation in the planning and decision-making process.
- Public was given an opportunity to be heard.
- A final decision by City Council that includes all viewpoints.

### **2. Participation plan strategies and examples**

- Public forums during City Council meetings
- Hearings during City Council meetings
- Open houses during the day and evening with City Council members and committee members present
- Annual surveys of riders on all service
- Monthly surveys of riders on new service
- Send letters and postcards to residents on routes or in areas of the city affected by changes or to invite them to use public transit.
- Meetings at convenient times and accessible locations such as centrally located public facilities. Meeting times are determined by what suits the given audience best.
- Utilizing different meeting sizes and formats

3. Alternative advertising platforms
  - City web site
  - Sun Sailor (official city newspaper)
  - Local cable television
  - City Council meeting announcement
  - Letters mailed
  - Rider Alert Posters in facilities and on buses
  - Rider Alert emails
  - Social Media
  
4. Varying community interaction
  - Interfaith Outreach Community Partners
  - Adult Education classes
  - Senior Citizen Center
  - Hennepin County Adult Corrections Facility
  - School Districts
  - Business community
  - Chamber of Commerce
  - Other transit agencies
  - Other governments
  - Developers
  - Quarterly Public meetings
  - Outreach meetings in public spaces to encourage informal participation

## **VI. CONTRACTORS, SUBCONTRACTORS AND VENDORS**

All contractors, subcontractors and vendors who receive payments from the City of Plymouth Transit Enterprise Fund, in matters where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.<sup>15</sup> Written contracts shall contain non-discrimination language, either directly, or in the bid/proposal specification package, which becomes a part of the contract.

All maintenance and operation contracted employees shall receive a copy of the city's Title VI policy statement and be informed of the provisions of Title VI, including the city's expectations of all employees to uphold the Commitment to Fairness and the Title VI Plan. The contractor's employees will be required to sign an Acknowledgement of Receipt (Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans).

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<sup>15</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

## **VII. PROCEDURAL GUIDELINES FOR PLYMOUTH TITLE VI TRANSIT PROGRAM EVALUATION**

The City of Plymouth transit operations will routinely review the effects of major changes in the transit system's structure, Dial-A-Ride fares, transit services, transit facilities, and capital investments in regards to the Federal Transit Administration's Title VI requirements, specifically to assure nondiscriminatory actions regarding the minorities in Plymouth.

Major Service changes will be considered as being subject to analysis for Title VI compliance and reporting.

### **A. Major Capital Investment**

The City of Plymouth transit operations will routinely review the capital investment in the transit system facilities and fleet in regards to the U.S. Federal Transit Administration's Title VI requirements and the regional requirements, specifically to assure nondiscriminatory actions regarding the minorities in the Plymouth community. This includes investment of transit capital funds in major public facilities that may impact service delivery, access and mobility, and passenger amenities including transit centers, transit stations, bus shelters and waiting stations, park and ride lots (leased or purchased), transfer and layover facilities, maintenance and storage facilities, transit advantages, and transitways. Any significant change or impacts will be analyzed for Title VI compliance and reporting and be taken into consideration as part of the proposed capital investment.

## **VIII. ENVIRONMENTAL JUSTICE ASSESSMENTS ON CONSTRUCTION PROJECTS**

The City of Plymouth follows the policies and standards as outlined in Chapter 6 of the Metropolitan Council's 2040 Transportation Policy Plan to help prevent discriminatory service designs and operational decisions.

## **IX. TRANSIT PROVIDER REQUIREMENTS - SERVICE STANDARDS**

The FTA requires all fixed route transit providers of public transportation to develop quantitative standards and qualitative policies. If a fixed route transit provider operates a fleet of fewer than 50 buses, as is the case with Plymouth Metrolink, then the transit provider is only required to set system-wide standards and policies, and is not required to collect and report demographic data, evaluate service and fare equity changes, nor monitor transit service.<sup>22</sup>

The service standards and policies are required for each specific fixed route mode of service provided, and must address how the service is distributed across the transit system. The FTA lists these effective practices to fulfill the service standard requirements: vehicle load, vehicle headway, on-time performance, service availability, distribution of transit amenities, and vehicle assignment.

There will be no financial impact as a result of adopting these service standards and policies.

### **A. Quantitative Service Standards**

#### **1. Vehicle Load**

Vehicle load is the ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point. This value is used to determine whether a bus is overloaded and additional service is needed. The result may be greater than 100% if some standing passengers are acceptable on a particular bus. All Plymouth Metrolink fixed route vehicle loads are peak rush hour, except two midday routes, Routes 774 & 795.

All express routes are 40-foot, low-floor buses. For purposes of this assessment only, maximum vehicle load calculations are calculated assuming no passengers in wheelchairs

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<sup>22</sup> Ibid.



are present. On a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 people standing in the bus.

**Chart 1: Plymouth Metrolink Maximum Allowable Vehicle Loads**

Bus Size	Number of Seats	Seated Passengers	Standing Passengers	Total Passengers	Maximum Vehicle Load
40-foot bus	33	38	12	50	1.3 passengers per seat
20-foot bus	13	10	0	10	1 passenger per seat

**Chart 2: Regional Vehicle Load Guidelines for Area III<sup>23</sup>**

Type of Route	Number of Vehicle Seats	Percent of Seats Filled Peak Period	Percent of Seats Filled Off Peak (Midday)
Express	38	70% to 100%	50% to 100%
Suburban Local Shuttle	28	50% to 125%	30% to 100%
Dial-A-Ride (General)	10 or 21	No regional standard	No regional standard

Regional guidelines are based on the number of seats on the vehicle, measured at the maximum load point of the route. These standards are flexible on the fringe of a peak period. The maximum customer load average is over a 15 minute period on a consistent basis. The vehicle load measured is per trip for each route.

## 2. Vehicle Headways

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. The vehicle headway standard is designed to ensure that passengers have equitable wait times for transit vehicles. Vehicle headways are measured as the amount of time between the departure of two subsequent buses along the same route or service corridor.

Plymouth Metrolink differentiates between two types of fixed route bus service: local shuttle routes provide service within Plymouth to and from park and ride lots during peak periods, while express routes provide service between Plymouth and downtown Minneapolis during peak periods.

Service Type	Plymouth Metrolink Bus Routes
Express Fixed Route	747 Express, 772, 774, 776, 777, 790, 793, 795
Express Fixed Route Reverse Commute	742, 747 (Reverse)
Local Shuttle Fixed Route	740, 741, 771, 791

<sup>23</sup> Metropolitan Council 2030 Transportation Policy Plan, Appendix G, Tables G-10 and G-11.

The regional standard is a maximum headway of 30 minutes during peak periods along all fixed routes.<sup>24</sup>

Improved headways will be considered along routes in cases where the maximum load factor is exceeded and resources are available to improve service. For example, at Station 73 the headway was reduced to 15 minutes during peak rush hours. All Plymouth Metrolink fixed routes operate during peak rush hours, except two midday routes (774 & 795).

Additional express bus service will be considered along routes with a demonstrated or projected daily ridership that supports at least two round-trips carrying 10 passengers per trip on average when resources are available to improve service. All Plymouth Metrolink routes meet the regional standards of three express trips during rush hour (peak) and 60 minutes minimal frequency on each route during rush hour.<sup>25</sup>

### **3. On Time Performance**

The on-time performance standard is designed to ensure that the reliability of transit service is equitable for passengers. On-time performance is measured as the percentage of trips that depart time points within a certain number of minutes of published schedules.

The recommended standard for Plymouth Metrolink bus service is 95%. A bus is considered not on time if it departs a time point more than two (2) minutes earlier than the published time, or three (3) minutes later than the published time, and if the noncompliance is the result of non-rider, non-traffic, and non-weather related occurrences.<sup>26</sup>

### **4. Service Availability**

Service Availability is the general measure of the distribution of routes within an agency's service area. The service availability standard is a broadly defined measure of geographic access to transit services. Plymouth Metrolink measures the availability of bus service in a manner that reflects the ability to modify bus service. The City of Plymouth is in Area III, for which there are transit market area service availability standards delineated by the region.<sup>27</sup> Plymouth provides express, suburban local and general public dial-a-ride service.

Plymouth Metrolink fixed route bus service is provided to Plymouth residents and people who commute to Plymouth on the following basis:

- The routes are distributed evenly throughout the city of Plymouth in areas that are established and fully developed as residential, industrial and commercial areas and depend upon access to a major highway, and operational feasibility.

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<sup>24</sup> Metropolitan Council 2040 Transportation Policy Plan, Appendix G.

<sup>25</sup> Ibid.

<sup>26</sup> City of Plymouth Transit Maintenance and Operations Agreement, December, 2012, App. A, Sec. 14.1, p. 18.

<sup>27</sup> Metropolitan Council 2040 Transportation Policy Plan, Appendix G.

- The routes will be distributed such that 90% of all residents and businesses are within a ½ mile walk of a bus route.
- Local shuttle routes shall stop at any safe point along a route when cued by passengers.
- There shall be one park and ride lot in each quadrant of the city.
- Service will be provided to Plymouth Metrolink transit hubs. A transit hub is defined as a bus stop location that provides scheduled connections to at least one fixed route local or express bus route and has passenger amenities.

Regional standards require a service span of availability for areas of the region. Plymouth Metrolink is within the regional standards.

Type of Service	Area III: Service Allowed by Region	Plymouth Metrolink Service
<b>Express</b>	Peak: 6AM-9AM, 3-6:30PM	All routes except Midday Routes 774 & 795
	Midday: 9AM-3PM	Routes 774 & 795
	Evening: 6:30-9PM	Routes 742, 774, 776, 777, 790, 793
<b>Suburban Local Shuttle</b>	Peak: 6AM-9AM, 3-6:30PM	All routes except Midday Routes 774 & 795
	Midday: 9AM-3PM	Routes 774 & 795
	Evening: 6:30-9PM	Shuttle Routes 771, 791
	Night/Early Morning: 9PM-1:30AM; 5-6AM	Shuttle Route 771 Express Routes 742, 747, 772, 776, 777, 790
	Weekend: Saturdays, Sundays, Holidays	No service
<b>Dial-A-Ride</b>	Up to 18 hours of service daily	12 hours weekdays

## B. Qualitative Service Practices

### 1. Distribution of Transit Amenities

Installation of transit amenities along bus routes are based on the number of passenger boardings at stops and stations along those routes. Plymouth Metrolink will also consider other amenities along the bus routes and exposure to inclement weather to waiting passengers along the routes.

Plymouth Metrolink shuttle/local routes stop along the route in Plymouth when signaled by a waiting rider or a passenger on the bus. Too many stops increase bus travel time, so express buses have specific stops and do not stop until they become local shuttles.

The City of Plymouth is within the regional minimum standards for transit amenities.<sup>28</sup> These include lights, heaters, trash receptacles, and stand alone benches at transit centers (Station 73 and The Reserve); lights at park and ride lots (Nathan Lane and St. Philip the Deacon); and lights and heaters at most bus shelters. The trash receptacles are currently provided at all bus shelters, but will be removed from the shelters not associated with park and ride lots to conform to regional standards. Other amenities are provided depending upon the size, location and use of the facility.

## 2. Vehicle Assignments

Plymouth Metrolink has peak express and local feeder fixed routes. All Plymouth Metrolink buses are equipped with air conditioning, heaters, automated stop announcement systems, bicycle racks and route information. All 40-foot buses are low-floor buses. Buses will be assigned to the four quadrants of Plymouth such that the average age of the fleet serving each area does not exceed 12 years.

Low-floor, 40-foot buses are deployed on express and feeder routes, so these buses carry a higher share of the overall ridership than the local shuttle buses. Local shuttle routes with lower ridership may be assigned 20-foot to 30-foot buses rather than the 40-foot buses. Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. For safety reasons, any routes requiring tight turns on residential streets are operated with smaller (20-foot to 30-foot) buses rather than the 40-foot buses.

## X. TITLE VI CERTIFICATION AND ASSURANCES

The City of Plymouth submits an annual Title VI Certification and Assurance to the Metropolitan Council upon request (Appendix B). The City of Plymouth requires a signed Affirmative Action Certification of Compliance Form with all contracts (Appendix B). The City of Plymouth includes Title VI assurance language in contracts (Appendix E). These Title VI assurances must be submitted as part of a standard list of assurances provided by subrecipients to their direct recipient(s).<sup>29</sup> The Metropolitan Council is the recipient of Federal Transit Authority (FTA) funds that are sometimes passed to other transit providers.

The City of Plymouth recognizes that Title VI and related statutes, as well as the Environmental Justice (EJ) Nondiscrimination Policy impacts all transportation decision making.<sup>30</sup> However, only those departments and divisions having *significant* Title VI responsibilities are identified below.

- Administration Department
  - City Clerk Division

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<sup>28</sup> Metropolitan Council Transportation Policy Plan, Appendix G, Table G-9 Facility Amenities.

<sup>29</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

<sup>30</sup> Ibid; and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

- Communication Division
- Finance Division
- Community Development
  - Housing Division
- Human Resources Department
- Parks and Recreation Department
  - Park Maintenance and Forestry Division
- Police Department
- Public Works Department
  - Engineering Division
  - Facilities and Maintenance Division
  - Transit Division

## **XI. PLYMOUTH ADMINISTRATION**

The City of Plymouth is classified as a home rule charter city under Minnesota law. A home rule charter city receives its enabling authority through the adoption of a city charter. The Plymouth city charter is the city's constitution, which provides for the type of government and outlines the functions, structure and procedures of city government. The charter was drafted by Plymouth residents and adopted in 1993.

The City of Plymouth has a council-manager form of government. The City Council exercises the legislative power of the city, determines matters of policy, sets the direction for the city, and appoints a city manager. The city manager is responsible to the City Council for the proper administration of city affairs and handles the daily operations.

The organizational chart displays the Plymouth organization and the governance affecting the transit program (Appendix F: City of Plymouth Organizational Chart). The city also has a relationship with First Transit, the maintenance and operation contractor for Plymouth Metrolink, and the Metropolitan Council.

### **A. Governance**

The Plymouth City Council has seven members who are elected by the residents of Plymouth. The city is divided into four wards of roughly equal population each represented by a council member. Two council members and the mayor serve the city at large. All meetings of the Plymouth City Council and its committees are open to the public.

The Plymouth City Council appoints several citizen commissions and committees, to study and advise the City Council on a variety of issues. The City Council makes appointments to boards and commissions each year.

## **XII. DESIGNATION**

### **A. Responsibility for Title VI Program Implementation**

The Plymouth City Council has overall responsibility for the Title VI program and performs the role of providing policy leadership regarding the implementation of the program.

The Transit Administrator has responsibility for establishing and maintaining a City of Plymouth Title VI program. The Transit Administrator is also the designated Plymouth Title VI Liaison to the Metropolitan Council Title VI Liaison. The Transit Manager communicates through the Public Works Director and the City Manager with the Plymouth City Council and communicates directly with the Metropolitan Council Title VI Liaison regarding Title VI program matters.

### **B. City Manager and Department Directors**

The City Managers and Directors have the ultimate responsibility for effectively implementing and promoting the Title VI program throughout all departments with a focus on the following:

- Foster awareness of nondiscrimination requirements.
- Participate in the development and implementation of the Title VI Plan and Guidelines.
- Identify and prioritize areas of vulnerability and/or need.
- Formulate and prioritize strategies to address areas of vulnerability.
- Develop a Title VI Work Plan.
- Establish program roles and responsibilities.
- Act on the Title VI Program Plan.
- Continuously assess the plan's effectiveness.

**C. Gender and Racial Breakdown**

**2. Plymouth Department Directors Chart**

<b>Department Directors</b>	<b>Name</b>	<b>Gender</b>	<b>Race</b>
Administrative Services Director	Luke Fischer	M	White
City Manager	David Callister	M	White
Community Development Director	Steve Juetten	M	White
Fire Chief	Rodger Coppa	M	White
Park & Recreation Director	Diane Evans	F	White
Police Chief	Mike Goldstein	M	White
Public Works Director	Doran Cote	M	White
Transit Administrator	Nur Kasin	M	Black

**D. Title VI Liaison**

The Transit Manager shall be appointed and act as Title VI Liaison for the city. The Title VI Liaison shall work on the Title VI Program Plan and Guidelines and play a participatory lead role in the development and implementation of Federal Transit Administration (FTA) Title VI Compliance Program citywide. The Transit Manager shall consult and cooperate with the Metropolitan Council Title VI Liaison and other Title VI experts and consultants upon occasion.

**Transit Manager as Title VI Liaison shall do the following:**

1. Provide guidance and technical assistance on Title VI matters and be responsible for the overall program, review required Title VI compliance, develop procedures, and monitor for:
  - a. Prompt processing and resolution of Title VI complaints
  - b. Collection of statistical data (race, ethnicity, color, national origin, sex, disability and age) on participants in, and beneficiaries of the city’s programs, activities and services
  - c. Identification of discrimination
  - d. Elimination of discrimination when discrimination is found to exist
  - e. Prompt resolution in deficient areas
  - f. Review for compliance with Title VI requirements



2. Ensure Title VI requirements are included in transit policy directives and that the procedures used have built-in safeguards to prevent discrimination.
3. Correct Title VI problems or discriminatory practices or policies found when conducting self-monitoring and compliance review activities.
4. Ensure Title VI discrimination complaints are investigated.
5. Assure that Title VI information for public dissemination is developed in languages other than English, where appropriate.
6. Refer Title VI discrimination complaints to the Metropolitan Council Director, Equal Opportunity, when appropriate.
7. Consult with the Metropolitan Council Title VI Liaison and other Title VI experts and consultants and the city attorney upon occasion.

#### **E. Title VI Interdisciplinary Team**

The City of Plymouth Title VI Liaison shall assemble a Title VI Interdisciplinary Team as necessary to provide guidance to the city manager, department directors, transit manager/Title VI liaison, and program personnel and serve as advisors to fully implement the Title VI Program. This coordinated and cooperative team approach is essential to sufficiently mitigate the effects to adversely impacted communities and to ensure mechanisms are in place to avoid discrimination. The Title VI Interdisciplinary Team would be composed of city staff and at least one representative from First Transit. The process described above is reactive in nature and the Transit Administrator is responsible to oversee said team.

To date, the Title VI Interdisciplinary Team has not been assembled as there have been no Title VI complaints received by the City.





## **Appendix A: Plymouth Metrolink Transit Facilities and Amenities**

### **Station 73, 10905 Highway 55, Plymouth, MN 55441**

Station 73 is a park and ride four-level parking ramp with parking for 288 vehicles. It has outdoor and indoor stairwells and an elevator. The climate controlled lobby has two rest rooms. A bicycle rack is sheltered and located near the outside stairwell. The bicycle lockers were removed because they were never used. The benches and trash containers are located both inside and outside. Recycling is located inside the lobby. A cigarette container is located in the bus loading area. There are security cameras inside at the outside stairwells, all levels, inside stairwell all levels, bus layover area and entrance and exit to the ramp. The facility is ADA compliant. There is an area for route maps and transit information in the lobby. A locked information board holds transit information.

### **The Reserve Passenger Waiting Station, 5300 Cheshire Lane, Plymouth, MN 55447**

The Reserve is a climate controlled building for passenger use only. The building is located in a high-density residential area. The building has two restrooms and is ADA accessible. There is a locked information board with transit information. There are benches, and an area with route maps and transit information for people to take.

### **Bus Shelters**

Two bus shelters have been damaged, removed and not yet replaced.

1. Berkshire Lane and 54<sup>th</sup> Avenue  
Bus shelter with bench inside.
2. Annapolis Lane and 52<sup>nd</sup> Avenue  
Bus shelter with bench inside.
3. Plymouth Boulevard and Rockford Road  
Bus shelter with benches inside and outside, bike rack, and waste container.
4. 45<sup>th</sup> Avenue North and Nathan Lane (Nathan Lane Park & Ride Lot)  
Bus shelter with bench inside, bike rack and waste container.
5. St. Philip the Deacon Park and Ride  
Heated bus shelter with lights, benches inside and outside, bike rack and waste container.
6. 34<sup>th</sup> Avenue and Harbor Lane  
Bus shelter with benches inside and outside, bike rack, and waste container.
7. 33<sup>rd</sup> Avenue and Harbor Lane  
Bus shelter with benches inside and outside, bike rack, and waste container.
8. 36<sup>th</sup> Avenue and Lancaster Lane  
Bus shelter with bench inside.
9. Lancaster Lane and Pilgrim Lane (Four Seasons East)  
Heated bus shelter with lights, bench inside, and waste container.
10. Lancaster Lane and Pilgrim (Four Seasons West)  
Heated bus shelter with lights, bench inside, and waste container.



**Appendix B: Certification and Assurances Signed**

Page 1

## Appendix B: Certification and Assurances Signed

### 2012 Calendar Year Certification and Assurance For Federal Transit Administration Assistance Grants

Name of Metropolitan Council's Grant Sub-Recipient:

The Grant Sub-Recipient understands and agrees to comply with any applicable provision of Categories 01-24 as a prerequisite to receiving federal funds.

Category	Description
01	Assurances Required for Each Applicant
02	Lobbying
03	Procurement Compliance
04	Protections for Private Providers of Public Transportation
05	Public Hearing
06	Acquisition of Rolling Stock for Use in Revenue Service
07	Acquisition of Capital Assets by Lease
08	Bus Testing
09	Charter Service Agreement
10	School Transportation Agreement
11	Demand Responsive Service
12	Alcohol Misuse and Prohibited Drug Use
13	Interest and Other Financing Costs
14	Intelligent Transportation Systems
15	Urbanized Area Formula Program
16	Clean Fuels and Grant Program
17	Elderly Individuals and Individuals with Disabilities Program and Pilot Program
18	Nonurbanized Area Formula Program for States
19	Job Access and Reverse Commute Program
20	New Freedom Program
21	Paul S. Sarbanes Transit in Parks Program
22	Tribal Transit Program
23	TIFIA Projects
24	Deposits of Federal Financial Assistance to a State Infrastructure Banks

Furthermore, Grant Sub-Recipient also understands and agrees that these certifications and assurances are special pre-award requirements and do not include all Federal requirements that may apply to your agency or your projects. The FTA Master Agreement MA(18) document for Federal Fiscal Year 2012, <http://www.fta.dot.gov/documents/18-Master.pdf> contains a list of most of those requirements.



## **Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans**

All City of Plymouth Transit Division employees are expected to consider, respect, and observe this Plan in their daily work and duties. If anyone approaches you with a question or a complaint, direct him or her to the Transit Administrator who is the Title VI Manager.

I hereby acknowledge the receipt of the City of Plymouth Title VI Plan and the Limited English Proficiency Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A, and any subsequent amendments to 49 CFR part 21 and related executive orders and federal circulars.

\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print your name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print Your Department

\_\_\_\_\_  
Organization

## Appendix D: City of Plymouth Discrimination Complaint Form

**Note:** *The following information is needed to assist in processing your complaint. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing.*

### Complainant Information:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_  
\_\_\_\_\_ Telephone \_\_\_\_\_ Number  
(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_  
\_\_\_\_\_

### Person Discriminated Against (if someone other than the Complainant):

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_  
\_\_\_\_\_ Telephone \_\_\_\_\_ Number  
(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_  
\_\_\_\_\_

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

- Race / Color (Specify) \_\_\_\_\_
- National Origin (Specify) \_\_\_\_\_
- Sex / Gender
- Religion
- Age
- Disability

### On what date(s) (d/m/yr) did the alleged discrimination take place?

\_\_\_\_\_



Please explain below as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Describe in what way you believe other persons were treated differently than you and why you believe these events occurred. Please use additional sheets if necessary and attach a copy to written material pertaining to your case.

Multiple horizontal lines for writing the explanation.

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

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_  
\_\_\_\_\_ Telephone \_\_\_\_\_ Number  
(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_  
\_\_\_\_\_ Telephone \_\_\_\_\_ Number  
(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_  
\_\_\_\_\_



Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_

\_\_\_\_\_ Telephone \_\_\_\_\_ Number

(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_

\_\_\_\_\_

**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

State court

Federal court

Local agency

State agency

Other \_\_\_\_\_

**If a complaint was filed elsewhere, please provide information about a contact person at the agency/court where the complaint was filed.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_

\_\_\_\_\_ Telephone \_\_\_\_\_ Number

(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_

\_\_\_\_\_

**Please describe how this/these issue(s) can be resolved to your satisfaction.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**If an advisor will be assisting you in the complaint process, please provide the advisor's name and contact information.**

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number \_\_\_\_\_ (Home): \_\_\_\_\_

\_\_\_\_\_ Telephone \_\_\_\_\_ Number

(Other): \_\_\_\_\_ Email Address: \_\_\_\_\_

\_\_\_\_\_

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

This Discrimination Complaint Form and your written complaint statement must be signed and dated for the allegation(s) to be addressed.

Additionally, you will need to sign a Consent/Release Form to disclose your name, if necessary, in the course of the inquiry. A Consent/Release Form is attached for your convenience. If you are filing a complaint of discrimination on behalf of another person, this person must also sign a Consent/Release Form to consent to name disclosure in order to proceed.

*I certify that to the best of my knowledge the information I have provided is accurate and the events and circumstances are as I have described them. As a complainant, I also understand that if I indicated I will be assisted by an advisor on this form, my signature below authorizes the named individual to receive copies of relevant correspondence regarding the complaint, and to accompany me during the investigation.*

**Complainant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Attachments:** Yes \_\_\_\_\_ No \_\_\_\_\_ (check only one)

**Submit** completed and signed Discrimination Complaint Form, Consent/Release Form(s) and any additional information to:

City of Plymouth City Clerk, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482

Phone: 763-509-5080 Fax: 763-509-5060 TDD: 763-509-5065 [sengdahl@plymouthmn.gov](mailto:sengdahl@plymouthmn.gov)



## Consent/Release Form for Discrimination Complaints

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

As a complainant, I understand that in the course of an investigation it may become necessary for the City of Plymouth and Metropolitan Council, hereafter referred to as the “City” and “Council”, to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of the City and Council to honor requests under the Freedom of Information Act. I understand that it may be necessary for the City and Council to disclose information, including personally identifying details, which it has gathered as part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by the City and Council policies and practices, from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes and regulations which are enforced by the City and Council.

### Please check one of the two boxes below:

**I CONSENT** and authorize to have the City and/or Council, as part of the investigation, reveal my identity to persons at the organization, business or institution, which has been identified by me in my written complaint of discrimination. I also authorize the City and/or Council to discuss, receive and review materials and information about me from the same and with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information in this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release, and do so voluntarily.

**I DENY CONSENT** to have the City and/or Council reveal my identity to persons at the organization, business or institution under investigation. I also deny consent to have the City and/or Council disclose any information contained in this complaint with any witnesses I have mentioned in the complaint. In doing so, I understand that I am not authorizing the City and/or Council to discuss, receive nor review any materials and information about me from the same. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in the unsuccessful resolution of my case.

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Submit** completed and signed Discrimination Complaint Form, Consent/Release Form(s) and any additional information to: City of Plymouth City Clerk, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482 Phone: 763-509-5080 Fax: 763-509-5060  
TDD: 763-509-5065 [sengdahl@plymouthmn.gov](mailto:sengdahl@plymouthmn.gov)

## **Appendix E: City of Plymouth Title VI Assurance Contract Language**

### **Title VI Assurance Contract Language<sup>74</sup>**

The City and the Contractor, as it applies to the Contractor as the operator of the Plymouth Metrolink fleet, will carry out the U.S. Department of Transportation's Title VI regulations (49 CFR part 21) and integrate into the City and Contractor's programs and activities the considerations expressed in the Department's Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005), Title VI and Title VI-Dependent Guidelines for FTA Recipients (C 4702.1A, May 13, 2007), any subsequent amendments to 49 CFR part 21, and related executive orders and federal circulars.

### **Compliance with Laws, Policies, and Regulations<sup>75</sup>**

The Contractor shall comply with all of City's resolutions, policies, and ordinances applicable to this Agreement and with any local, state or federal laws or regulations applicable to the services provided under this Agreement.

#### **Licenses and Taxes**

The Contractor and its subcontractors shall procure and keep current any and all licenses, permits, or certificates which are or may be required by properly constituted authorities for the performance of the service.

#### **Nondiscrimination**

The proposers must agree to comply with all of the provisions of Minnesota Statutes, Section 181.59, which relate to civil rights and discrimination and all state and federal statutes regarding employment and discrimination. Service shall be provided without regard to race, color, creed, religion, national origin, and without regard to sex, age, disability, public assistance status, or sexual orientation. Proposers must agree to comply with employment practices whereby no applicant for employment or employee hired shall be discriminated against with respect to that person's hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment by reason of race, color, creed, religion, national origin, age, sex, disability, public assistance status, or sexual orientation, except as may be based upon bona fide occupational qualifications.

#### **Certificate of Compliance for Public Contracts**

Under the provisions of Minnesota Statutes section 473.144, the City may not accept a bid or proposal for over \$100,000 from any business having more than forty (40) full-time employees

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<sup>74</sup> City of Plymouth Agreement for the Operation and Maintenance of Plymouth Metrolink Public Transit Services 2011-2016, p. 13.

<sup>75</sup> City of Plymouth Request for Proposals for the Operation and Maintenance of Plymouth Metrolink Public Transit Services, February 15, 2011, pp. 22-23.

in Minnesota on a single working day during the previous twelve (12) months, unless that business has submitted an affirmative action plan to the Minnesota Commissioner of Human Rights for approval. The City may not execute a contract for over \$100,000 with any business having more than forty (40) full-time employees in Minnesota on a single working day during the previous twelve (12) months, unless that business has an approved affirmative action plan, evidenced by a Certificate of Compliance from the Minnesota Department of Human Rights. A certificate is valid for 2 years. In addition, for any business which did not have more than forty (40) full-time employees in Minnesota, but which had more than forty (40) full-time employees on a single working day during the previous twelve (12) months in the state in which it has its primary place of business, the City may not execute a contract with such a business unless the business has an approved affirmative action plan, evidenced by a Certificate of Compliance from the Minnesota Department of Human Rights, or the business certifies to the City that the business is in compliance with federal affirmative action requirements.

To ensure compliance with this statute, proposers must submit with their proposal EITHER:

- A. A copy of the proposer's currently effective affirmative action Certificate of Compliance issued by the Minnesota Department of Human Rights; OR
- B. A signed Affirmative Action Certification Statement (Section 14 to the RFP) with information which indicates that the City can accept the proposer's proposal.

Failure to submit one of these documents along with the proposal will result in the proposal being rejected and returned to the proposer as non-responsive. Proposers are advised that the City may verify representations made by a proposer in any Affirmative Action Certification Statement which is submitted.

If a proposer submits an Affirmative Action Plan for approval of the Minnesota Commissioner of Human Rights in order to qualify for acceptance of its proposal by the City and becomes the selected vendor, the City will not execute the contract for services until the Proposer has actually been issued a Certificate of Compliance from the Minnesota Department of Human Rights. The City is under no obligation to delay the award and execution of a contract until a proposer has completed the human rights certification process. It is the sole responsibility of a proposer to apply for and obtain a human rights certificate prior to contract award and execution.

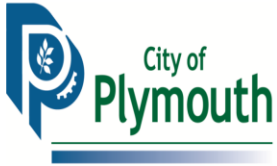
### **FTA Regulations<sup>76</sup>**

Specific provisions in this contract include, in part certain standard terms and conditions required by USDOT, whether or not expressly set forth in the contract provisions. All contractual provisions required by USDOT, as set forth in 49 CFR section 18.36 and FTA Circular 4220.1D, dated April 15, 1996, are hereby incorporated by reference. Notwithstanding anything to the contrary in this contract, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this contract. The contractor shall not perform any act, fail to perform any ct, or refuse to comply with any city requests which would cause a local government violation of the FTA terms and conditions.

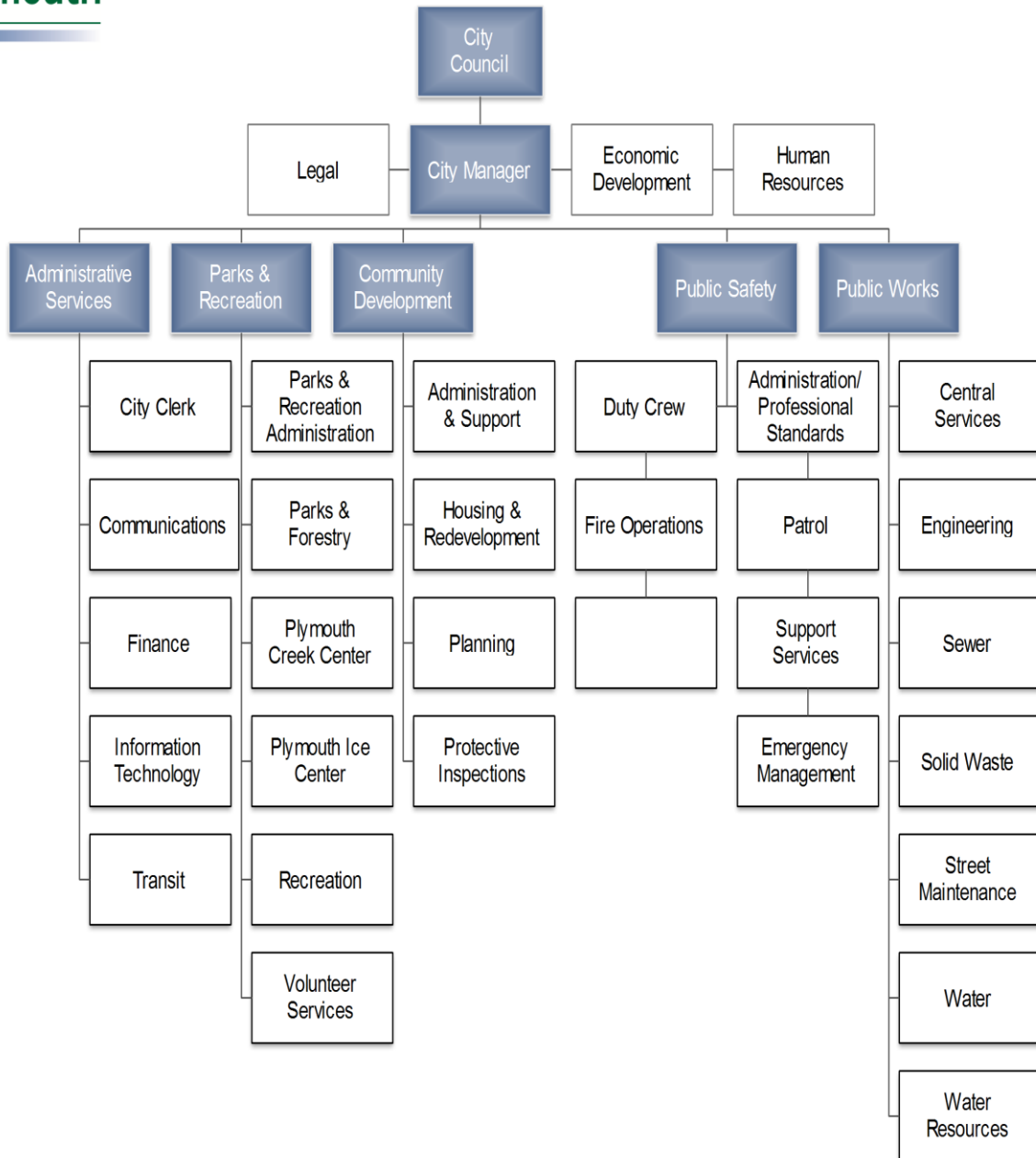
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<sup>76</sup> City of Plymouth Request for Proposals for the Operation and Maintenance of Plymouth Metrolink Public Transit Services, February 15, 2011, pp. 22-23.

## Appendix F: City of Plymouth Organizational Chart



2016 Organizational Chart





## Appendix G: Plymouth Metrolink Alternative Language Dial-A-Ride Brochures

	<h3>Guía de Plymouth Dial-A-Ride</h3> <p>Servicio de transporte compartido puerta a puerta para el área de Plymouth.</p> <p>Todos los vehículos tienen elevadores para sillas de ruedas</p>	 <p>Plymouth Metrolink es el sistema de transporte público de la ciudad de Plymouth, 3400 Plymouth Blvd. • Plymouth, MN, 55447-1482 • 763-509-5535 <a href="http://www.ci.plymouth.mn.us">www.ci.plymouth.mn.us</a> (haga clic en "Services" y luego en "Transit") Servicios y tarifas sujetos a cambios</p>	<p>Spanish</p>
	<h3>Plymouth Dial-A-Ride Tilmaame</h3> <p>Adeeg ka qaadaaya wadada hormarta grugigaaga isla markaana ku geynaya wadada hormarta halka aad dooneysid looguuna talo galay dadka degan Plymouth</p>	 <p>Plymouth Metrolink waa adeeg gaadiid oo ay maamusho Magaalda Plymouth, 3400 Plymouth Blvd. • Plymouth, MN 55447-1482 • 763-509-5535 <a href="http://www.ci.plymouth.mn.us">www.ci.plymouth.mn.us</a> us guji "Services" uguna sii gaabab "Transit" Adeegga iyo qiimaha gaadiidka lagu taacaba waa la bedeli karaa</p>	<p>Somali</p>
	<h3>Как пользоваться Dial-A-Ride города Плимута</h3> <p>Транспортировка от двери до двери в пределах города Плимута. Все автомобили оборудованы подъемниками</p>	 <p>Plymouth Metrolink это система перевозка пассажиров города Плимута 3400 Plymouth Blvd. • Plymouth, MN 55447-1482 • 763-509-5535 <a href="http://www.ci.plymouth.mn.us">www.ci.plymouth.mn.us</a> (Выберите "Services", а затем "Transit") Маршруты и цены за проезд могут МЕНЯТЬСЯ</p>	<p>Russian</p>
	<h3>प्लाईमथ डायल-ए-राइड संदर्शिका</h3> <p>प्लाईमथ क्षेत्र के लिए एक शेयर्ड कर्ब-टू-कर्ब परिवहन सेवा। सभी गाड़ियों में लिफ्ट लगी है</p>	 <p>प्लाईमथ क्षेत्र के लिए एक शेयर्ड कर्ब-टू-कर्ब परिवहन सेवा। सभी गाड़ियों में लिफ्ट लगी है 3400 Plymouth Blvd. • Plymouth, MN 55447-1482 • 763-509-5535 <a href="http://www.ci.plymouth.mn.us">www.ci.plymouth.mn.us</a> ("Services" (सर्विस) पर और फिर "Transit" (ट्रांजिट) पर क्लिक करें) सेवाओं और किराओं में परिवर्तन हो सकता है</p>	<p>Hindi</p>



### Exhibit 1: Affirmative Action Certification of Compliance Form

Proposer Company Name: \_\_\_\_\_ Contract # \_\_\_\_\_

Project Name: \_\_\_\_\_

**(NOTE: If the proposal amount exceeds \$100,000, EITHER this form OR a currently effective affirmative action Certificate of Compliance for the Proposer, issued by the Minnesota Department of Human Rights, MUST be submitted with the proposal.)**

**Instructions:** If a proposal is in an amount greater than \$100,000, the city cannot accept the proposal unless the Proposer can affirm either Statement #1 or Statement #2 below. The Proposer must select (by checking the appropriate box) and certify as true one of the two statements below, if it is able to do so. In making its certification, the Proposer should carefully bear in mind the post-submittal requirements noted in connection with each statement. After submittal of the proposal the city reserves the right to require documentation from the Proposer supporting the certification or to otherwise verify the accuracy of the certification. **If neither statement can be affirmed, no proposal should be submitted.**

#### CHECK ONLY ONE BOX!

1. The business executing this certification did have more than 40 full-time employees within the State of Minnesota on one or more working days during the 12 months previous to the date this proposal is due. IN ADDITION, the business either:

- a. Has submitted an Affirmative Action Plan for the employment of minority persons, women, and qualified disabled individuals to the Commissioner of Human Rights for approval; or
- b. Has a currently effective Certificate of Compliance from the Commissioner of Human Rights indicating that it has an approved affirmative action plan.

**Note: Prior to execution of any agreement arising out of this procurement, the Proposer will be required to provide the city with a copy of its currently effective Certificate of Compliance.**

2. The business executing this certification did not have more than 40 full-time employees within the State of Minnesota on any working day during the 12 months previous to the date this proposal is due.

**Note: Prior to execution of any agreement arising out of this procurement, the Proposer will be required to provide the city with at least one of the following on a form to be provided by the city:**

- a. A certification that the Proposer has a currently effective Certificate of Compliance issued by the Commissioner of Human Rights along with the copy of that document; or
- b. A certification that the business is in compliance with federal affirmative action requirements; or
- c. A certification that the business' primary place of business is not in the United States; or
- d. A certification that the business did not have more than 40 full-time employees on any working day during the 12 months prior to the date on which it submitted its proposal, in the state where the business has its primary place of business.

#### CERTIFICATION

On behalf of the Proposer, I certify that the above response is true as of the date this form is signed. I have read and understand the requirements related to this certification statement.

Proposer Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_



## Exhibit 2: Plymouth Metrolink Revenue Vehicle and Transit Equipment Inspection Form

FTA REGULATORY AREA BUS INSPECTION REPORT		VEHICLE UNIT # <input style="width: 100px;" type="text"/>		
DATE:	<input style="width: 80px;" type="text"/>	EQUIP # or VIN # <input style="width: 200px;" type="text"/>		
LOCATION:	<input style="width: 80px;" type="text"/>			
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Brake System</b>				
Front				
Rear				
Park				
Parking Brake				
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Suspension</b>				
Axles				
Bellows				
Miscellaneous				
Rods				
Shocks				
Trail Arms				
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Steering Unit</b>				
Hydraulics				
Power Unit				
Steer Rods				
Sway Bars				
<b>Body</b>				
Damage				
Doors - condition of				
Frame				
General condition of				
Glass				
Lights - Exterior				
Mirrors				
Paint				
Panels				
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Engine</b>				
Exhaust				
Fluid Leaks				
Other				
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Transmission</b>				
Gear issues				
Leaks				
Other				
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Extraneous exterior</b>				
Bike Rack				
Peripherals				
Tires				
	<b>Acceptable</b>	<b>Deficient</b>	<b>Not Applicable</b>	<b>Explanation</b>
<b>Control Panel</b>				
APC				
AVL & Login				
Brakelights, Tail lights				
Destination Sign				
Directional Signals & Flashers				
Dispatch communication / radio				
Door operation				
Driver alarms				
Emergency exits & alarms				
Fare Box				
Fire extinguisher charge & exp date				
Go - To				
Headlights				
Horn				
Kneel System				
Speaker				
Wheelchair Lift				
Windshield wipers, fluid				

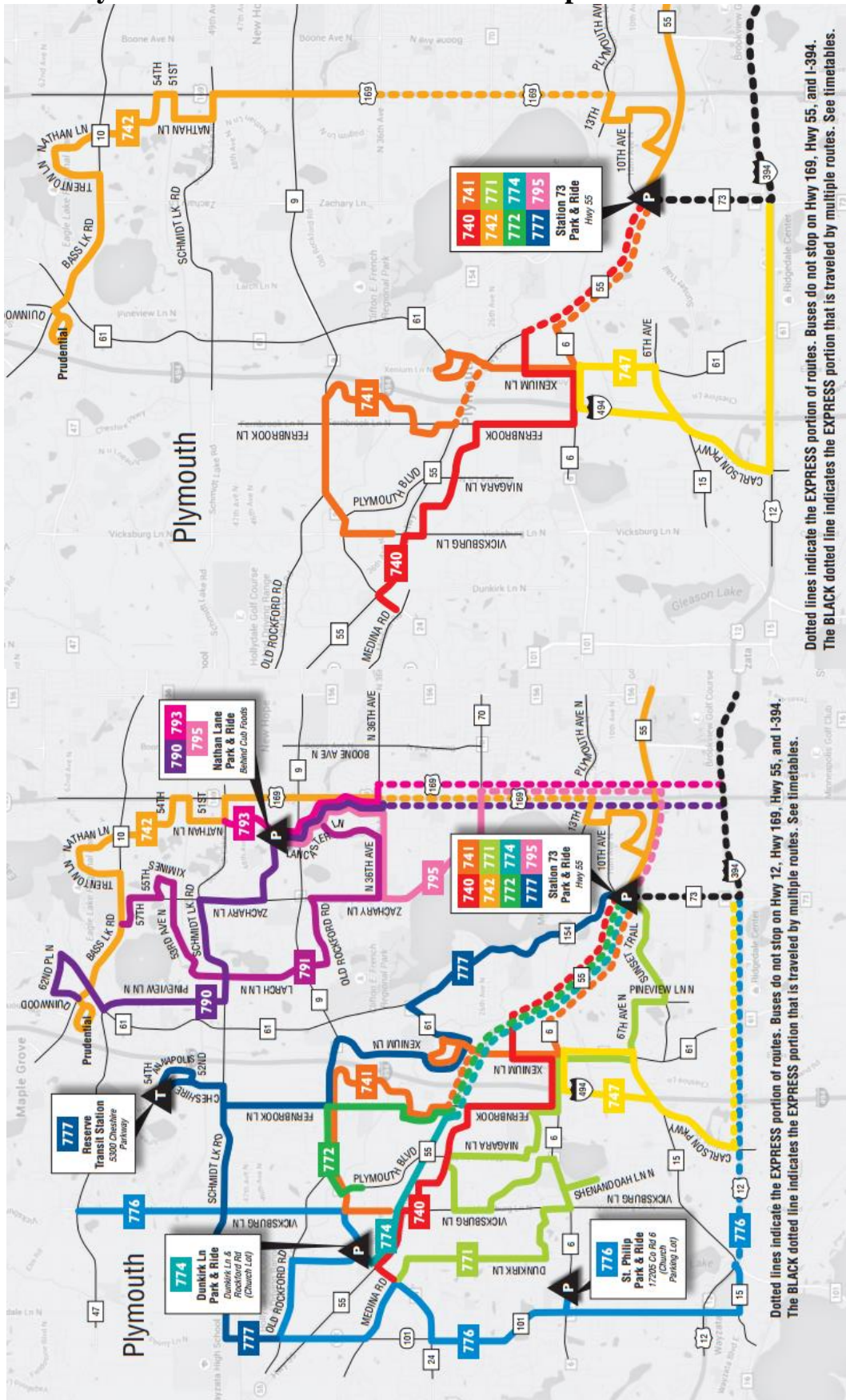




### Exhibit 3: Plymouth Metrolink Transit Route Summary

Route Number	Type of Route	Origin of Route	Number of Trips East	Number of Trips West	Frequency per Hour	Station Stop
740	Reverse Commute	Station 73	5	4	25	73
741	Reverse Commute	Station 73	4	4	25	73
742	Reverse Commute	Washington & Marquette	6	4	27-34	73
747	Reverse, Regular & Express Commute	Washington & Marquette	10	11	25	
771	Shuttle	Medina & Co. Rd 24	4	5	20	
772	Regular & Express Commute	Plymouth Blvd & 37 <sup>th</sup> Ave N	6	5	30	73
774	Regular & Express Commute	Oak St/Delaware St SE	8	9	60	73
776	Regular & Express Commute	Vicksburg & CR 47	7	6	30	
777	Regular & Express Commute	Peony Ln & Old Rockford Rd	5	5	30	73
790	Regular & Express Commute	Quinwood Ln & Bass Lake Rd	8	8	30	
791	Shuttle, Regular & Express Commute	Deerwood Ln & Bass Lk Rd (to Four Seasons Mall)	3	6	30	
793	Regular & Express Commute	Nathan Ln & Schmidt Lk Rd	2	4	30	
795	Mid-day, Regular & Express Commute	Oak St/Delaware St SE	0	2	120	73

### Exhibit 4: Plymouth Metrolink Transit Route Map



## Exhibit 5: Definitions<sup>77</sup>

- a. **Adverse Effect:** the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to bodily impairment, infirmity, illness, or death; air, noise, and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or non-profit organizations; increased traffic congestion, isolation, exclusion or separation of individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of benefits of DOT programs, policies, or activities.
- b. **Age:** Persons of any age. Age is a protected category under Title VI. Example: A person 21 years old.
- c. **Bus:** For Plymouth's purposes, any motor vehicle designed, constructed or used for the transportation of 9 or more passengers.
- d. **Compliance:** a satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.
- e. **Color:** color of skin, including shade of skin within a racial group, is a protected category under Title VI. Examples: black, white, light brown, dark brown, etc.
- f. **Deficient:** a condition where, after a review of a recipient's or subrecipient's practices, and barring an adequate justification from the recipient or subrecipient, the FTA determines that the entity has not followed specific provisions of the FTA required guidance and procedures (FTA Circular 4702.1C).
- g. **Disability:** a person with a physical or mental impairment, permanent or temporary, or perceived as such. This is a category protected under Title VI. Examples: blind, alcoholic, para-amputee, epileptic, diabetic, arthritic.
- h. **Discrimination:** any act or inaction, whether intentional or unintentional, in any program or activity of a federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

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<sup>77</sup> Metropolitan Council, Title VI Compliance and Implementation Plan, 2011, pp. 6-9, 43; U.S. Census Data, [www.census.gov](http://www.census.gov); and [www.metrocouncil.org/data](http://www.metrocouncil.org/data); Federal Transit Administration, [www.fta.gov](http://www.fta.gov); and the City of Plymouth's Plymouth Metrolink.

- i. **Disparate Impact:** neutral policies or practices that have the effect of disproportionately excluding or adversely affecting members of a group protected under Title VI, and the recipient's policy or practice does not have substantive justification.
- j. **Disparate Treatment:** actions that result in circumstances where similarly situated persons are treated differently (i.e., less favorably) than others because of their race, color, or national origin.
- k. **Disproportionately High and Adverse Effect on Minority and Low-income Populations:** an adverse effect that:
  - 1) Is predominately borne by a minority population and/or a low-income population, or
  - 2) Will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.
- l. **Environmental Justice Activity:** an action taken by DOT, FTA, or a recipient or subrecipient of FTA funding to identify and address adverse and disproportionate effects of its policies, programs, or activities on minority and/or low-income populations, consistent with Executive Order 12898 and the DOT Order 5610.2 on Environmental Justice.<sup>78</sup>
- m. **Ethnicity:** A Title VI protected group category. Examples: Hispanic and Latino populations, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- n. **Fixed Guideway:** a public transportation facility using and occupying a separate right-of-way or rail for the exclusive use of public transportation and other high occupancy vehicles, or using a fixed catenary system and a right-of-way usable by other forms of transportation.
- o. **Federal Financial Assistance:**
  - 1) grants and loans of federal funds;
  - 2) the grant or donation of federal property and interests in property;
  - 3) the detail of federal personnel;
  - 4) the sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
  - 5) Any federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.
- p. **FTA:** the Federal Transit Administration, an agency within the United States Department of Transportation.

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<sup>78</sup> Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 11, 1994; EJ Circular 4703.1, August 2012, (as amended).



- q. **FTA Activity:** any program of assistance authorized by the Federal Transit Laws at 49 U.S.C. Chapter 53 or the Federal Highway Laws of Title 23 United States Code that are administered by the Federal Transit Administration.
- r. **Grantee:** A direct or indirect recipient of federal financial assistance from the FTA.
- s. **iWATCH Program:** A community awareness program created to educate the public about behaviors and activities that may have a connection to criminal activity; a partnership between the community and the Plymouth Police Department to be aware, look out for each other, and report behavior and activity that may indicate any type of crime may occur. iWATCH is about behaviors and activities, not about how a person looks.
- t. **Limited English Proficient (LEP) Persons:** persons for whom English is not a primary language and who have a limited ability to speak, understand, read, or write the English language. This includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.
- u. **Low-Income:** a person whose median household income is at or below the Department of Health and Human Services' poverty guidelines.
- v. **Low-Income Population:** any readily identifiable groups of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed DOT program, policy, or activity.
- w. **Minimal Frequency:** The average number of minutes between transit vehicles on a given route or line, moving in the same direction. (See Vehicle Headway.)
- x. **Minority Persons include the following:**
  - a) 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.
  - b) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
  - c) Black or African American Populations, which refers to peoples having origins in any of the Black racial groups of Africa.
  - d) Hispanic or Latino Populations, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
  - e) Native Hawaiian and Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- y. **Minority Population:** any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations who will be similarly affected by a proposed DOT program, policy, or activity.
- z. **National Origin:** the particular nation in which a person was born, or where the person's parents or ancestors were born.

- aa. Noncompliance:** a FTA determination that the recipient or subrecipient has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity.
- bb. On-Time Performance:** A measure of runs completed as scheduled.
- cc. Passenger:** a person who is on board, boarding, or alighting from a transit vehicle for the purpose of travel.
- dd. Persons:** where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: White not of Hispanic origin, Black not of Hispanic origin, Hispanic, Asian or Pacific Islander, Native American Indian or Alaskan Native. Additional subcategories based on national origin or primary language spoken may be used where appropriate, on either a national or regional basis.
- ee. Predominantly Minority Area:** a geographic area, such as a neighborhood, Census tract, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.
- ff. Predominantly Low-Income Area:** a geographic area, such as a neighborhood, Census tract, or traffic analysis zone, where the proportion of low-income persons residing in that area exceeds the average proportion of low-income persons in the recipient's service area.
- gg. Race:** An individual belonging to one of the accepted anthropological racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group. Examples: Black or African American, White (Caucasian), Asian, Native American or Alaskan Native, Asian Indian, Chinese, Filipino, Guamanian or Chamorro, Japanese, Korean, Native Hawaiian, Other Pacific Islander, Samoan, Other Asian, Other Race.
- hh. Recipient:** any political subdivision, instrumentality, or any public or private agency, institution, department or other organizational unit receiving financial assistance from the FTA.
- ii. Rider:** a person or passenger who is on board, boarding, or alighting from a transit vehicle for the purpose of travel.
- jj. Route Deviation:** A departure from the route's primary street to serve a specific transit generator.
- kk. Service Area:** either the geographic area in which a transit agency is authorized by its charter to provide service to the public, or the planning area of a state department of transportation or metropolitan planning organization.
- ll. Sex:** Gender is a protected category under Title VI. Examples: women and men.

- mm. Service availability:** A general measure of the distribution of routes within an agency's service area.
- nn. Service Span:** Number of hours during the day between the start and end of service on a transit route.
- oo. Service Standard or Policy:** an established policy or service performance measure used by a transit provider or other recipient, or subrecipient as a means to plan or distribute services and benefits within its service area.
- pp. Subrecipient:** any entity that receives FTA financial assistance as a pass-through from another entity.
- qq. TDD:** A Telecommunication for the Deaf Device sometimes referred to as a TTY. A telephone conversation is conducted via relay with the Minnesota Relay Service (person and/or machine) which can translate or communicate the information between the parties.
- rr. Title VI Program or Plan:** a recipient's submission, provided to the FTA or to the subrecipient's direct recipient every three years, containing information in response to the requirements of the FTA Circular 4702.1.
- ss. Transit Hub:** a bus stop location that provides scheduled connections to at least one fixed route local or express bus route, and has passenger amenities.
- tt. Vehicle Headway:** The amount of time between two vehicles traveling in the same direction on a given route or combination of routes. (See Minimal Frequency.)
- uu. Vehicle Load:** Generally expressed as the ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.



## **Exhibit 6: Authorities and References**

1. City of Plymouth Agreement for the Operation and Maintenance of Plymouth Metrolink Public Transit Services 2011-2016, December, 2012.
2. City of Plymouth Transit Maintenance and Operations Agreement, December, 2012, Appendix A.
3. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.
4. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 11, 1994; EJ Circular 4703.1, August 2012, (as amended).
5. Executive Order 13166, Limited English Proficiency (LEP), August, 2000.
6. Federal Transit Administration, *Title VI Overview of C. 4702.1B*, November 5, 2012.
7. Federal Transit Laws, as amended, 49 U.S.C., Chapter 53, et seq.
8. Metropolitan Council 2030 Transportation Policy Plan, Appendix G: Regional Transit Standards, November 2010.
9. Metropolitan Council Research 2011, U.S. Census Bureau Data 2011, American Community Survey 5 Yr Summary File 2007-2011, Based on C16004 Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over – Universe: Population 5 Years and Over; Data Set 2007 – 2011 American Community Survey 5 – Year Estimates, [http://stats.metrocouncil.org/data\\_download/DD\\_Years.aspx?datasource=cen&comms='05302396242'&subjects='LANGATHOME'&level=COCTU](http://stats.metrocouncil.org/data_download/DD_Years.aspx?datasource=cen&comms='05302396242'&subjects='LANGATHOME'&level=COCTU), September 17, 2013.
10. Metropolitan Council Research, 2012, [www.metrocouncil.org/data](http://www.metrocouncil.org/data).
11. Metropolitan Council, Title VI Compliance and Implementation Plan, 2011.
12. North American Industry Classification System (NAICS) Business Inventory Workbook, November, 2012.
13. Plymouth Metrolink Annual Dial-A-Ride Survey, September, 2012.
14. Plymouth Metrolink Annual Fixed Route Commuter Survey, September, 2012.
15. Quick Reference (FTA) Title VI Circular 4702.1B, October 3, 2012.

- 16.** Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.
- 17.** U.S. Census Data 2011, American Community Survey 5 Year Summary File 2007-2011, Metropolitan Council Research 2011, [www.metrocouncil.org/data](http://www.metrocouncil.org/data).
- 18.** U.S. Department of Transportation Federal Transit Administration; Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2007.
- 19.** U.S. Department of Transportation Federal Transit Administration; Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2008.
- 20.** U.S. Department of Transportation FTA Policy Guidance, January 22, 2001.
- 21.** World Media Group, LLC 2013; U.S. Census Bureau Data 2010; American Community Survey 5 Yr Summary File 2006-2010; Based on C16004 Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over – Universe: Population 5 Years and Over; Data Set 2006 – 2010 American Community Survey 5 – Year Estimates; <http://www.usa.com/school-district-2731780-population-and-races.htm>, September 17, 2013.

## **Exhibit 7: List of Federal Non-Discrimination Laws under Title VI**

### **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

**Title VI of the 1964 Civil Rights Act**, Section 60142 U.S.C. §2000d, provides that: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

*Prohibits discrimination in impacts, services, and benefits of, access to, participation in, and treatment under federal-aid recipients' programs or activities.*

### **SECTION 324 FEDERAL-AID HIGHWAY ACT**

**23 U.S.C. 324** provides that: No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any 47 program or activity receiving Federal assistance under this title or carried on under this title.

*Prohibits discrimination on the basis of sex.*

### **SECTION 504 OF THE REHABILITATION ACT OF 1973**

**Section 504 of the Rehabilitation Act of 1973**, provides that: —(N)o qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.

*Prohibits discrimination based on physical or mental handicap.*

### **AGE DISCRIMINATION ACT OF 1975**

**The Age Discrimination Act of 1975**, 42 U.S.C. §6101, provides that: (N)o person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

*Prohibits discrimination based on age.*

### **CIVIL RIGHTS RESTORATION ACT OF 1987**

**The Civil Rights Restoration Act of 1987**, P.L. 100-209, provides clarification of the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973.

*Restores the broad, institution-wide scope and coverage of the non-discrimination statutes to include **all** programs and activities of federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.*

### **EXECUTIVE ORDER 12898 ENVIRONMENTAL JUSTICE**

Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 11, 1994; EJ Circular 4703.1, August 2012, (as amended). Each federal agency, recipient and subrecipient of federal funds shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. This includes proactive steps to promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations, ensure greater public participation, improve research and data collection, and identification of patterns and consumption. Section 5-5 of this EO includes the LEP to provide concise, understandable, readily accessible information, documents and hearings to the public, including limited English speaking populations. An EJ transportation analysis will not satisfy Title VI requirements. Title VI does not include low-income populations.

*Protects minority and low-income populations against adverse environmental and health effects, and prohibits discrimination based upon low-income and low proficiency English.*

### **EXECUTIVE ORDER 13166, LIMITED ENGLISH PROFICIENCY**

This Executive Order directs Federal agencies, recipients and sub-recipients of Federal financial assistance to examine services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide services so LEP persons have meaningful access to them. In addition, Federal agencies develop and implement a plan to improve the language-accessibility of their programs by December 11, 2000.

### **NEPA**

National Environmental Policy Act of 1969, 42 U.S.C 4321 et seq. Federal law that mandates the consideration of environmental impacts before any Federal action likely to significantly affect the environment is undertaken and establishes the Environmental Impact Statement process.

