

RESOLUTION NO. 6313

A RESOLUTION ACCEPTING THE ALBANY TRANSIT SYSTEM 2014 TITLE VI PROGRAM

WHEREAS, the Federal Transit Administration has made acceptance of a Title VI program every three years mandatory in order to receive funding; and

WHEREAS, the City of Albany is the designated recipient of Federal Transit Administration funds for the Albany Area Metropolitan Planning Organization; and

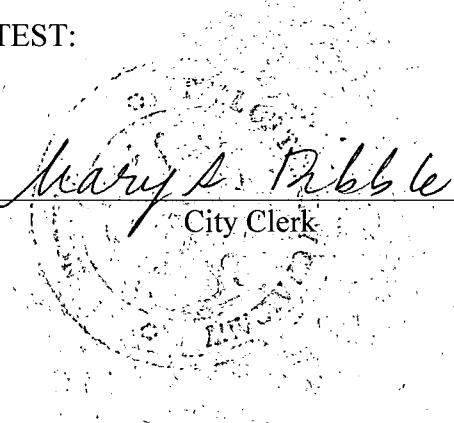
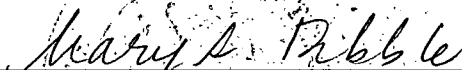
WHEREAS, the City of Albany receives Federal Transit Administration operating assistance for the Albany Transit, Albany Paratransit, and the Linn-Benton Loop transit systems.

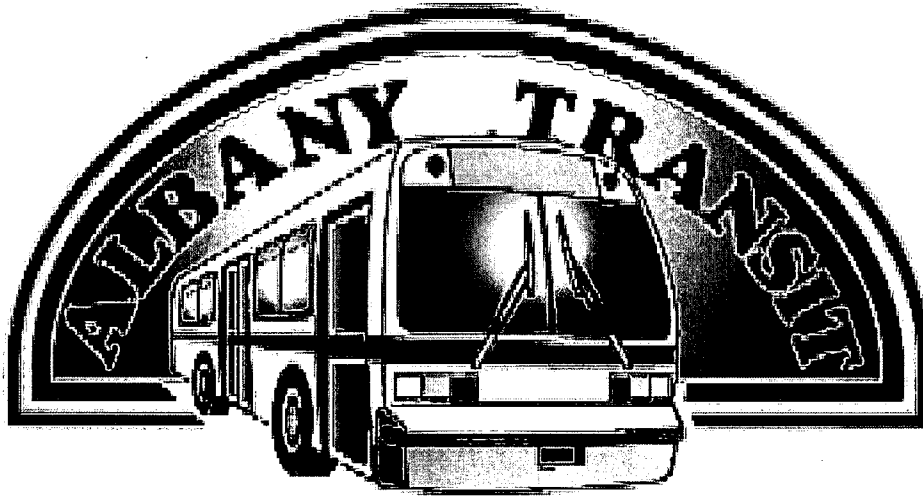
NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts the 2014 Title VI program for public transit programs.

DATED AND EFFECTIVE THIS 26TH DAY OF MARCH 2014.

ATTEST:

  
\_\_\_\_\_  
Mayor

  
  
\_\_\_\_\_  
City Clerk



Albany Transit System  
Title VI Program  
March 1, 2014  
(March 1, 2014 Update)

Jon Goldman  
Transportation Superintendent  
112 10<sup>th</sup> Avenue SW  
PO Box 490  
Albany, Oregon 97321  
Phone: 541-917-7605  
Email address: [jon.goldman@cityofalbany.net](mailto:jon.goldman@cityofalbany.net)

## Table of Contents

Introduction.....	3
Signed Policy Statement .....	3
Title VI Notice to the Public.....	3
Title VI Complaint Procedures.....	3
Record of Title VI investigations, Complaints, or Lawsuits .....	4
Minority Representation on Non-elected Bodies.....	4
Title VI Public Participation Plan.....	4
Summary of Ongoing Public Participation Efforts and Outreach.....	4
Albany Transit System Limited English Proficiency Outreach Plan.....	5
Primary recipients and monitoring sub recipients .....	5
Title VI equity analysis.....	5
Service Standards.....	6
Vehicle Load for Each Mode Standard (expressed as a ratio).....	6
Attachment A.....	8
Attachment B.....	9
Attachment C.....	11
Attachment D.....	13
Attachment E.....	16
Notice to the Public.....	16

## **Introduction**

In Accordance with Title VI of the Civil Rights Act of 1964, this program reflects the Albany Transit System's commitment to ensuring that no person shall, on the ground of race, color, national origin, religion, age, marital status, sexual orientation, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by the Albany Transit System (ATS).

## **Signed Policy Statement**

A policy statement signed by the Transportation Superintendent assuring ATS's compliance with Title VI of the Civil Rights Act of 1964 can be found as **Attachment A**.

## **Title VI Notice to the Public**

The City of Albany Title VI Notice to the Public shall be posted at the following locations. A copy of the public notice can be found as **Attachment E**:

Albany Transit Offices  
Albany City Hall  
On board buses operated by Albany Transit System  
At the Train Station bus stop

## **Title VI Complaint Procedures**

The Albany Transit System has a standard process for investigating all complaints. Members of the public may file a signed, written complaint up to one hundred eighty (180) days from the date of alleged discrimination. Full procedures for filing a complaint and ATS's procedures for investigating complaints can be found as **Attachment B**. At a minimum, the complaint shall include the following information:

- Name, mailing address, and how to contact complainant (i.e., telephone number, e-mail address, etc.)
- How, when, where, and why complainant alleges s/he was discriminated against. Include the location and names and contact information of any witnesses.
- Other significant information.

The complaint may be filed in writing with ATS at the following address:

Albany Transit System  
Transportation Superintendent  
PO Box 490  
Albany, OR 97321  
by Phone: 541-917-7605  
By Facsimile: 541-791-0131

A sample Title VI Complaint Form can be found as **Attachment C**.

### **Record of Title VI investigations, Complaints, or Lawsuits**

The City of Albany will maintain a list of any and all transit related Title VI investigations, complaints, and lawsuits. The list shall be kept and maintained at the Administrative Office of the Albany Transit System located at 112 SW Tenth Avenue, Albany, Oregon 97321.

### **Minority Representation on Non-elected Bodies**

At this time the Albany Transit System does not have any non-elected bodies, committees, or councils of which it must report racial membership rates. If the Transit system develops any non-elected bodies the City will encourage the participation of minorities in proportion to the minority makeup of the service area. Also the City will maintain a table documenting the racial makeup of membership of such committees.

### **Title VI Public Participation Plan**

The Albany Transit system shall strive to include minority and LEP (Limited English Proficiency) individuals in its decision making processes. This includes outreach to minority groups in Albany and the surrounding area. See also **Attachment D**.

### **Summary of Ongoing Public Participation Efforts and Outreach**

Since the last Title VI reporting submission, Albany Transit conducted the following public outreach and involvement activities:

In accordance with Oregon public meeting law, all public meetings including transportation planning meetings are open to the general public. Accommodations are available for those with limited English proficiency if requested in advance of the meeting.

## **General Awareness and Phone Surveys**

We conduct onboard rider and general awareness surveys frequently, and the City conducts community surveys at regular intervals. The most recent community survey was conducted in February 2014 and was available in Spanish. Future community surveys and transit surveys will be available in Spanish.

## **Bilingual Outreach**

The City maintains a list of fluent Spanish-speaking employees, and can contract for Spanish interpreters if necessary.

## **Phone Access**

A revision of our phone system is planned for implementation by July 1, 2014, to include a Spanish language option on the Albany Transit recorded messages.

## **Schedules translated in Spanish**

The current service schedule includes a Spanish section. New service schedules will be provided in English and Spanish and made available via paper brochures and on the ATS website.

## **Albany Transit System Limited English Proficiency Outreach Plan**

A full copy of the outreach plan for individuals with limited English proficiency can be found in **Attachment D**. Key elements of the plan include:

- Spanish speaking translators available upon request during normal business hours.
- Route and schedule brochures currently provide a Spanish-language section. Future versions of the schedule will be published and available on the website in both English and Spanish.
- Route and schedule information available in Spanish on the ATS website.
- Forms and Brochures available in Spanish
- Future transit surveys conducted by ATS will be available in Spanish.

## **Primary recipients and monitoring sub recipients**

Currently the City of Albany is not a primary recipient of FTA funds and does not have any sub-recipients.

## **Title VI equity analysis**

There are no current planned facilities or construction projects that require a Title VI equity analysis.

## Service Standards

### Vehicle Load for Each Mode Standard (expressed as a ratio)

The peak-hour vehicle load standards by mode for Albany Transit System are: Vehicle Load Standards are expressed as a ratio. (A 40-foot bus that allows 12 standees would have a load standard of 1.3)

Fixed Route (32 passenger bus)	1.3
Commuter (38 passenger bus)	1.2
Paratransit (4 passenger van)	.2
Demand Response (22 passenger van)	.8

### Off-peak Hour Vehicle Load Standards by Mode

Fixed Route (32 passenger bus)	1.0
Commuter (38 passenger bus)	.7
Paratransit (4 passenger van)	.2

### Vehicle Headway for Each Mode (Time between vehicles on same route)

Fixed Route (32 passenger bus)	1 hour
Commuter (38 passenger bus)	1 hour
Paratransit (4 passenger van)	n/a

### On Time Performance for Each Mode

	May Run Early (yes/no)	On-time Consideration
Fixed Route (32-passenger bus)	NO	<10 minutes behind
Commuter (38-passenger bus)	NO	<10 minutes behind
Paratransit (4-passenger van)	YES	(+or -) 15 minutes

### **Service Availability for Each Mode**

The Albany Transit System strives to provide equitable service availability to customers within the service area. We have set our service availability goals as follows:

Fixed Route (32 passenger bus)	65% of residents in the service area within ¼-mile walk of transit stops
Commuter (38 passenger bus)	70% of residents in the service area reside within 2 miles of a park and ride
Paratransit (4 passenger van)	Service is provided equally throughout the City of Albany

### **Distribution of Transit Amenities for Each Mode**

The Albany Transit system has a policy to distribute transit amenities equally across the system. Any new amenities will be distributed equally across the system without regard to race or national origin of users from that service area. This applies to:

- Seating and benches at stops and stations
- Bus shelters
- Provision of information including maps, route maps, and schedules
- Waste receptacles.

### **Vehicle Assignment for Each Mode**

The Albany Transit system sets a policy of vehicle assignment for each mode without regard to race, color, national origin, religion age, marital status, sexual orientation, or disability of users from that service area. Albany Transit will assign vehicles with higher capacity to routes with higher ridership. Age of the vehicles will only be considered a factor when assigning vehicles to routes.



**Attachment A**

**ALBANY TRANSIT SYSTEM  
TITLE VI  
NON-DISCRIMINATION  
POLICY STATEMENT**

March 1, 2011

Title VI of the Civil Rights Act of 1964 states:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Albany Transit System is committed to complying with the requirements of Title VI in all of its programs and activities. Questions and complaints may be reported to Jon Goldman, Transportation Superintendent, at 541 917 7605; by e-mail to [jon.goldman@cityofalbany.net](mailto:jon.goldman@cityofalbany.net); or by letter to P.O. Box 490, Albany, OR 97321.

Jon Goldman  
Transportation Superintendent

## Attachment B

### Discrimination Complaint Procedure

1. Any person who believes he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, or the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the Albany Transit System (ATS). A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Transportation Superintendent for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
  - a) The date of alleged act of discrimination; or
  - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, ATS may extend the time for filing or waive the time limit in the interest of justice, as long as ATS specifies in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination. In the event a person makes a verbal complaint of discrimination to an officer or employee of ATS, the person shall be interviewed by the Transportation Superintendent. If necessary, the Transportation Superintendent will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to ATS's investigative procedures.
4. Within 10 days, the Transportation Superintendent will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the Oregon Department of Transportation (ODOT) and U.S. Department of Transportation (USDOT).
5. The Transportation Superintendent will advise ODOT and/or USDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ODOT and/or USDOT:
  - a) Name, address, and phone number of the complainant.
  - b) Name(s) and address (es) of alleged discriminating official(s).
  - c) Basis of complaint (i.e., race, color, national origin, or sex)
  - d) Date of alleged discriminatory act(s).

- e) Date complaint received by the recipient.
  - f) A statement of the complaint.
  - g) Other agencies (local, state, or Federal) where the complaint has been filed.
  - h) An explanation of the actions ATS has taken or proposed to resolve the issue in the complaint.
6. Within 60 days, the Transportation Superintendent will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Albany City Manager. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
7. Within 90 days of receipt of the complaint, the Transportation Superintendent will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ODOT, or USDOT, if they are dissatisfied with the final decision rendered by ATS. The Transportation Superintendent will also provide ODOT and/or USDOT with a copy of this decision and summary of findings upon completion of the investigation.
8. Contact information for the state and federal Title VI administrative jurisdiction is as follows:

ODOT Public Transit Division  
555 13<sup>th</sup> Street NE  
Salem, OR 97301  
503-986-4305  
503-986-4189 fax

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



Have you filed this complaint with any other federal, state or local agency or with any court?       Yes       No

If yes, check and identify all that apply:

- Federal Agency \_\_\_\_\_
- Federal Court \_\_\_\_\_
- State Agency \_\_\_\_\_
- State Court \_\_\_\_\_
- Local Agency \_\_\_\_\_

Please provide information for a contact person at the Agency or Court where the complaint was filed.

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

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

City, State, & Zip Code: \_\_\_\_\_

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Please mail this form to:**

Title VI Coordinator  
City of Albany Transit Programs  
P.O. Box 490  
Albany, OR 97321

## Attachment D

### ALBANY TRANSIT SERVICES LANGUAGE ASSISTANCE PLAN March 1, 2011

Albany Transit is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who are Limited English Proficient (LEP). Albany Transit consulted the USDOT's LEP Guidance and performed a four factor analysis of our contact with the public to determine the appropriate mix of LEP services to offer.

#### **Four Factor Analysis:**

##### Factor 1: The number or proportion of LEP persons in the service area.

Step 1: Prior experience with LEP individuals. Over the past year, our dispatchers have taken less than 10 phone calls from LEP persons which have required the use of an interpreter.

Step 2: Data was gathered from the following sources to identify information on persons who speak languages other than English at home and those who speak English less than well or not at all and would be classified as Limited English Proficient or "LEP":

- a. 2010 Census Data
- b. Census Bureau's American Community Survey and Fact Finder Surveys
- c. Department of Labor LEP Special Tabulation website Mid-Willamette Workforce

A review of the 2012 American Community Survey data (<http://factfinder.census.gov>) on the numbers of limited English proficient or LEP persons revealed that in Albany, Oregon the number of people over age 5 who speak a language other than English at home was 10.6% of the total population of Albany. 4.5% of the Albany population reports that they speak English less than "very well." The most common language other than English spoken at home was Spanish, with people (7.7%) recorded as speaking Spanish or Spanish Creole (Source: American Community Survey, 2008-2012 American Community Survey 5-Year Estimates, S1601, Albany, Oregon).

Step 3: According to the Mid-Willamette Workforce Network the number of Spanish speaking LEP individuals that spoke English "not well" or "not at all" in the mid-Willamette area is 4.6%, which translates to almost 2,000 residents of Albany

(Source: [http://www.doleta.gov/reports/censusdata/LWIA\\_by\\_State.cfm?state=OR](http://www.doleta.gov/reports/censusdata/LWIA_by_State.cfm?state=OR)).

##### Factor 2: The frequency with which LEP individuals come into contact with the service.

Albany Transit serves LEP persons daily through transit and paratransit services. Over the past year, our dispatcher has taken less than 10 phone calls from LEP persons in our area which has required the use of an interpreter.

##### Factor 3: The importance of the service to LEP persons.

Albany Transit provides important transit services to the public through its fixed route and complementary paratransit programs. Albany Transit is the only major public transportation provider in the City of Albany and provides a link between residential areas, commercial centers,

healthcare facilities, educational campuses, and social service offices. Language barriers would most affect users of the complementary paratransit system as reservations for the system are taken via telephone. The complementary paratransit portion of Albany Transit provides approximately 15% of the total rides provided through the Albany Transit System.

**Factor 4: The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons**

ATS currently provides some information in Spanish through bus schedules, the transit website, and information on the buses. The City of Albany maintains a list of employees who are fluent in Spanish and other languages, and professional translation services are available if required. ATS also contracts with “language line” to assist LEP individuals with phone inquiries.

**Processes for providing language assistance services by language**

Based on the four factor analysis, ATS recognizes the need to continue providing language services. A review of ATS relevant programs, activities and services that are being offered by the City as of March 2014 include:

- The transit programs has a contract with the translation service “Language Line” for phone calls taken from LEP individuals
- Spanish speaking translators who work at the city are available upon request during normal business hours
- Route and schedule information are available in Spanish on the Albany Transit website
- Community surveys are available in Spanish format

Based on the demand for alternate language services, and considering the limited budget of the Albany Transit programs, other activities and services that will be developed in the next three years include:

- Transit surveys conducted by Albany Transit will be available in Spanish
- Future route maps will be available in both English and Spanish
- The existing telephone system will be modified to provide announcements in both English and Spanish
- Local translation services will be contacted and if feasible, placed on retainer

Albany Transit’s outreach and marketing initiatives have yielded a list of community organizations that serve populations with limited English proficiency. The following list of community organizations will be contacted to assist in gathering information and see what services are most frequently sought by the LEP population:

- Greater Albany Public School District
- Hispanic Advisory Council
- Albany Area Chamber of Commerce

**Providing notice to LEP’s of language assistance**

Notice will be placed on the transit buses, transit website, and on the bus schedules, and brochures announcing the availability of Language assistance.

### **Monitoring, evaluating and updating LAP**

Albany Transit staff will contact the community organizations that serve LEP persons, as well LEP persons themselves, and also perform a four factor analysis every three years to identify what, if any, additional information or activities might better improve transit services to assure non-discriminatory service to LEP persons. ATS will then evaluate the projected financial and personnel needed to provide the requested services and assess which of these can be provided cost-effectively.

### **Training Employees**

Albany Transit will train all employees, staff and volunteers to proficiency regarding the need and availability of language assistance to LEP individuals who use the service. Employees will be encouraged to use the services provided when contact with LEP individuals prevents or hinders communication. This training will be provided at least annually.



## Attachment E

### Notice to the Public

#### Notifying the Public of Rights under Title VI

##### THE CITY OF ALBANY, OREGON

- The City of Albany operates its programs and services without regard to Race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Albany
- For more information on the City of Albany's civil rights program, and the procedures to file a complaint, contact 541-917-7605 ; email [Jon.goldman@cityofalbany.net](mailto:Jon.goldman@cityofalbany.net) ; or visit our administrative office at 112 SW 10<sup>th</sup> Avenue, Albany, Oregon. For more information, visit [www.cityofAlbany.net/bus](http://www.cityofAlbany.net/bus)
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5 Floor TGR, 1200 New Jersey Ave., SE , Washington, DC 20590
- If information is needed in another language, contact 547-917-7605  
**Si se necesita información en otro idioma de contacto 541-917-7605**