CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Apr 23, 2015

Action Requested By: Public Transit

Agenda Type: Resolution

Subject Matter:

Resolution adopting the Public Transit Title VI Program.

Exact Wording for the Agenda:

Resolution adopting the Public Transit Title VI Program.

Note: If amendment, Please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what council action will provide, allow and accomplish and; any other information that might be helpful.

Public Transit is a recipient of FTA grant funds. All FTA grantees are required to have a Title VI Program in place. New regulations require the program be approved by the governing body. This resolution will authorize City Council approval.

Associated Cost: 0.00

Budgeted Item: Not Applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: JMBrown

Date: Apr 17, 2015

RESOLUTION NO. 15-_____

WHEREAS, the United States, through the United States Department of Transportation, Federal Transit Administration, under 49 U.S.C., Chapter 32, Title 23, United States Code and other Federal statues administered by the Federal Transit Administration offers Section 5307 financial aid for operating and capital projects; and

WHEREAS, the City of Huntsville, Alabama, is a beneficiary of such assistance. That pursuant to Title VI of the Civil Rights Act of 1964; Title 49, Chapter 53, Section 5332 of the United States Code; and the Federal Transit Administration's Circular 4702.1B, recipients of such assistance are required to submit a Title VI Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Huntsville, Alabama, that the Mayor, or his designee, in his official capacity, be, and he is hereby authorized and requested to submit the attached Public Transit Title VI Program, consisting of 39 pages.

ADOPTED this the 23 Day of April, 2015.

_____
President of the City Council
City of Huntsville, Alabama

APPROVED this the 23 Day of April, 2015.

_____
Mayor of the City of Huntsville, Alabama

Department of
Parking & Public Transit

John T. Brown, Jr.
Director

HUNTSVILLE

Tommy Battle
Mayor

FY 2015 TITLE VI PROGRAM

March 2015

The Star of Alabama

500 B Church Street • Huntsville, Alabama 35801 • Phone 256-427-6811 • FAX 256-427-6832
www.huntsvilleal.gov

TITLE VI PROGRAM INTRODUCTION

As a recipient of Federal Transit Administration funding, the City of Huntsville, Alabama, must comply with Title VI of the Civil Rights Acts of 1964, as amended. This report is submitted in accordance with and pursuant to Title VI of the Civil Rights Act of 1964; Title 49, Chapter 53, Section 5332 of the United States Code; and the Federal Transit Administration's Circular 4702.1B, recipients of such assistance are required to submit a Title VI Program.

The City of Huntsville, Alabama, Public Transit System is in the Huntsville Area MPO (also known as the Huntsville Area Transportation Study, or HATS) for the Huntsville Urbanized Area, Primary UZA 132. The Huntsville Urbanized Area has a population over 200,000. The Public Transit system operates fewer than 50 Fixed Route vehicles during service. This program meets all system-wide standards and policy requirements for systems operating less than 50 fixed route vehicles. No financial assistance is extended to any sub-recipients related to Federal Transit Administration funds.

All Policy Statements, Notices, and Procedures included within this Title VI Program are available on the City of Huntsville, Alabama, Department of Parking & Public Transit's website, and can be found under "PUBLIC NOTICES", "CIVIL RIGHTS". The Title VI Civil Rights afforded to the public is posted throughout the agencies facilities public areas.

No applications by the City of Huntsville are pending to any Federal agency other than the possible FTA Section 5307 and 5337 Formula funds. No FTA Section 5339 Capital or Capital Bus Grants have been applied for at this time.

No Civil Rights Reviews were performed within the last three years. A joint FHWA/FTA Transportation Management Area (TMA) Review was completed in May 2013. The MPO adopted a comprehensive Public Participation Plan on January 15, 2014, that includes a Language Assistant Plan in its Appendix, and have incorporated Title VI language into the Final Year 2014 transportation Plan.

FTA Annual Certifications and Assurances were certified by the Mayor of the City of Huntsville on January 8, 2015.

FTA Annual Certifications and Assurances were certified by the City of Huntsville Attorney on January 8, 2015.

Title VI
Policy Statement

The City of Huntsville, Department of Parking & Public Transit, as a federal grant recipient, is required by the Federal Transit Administration (FTA) to conform with Title VI of the Civil Rights Act of 1964 and its amendments. Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with Limited English proficiency. The rights of women, the elderly and the disabled are protected under related statutes. These Presidential Executive Orders and the related statutes fall under the umbrella of Title VI.

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

The City of Huntsville, Department of Parking & Public Transit will take positive and realistic affirmative steps to ensure that all persons and/or firms wishing to participate in its programs are given an equal and equitable chance to participate.
Public Transit's sub-recipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services.

The Director of Parking & Public Transit is responsible for providing leadership, direction and policy to ensure compliance with Title VI of the 1964 Civil Rights Act for the City of Huntsville's Transit related functions. Any person(s) or firm(s) who feel that they have been discriminated against is encouraged to report such violations to:

J. Thomas Brown, Jr., Director
City of Huntsville, Department of Parking & Public Transit
500 B Church Street
Huntsville, AL 35801
(256) 427-6811
(256) 427-6869 (fax)

Your Safeguards under Title VI of the Civil Rights Acts of 1964

"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."

Under Title VI and Executive Order 13166, the Americans with Disabilities Act of 1990 and the Age Discrimination Act of 1975, The City of Huntsville, Alabama, Department of Parking & Public Transit cannot discriminate by:

- Denying program services or benefits;
- Denying persons opportunity to participate in the program through provision of services;
- Providing a different service or benefit, or providing them in a manner different from how they are provided to others;
- Subjecting a person to segregation or separate treatment in any manner related to the receipt of any services or benefits under the programs

If you feel you have been discriminated against based on race, color, national origin (or your limited English proficiency), sex, age, or disability, we encourage you to fill out a Title VI complaint form.

The complaint form can be accessed from the City of Huntsville, Alabama, Department of Parking & Public Transit "PUBLIC NOTICES", "TITLE VI" section of the website:
http://www.huntsvilleal.gov/PublicTran/public_trans_notices.php

You can also pick on up at the Ticket Sales/Reception office on the 2nd floor of the Public Transit offices located at 500 B Church Street, Huntsville, AL, 35801, or call 256-427-6811 and request one be mailed, faxed, or emailed to you.

Title VI
Complaint Procedures

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

Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

Procedure

1. Any person who believes that they have been subjected to discrimination may file a written complaint with the Director of Parking & Public Transit. Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident.

2. The complainant may download the complaint form from www.huntsvilleal.gov/PublicTran or request the complaint form from the Public Transit offices. The complainant may also submit a written statement that contains all of the information identified in Section 3 a through f below.

3. The complaint will include the following information:
   a. Name, address, and telephone number of the complainant.
   b. The basis of the complaint; i.e., race, color, national origin, sex, elderly or disabled.
   c. The date or dates on which the alleged discriminatory event or events occurred.
   d. The nature of the incident that led the complainant to feel discrimination was a factor.
   e. Names, addresses and telephone numbers of persons who may have knowledge of the event.
   f. Other agencies or courts where complaint may have been filed and a contact name.
   g. Complainant's signature and date.
   h. If the complainant is unable to write a complaint, the Public Transit staff will assist the complainant. If requested

by complainant, Public Transit will provide a language or sign interpreter.

i. The complaint may be sent or faxed to the following address:

J. Thomas Brown, Jr., Director
City of Huntsville, Department of Parking & Public Transit
500 B Church Street
Huntsville, AL 35801
(256) 427-6811
(256) 427-6869 Fax

j. The complaint may be sent via email to tommy.brown@huntsvilleal.gov.

k. Complainants have the right to complain directly to the appropriate federal agency however, they must do so within one-hundred eighty (180) calendar days of the last alleged incident.

4. Public Transit will begin an investigation within fifteen (15) working days of receipt of a complaint.

5. Public Transit will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed to investigate the complaint. If the complainant fails to provide the requested information in a timely basis, Public Transit may administratively close the complaint.

6. Public Transit will complete the investigation within ninety (90) days of receipt of the complaint. A written investigation report will be prepared by the investigator. The report shall include a summary description of the incident, findings and recommendations for disposition.

7. The Director will review the report. A closing letter and exit interview will be provided to the complainant. The respondent will also receive a copy of the closing letter. Each will have five (5) working days from receipt of the report to respond. If either party responds negatively or has additional information to provide, an informal meeting will be arranged by the Director of Public Transit. If neither party responds, the complaint will be closed.

8. The investigation report with recommendations and corrective actions taken will be forwarded to the appropriate city, state or federal agency, the complainant and the respondent.

9. Public Transit will advise complainants of their appeal rights to the appropriate federal agency.

City of Huntsville,
Department of Parking & Public Transit
Title VI Complaint Form

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

Please provide the following information necessary in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to: J. Thomas Brown, Jr., Director, City of Huntsville, Department of Parking & Public Transit, 500 B Church Street, Huntsville, AL 35801.

1. Complainant's Name: _____

2. Address: _____

3. City : _____ State: _____ Zip Code: _____

4. Telephone No. (Home): _____(Business): _____

5. Person discriminated against (if other than complainant)

Name: _____

Address: _____

City: _____State: _____Zip Code: _____

6. What was the discrimination based on? (Check all that apply):

_____ Race/Color
_____ National Origin
_____ Low Income
_____ Limited English Proficiency
_____ Sex
_____ Disability
_____ Elderly

7. Date of incident resulting in discrimination: _____

8. Describe how you were discriminated against. What happened and who was responsible? For additional space, attach additional sheets of paper or use back of form.

_____

_____

_____

9. Did you file this complaint with another federal, state, or local agency; or with a federal or state court? (Check appropriate space) Yes _____ No _____

If answer is yes, check each agency complaint was filed with:

Federal Agency _____ Federal Court _____ State Agency _____

State Court _____Local Agency _____ Other _____

10. Provide contact person information for the agency you also filed the complaint with:

Name: _____

Address : _____

City: _____ State: _____ Zip Code: _____

Date Filed: _____

11. Sign the complaint in space below. Attach any documents you believe supports your complaint.

_____ _____

Complainant's Signature Signature Date

Title VI Complaint Documentation Requirement

Recipients of Federal financial funds are required to record and report any Transit related Title VI investigations, complaints, and lawsuits.

The City of Huntsville, Alabama, Department of Parking & Public Transits will maintain a list of any public transit related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of last program submission.

At this time, there have been no complaints or lawsuits filed related to any service performed by the Public Transit system of the Department of Parking & Public Transit.

CITY OF HUNTSVILLE
DEPARTMENT OF PARKING & PUBLIC TRANSIT
FTA RECIPIENT ID # 1075

Limited English Proficiency [LEP] Plan

I. Introduction

This *Limited English Proficiency Plan* has been prepared to address the City of Huntsville, Department of Parking & Public Transits (Public Transit) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. 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, titled *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. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all City of Huntsville departments and divisions receiving federal grant funds. Public Transit receives federal assistance through the U.S. Department of Transportation [U.S. DOT].

A. Plan Summary

Public Transit has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency [LEP] who wish to access services provided. 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. 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 Planning Department coordinated the U.S. DOT four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Public Transit program, activity or service.
2. The frequency with which LEP persons come in contact with Public Transit programs, activities or services.
3. The nature and importance of programs, activities or services provided by Public Transit to the LEP population.
4. The resources available to Public Transit and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Public Transit program, activity or service.

The City of Huntsville, Planning Department staff reviewed the 2010 U.S. Census Report and determined the following:

For the population ages 5 and over in 2013:

Speaks a language other than English:
Huntsville: 13,660 people, or 8%
Madison County: 22,547 people, or 7.1%

Speaks English less than "very well"
Huntsville: 5,723 people, or 3.3%
Madison County: 8,442 people, or 2.7%

Language Breakdown (those who speak English less than "very well")

Language	Huntsville	Madison County

Spanish	3,841 (2.2%)	4,828 (1.5%)
Other Indo-European	752 (0.4%)	1,291 (0.4%)
Asian/Pacific Islander	977 (0.6%)	2,124 (0.7%)
Other	153 (0.1%)	199 (0.1%)

Source: **US Census Bureau 2009-2013 American Community Survey (5-Year Estimates)**
Tables:

Selected Social Characteristics in the United States (DP02)
Tracts: Language spoken at home by ability to speak English for the population 5 years and over (B16001)

Please see Attachment A, 2010 Census Tracts

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

Public Transit reviewed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators. To date, Public Transit has had no requests for interpreters and no requests for translated program documents. Staff and vehicle operators have had very little to no contact with LEP persons.

The following chart from surveys performed in early 2015 identifies the specific contacts made during service operations for transit programs:

Contact With LEP 2014/2015				
DATE	**PROGRAM**	**What was the Language**	**Total**	**% Contact with Persons speaking language other than English**
3/18/2015	**HANDI-RIDE**	DEAF	1	0.0%
		N/A	9	0.4%
		RUSSIAN	1	0.0%
		SPANISH	2	0.1%
		UNKNOWN	2	0.1%
	HANDI-RIDE Total		**15**	**0.6%**
	SHUTTLE	AFRICAN	1	0.0%
		N/A	1	0.0%
		SPANISH	17	0.7%
		UNKNOWN	2	0.1%
	SHUTTLE Total		**21**	**0.8%**

3/18/2015 Total	**36**	**1.4%**
Grand Total	**36**	**1.4%**

Average Daily Ridership	2,500
Total Number of Contacts	36
Percentage of Total Ridership:	1.4%
Total Spanish Speaking Contacts:	19
Percentage of Total Ridership:	0.8%

3. ***The nature and importance of programs, activities or services provided by Public Transit to the LEP population.***

There are five Census tracts where more than ten percent of the population spoke English less than "very well":

Tract 3.01 (Lakewood)
Tract 22 (Crestwood-near Morris Elementary)
Tract 24 (McDonnell)
Tract 25.01 (Brahan Spring)
Tract 25.02 (Golf Rd./Chelsea)

The overwhelming majority of the population, 92% in Huntsville and 93.9 % in Madison County, speak only English. As a result, there are few social, service, professional and leadership organizations within the Public Transit service area that focus on outreach to LEP individuals. Services provided by Public Transit that are most likely to encounter LEP individuals are the fixed route [city bus] system which serves the general public and the demand response [paratransit] system which serves primarily senior and disabled persons.

4. ***The resources available to Public Transit and overall cost to provide LEP assistance.***

Public Transit reviews its available resources that could be used for providing LEP assistance, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that could be partnered with for outreach and translation efforts. The Alabama Hispanic Association based in Huntsville can be tapped for assistance when necessary; this organization is composed of dedicated volunteers assisting in the needs of the Hispanic Community in North Alabama, not just within the City of Huntsville. There is also a Japan-American Society of Alabama (JASA) based in Birmingham, AL. In addition the two (2) local universities have foreign or international student programs. These programs are designed to accommodate the needs of the students whose first language is not English. Alabama A & M University's program assigns an interpreter who accompanies the foreign students when learning the fixed route system (Shuttle Program) and the layout of the City in general. The City of Huntsville, Police Departments' Communications Division is also available as a resource for Russian, Ukrainian, Polish, Spanish and French. Beginning in 2009 a new city office was made available to the citizens of Huntsville which will be beneficial towards LEP patron assistance. The new office is the City of Huntsville, Office of Multicultural Affairs. Another resource that has become available is the Google Translate smart phone

application. Our driver coordinators/supervisors now have that available on the smart phones and are available to help communicate with all our clients.

III. LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Public Transit programs and activities. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer or a message from one language into another language. Public Transit will determine when interpretation and/or translation are needed and are reasonable. How the Public Transit staff may identify an LEP person who needs language assistance:

- Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events.
- When Public Transit sponsors an event, have a staff person greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
- Have Census Bureau *Language Identification Flashcards* available at Public Transit events near the registration table. Individuals self-identifying as persons not proficient in English may not be able to be accommodated with translation assistance at the event, but it will assist the sponsoring agency in identifying language assistance needs for future events.
- Have *Language Identification Flashcards* available at the customer service desk and easily accessible to lead drivers, supervisors, dispatchers and schedulers as needed.
- Post notice of LEP Plan and the availability of *Language Identification Flashcards*.
- Vehicle operators and other front-line staff, like lead drivers, supervisors, dispatchers and schedulers will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- Utilize the Google Translate application to communicate effectively with all transit clients.

A. **Language Assistance Measures** - Although there is a very low percentage in Huntsville and Madison county of LEP individuals, that is, persons who speak English "not well" or "not at all", Public Transit will strive to offer the following measures:

1. Public Transit's Title VI Policy and Public Transit staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
2. There are several resources available to Public Transit to accommodate LEP persons.
   i. The Communications Division of the City of Huntsville, Police Department, has limited interpretive assets that can be utilized for Spanish, Russian, Ukrainian, Polish and French languages.
   ii. The Alabama Hispanic Association (AHA) made up of volunteers to assist the needs of the Hispanic community in the North Alabama area can be accessed for interpretive assistance.
   iii. A brand new City of Huntsville office, the Office of Multicultural Affairs, can also be utilized when needed.
   iv. Foreign or International Student Program Administrators at Alabama A&M University or University of Alabama, Huntsville (UAH).
   v. Language assistance services available on websites and Google Translate application.
3. If a client asks for language assistance and Public Transit determines that the client is an LEP person and that language assistance is necessary to provide meaningful access, reasonable efforts will be made to provide free language assistance. If reasonably possible, Public Transit will provide the language assistance in the LEP client's preferred language. Public Transit has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.
4. Public Transit will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of the clients.
5. Public Transit staff discussed with the website host having an online translation service available on the website. The reply was quite specific that there was

an online translation service available for a number of years and that it was never accessed. The service was dropped because the cost of the service and the lack of use or need resulted in an unnecessary burden to the City's ITS departments resources and budget.

6. 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 at one or more of the available resources identified under Section 3.A.2.

IV. Staff Training

The following training will be provided to Public Transit staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the *Language Identification Flashcards*.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

Information will be distributed to all Public Transit staff and Posted on the Public Transit website, http://www.huntsvilleal.gov/PublicTran/public_trans_notices.php.

V. TRANSLATION OF DOCUMENTS

- Public Transit weighed the cost and benefits of translating documents for potential LEP groups, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of busing information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in a LEP group and other relevant factors. At this time it is an unnecessary burden to have any documents translated.
- Due to the very small local LEP population, Public Transit does not have a formal outreach procedure in place, as of 2015. Translation resources have been identified and are limited in

this region. However, when and if the need arises for LEP outreach, Public Transit will consider the following options:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.
- Bus schedules, maps, and other transit publications will be made available in an alternative language when and if a specific and concentrated LEP population is identified and requests made.

VI. FORMAL INTERPRETERS

- When necessary to provide meaningful access for LEP clients, Public Transit will provide qualified interpreters, including any bilingual staff of the City of Huntsville, if available. At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier.
- Public Transit may require a formal interpreter to certify to the following:
  - **a.** The interpreter understood the matter communicated and rendered a competent interpretation.
  - **b.** The interpreter will maintain private information. Non-public data will not be disclosed without written authorization from the client.
  - **c.** Bilingual City employees, when available, can provide limited assistance to Public Transit staff and LEP clients as part of their regular job duties.

VII. INFORMAL INTERPRETERS

- Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP client. City staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency, or conflict of interest.
- An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the City. If possible, Public Transit/City should accommodate an LEP

client's request to use an informal interpreter in place of a formal interpreter.

- If an LEP client prefers an informal interpreter, after Public Transit has offered free interpreter services, the informal interpreter may interpret. In these cases, the client and interpreter should sign a waiver of free interpreter services.
- If an LEP client wants to use his or her own informal interpreter, Public Transit reserves the right to also have a formal interpreter present.

VIII. OUTSIDE RESOURCES

- Outside resources may include community volunteers
- Outside resources may be used for interpreting services at public or informal meetings or events if a timely request has been made.

IX. MONITORING

Monitoring and Updating the LEP Plan- Public Transit will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Public Transit service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether transit system's financial resources are sufficient to fund language assistance resources needed.
- Determine whether Public Transit fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

X. Dissemination of the Public Transit LEP Plan

- A link to the Public Transit LEP Plan and the Title VI Plan will be included on the City's Public Transit website, http://www.huntsvilleal.gov/PublicTran/public_trans_notices.php
- Any person or agency with internet access will be able to access and download the plan from the Public Transit website. 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 copies of the plan in translation which Public Transit will provide, if feasible.
- Questions or comments regarding the LEP Plan may be submitted to the Department of Parking & Public Transit, 500 B Church Street, Huntsville, AL 35801, phone (256) 427-6811.

Public Participation Plan

Recipients of Federal financial funds are required to perform outreach to engage minority and limited English speaking populations and to maintain required documentation of such.

The Huntsville Area Metropolitan Planning Organization plans and administers public outreach.

Since the 2012 Title VI Update the MPO adopted a comprehensive Public Participation Plan on January 15, 2014, that includes a Language Assistance Plan in its Appendix, and have incorporated Title VI language into the Final Year 2040 Transportation Plan. In September 2014, ALDOT held a DBE conference in Huntsville dealing specifically on Title VI Sub-Recipient training for the MPO and other agencies. The training focused on process and procedures set forth in the new regulations pertaining to Title VI for 2015 and beyond.

The Public Participation Plan for Transportation Planning for the Huntsville Metropolitan Planning Area addresses the methods used to inform minority communities of planning efforts. Reference Section 3.0 of the plan; specifically Policy Number 4. The plan can be accessed from the link below.

http://www.huntsvillempo.org/wp-content/uploads/2014/01/PPP-Final-Version.pdf

The Public Participation Plan for Transportation Planning for the Huntsville Metropolitan Planning Area ensures that minority and disadvantaged populations are given the opportunity to participate in the decision making process. Please reference page 3 and 21, Section 1.3.2 and Section 3.2.9, Citizens Advisory Committee and page 17, Section 3.0 Public Participation Procedures.

Representation on Boards:

CITIZENS ADVISORY COMMITTEE (CAC) DEMOGRAPHIC MAKEUP OF THE HUNTSVILLE MPO AREA		
RACE	**GENDER**	**Total**
African American	Female	1
	Male	4
Caucasian	Female	1
	Male	9
Hispanic	Male	1
Grand Total		**16**

TECHNICAL COORDINATING COMMITTEE (TCC) DEMOGRAPHIC MAKEUP OF THE HUNTSVILLE MPO AREA		
RACE	**GENDER**	**Total**
African American	Male	3
Asian	Female	1
Caucasian	Female	8
	Male	15
Hispanic	Female	1
Grand Total		**28**

Sub-Recipient Assistance and Compliance Monitoring with Title VI Requirement

Recipients of Federal financial funds are required to provide assistance to sub-recipients, and to monitor their compliance with Title VI.

The City of Huntsville, Alabama, Department of Parking & Public Transit will comply with all regulations related to sub-recipients,

The City of Huntsville, Alabama, Department of Parking & Public Transit does not have any sub-recipients that financial assistance is extended to at this time.

Title VI Equity Analysis on Site or Location of Facilities Requirement

Recipients of Federal financial funds are required to conduct a Title VI Equity Analysis when determining site or location of facilities during the planning stages to ensure the location is selected without regard to race, color, or national origin.

The City of Huntsville, Alabama, Department of Parking & Public Transit will perform the required analysis during all anticipated projects when they are in the planning stages.

There was one construction project between the period of March 2012 and February 2015, the construction of a new Heavy Duty Fleet Maintenance Facility and a partial renovation of the existing Fleet Maintenance Facility. An SGR Section 5309 Grant was awarded on 03/13/2012 for this project. The analysis was performed at the outset during the feasibility study of the project. Environmental determination was made on 10/31/2011 and construction began on 10/05/2012 and facility was released for occupancy by February 2014.

The Categorical Exclusion, including the Environmental Justice, Title VI analysis, report for the Fleet Maintenance Facility is available as Attachment E.

Prior submission update: There were two grants, referenced below, that were programmed into the 2012 Title VI Plan Update that have been closed. This project has been determined as no longer viable. No location was found suitable to meet the needs of the City of Huntsville. Therefore, the grant was de-obligated and closed out.

Project reference: *The City of Huntsville has a Section 112 Grant awarded and a 5309 Bus Capital Grant application pending. The two (2) grants are separate funding sources for the same project, a new*

Downtown Multimodal Parking System/Intermodal Facility. This facility A&E is being finalized and construction may start in the next 6 to 8 months. All the required Title VI standards will be met and incorporated into the next Title VI update.

PROGRAM-SPECIFIC REQUIREMENTS - TRANSIT

A. **Demographic and Service Profile.** The following demographic statistical tables and attached maps, Minority/Poverty/Elderly, have been updated and evaluated. Provided by Huntsville Planning Department and sourced by US Census Bureau, 2013 American Community Survey (5-Year Estimates) and the City's population estimate from that year (*Map Attachments B-D.*)

POPULATION STATISTICS	NUMBER	PERCENT OF TOTAL
Total Population	187,413	100%
Black (non-Hispanic)	57,898	30.9%
Hispanic	12,407	6.6%
Native American 1	1,143	0.6%
Asian / Pacific Islander	4,273/206	2.3%/0.1%

POPULATION TRENDS	PERCENT CHANGE (Since 2010)
Total Population	4.06%
Black (non-Hispanic)	2.97%
Hispanic	18.0%
Native American 1	5.20%
Asian / Pacific Islander	-1.75%/-11.2%

POPULATION	HOUSEHOLD MEDIAN INCOME
Total Family/Household MI	**$66,220/$48,881**
Black (non-Hispanic)	$28,416
Hispanic	$42,440
Native American 1	$54,063
Asian / Pacific Islander	$53,786/$90,000

FAMILIES BELOW POVERTY LEVEL				
POPULATION	NUMBER OF FAMILIES	FAMILIES BELOW POVERTY LEVEL	% BELOW POVERTY LEVEL	% OF TOTAL FAMILIES BELOW POVERTY
Total Family	**44,180**	**5,478**	**12.4%**	**100%**
Black (non-Hispanic)	12,405	3,181	25.6%	58.1%
Hispanic	1,806	397	22.0%	7.25%
Native American 1	167	19	11.4%	0.35%
Asian / Pacific Islander	981/49	155/5	15.8%/10.2%	2.8%/0.1%

AUTOMOTIVE AVAILABILITY CHARACTERISTICS			
POPULATION	WORKERS 16+	DRIVE/CARPOOL TO WORK	% of WORKERS
Total Population	86,565	80,605	93.1%
Black (non-Hispanic)	25,190	23,119	91.8%
Hispanic	4,845	4,545	93.8%
Native American 1	292	249	85.2%
Asian / Pacific Islander	2,108/100	1,948/78	92.4%/78.4%

EMPLOYMENT CHARACTERISTICS			
POPULATION	**CIVILIAN LABOR FORCE**	**EMPLOYED**	**% of TOTAL CIVILIAN LABOR FORCE**
Total Population	**97,747**	**86,552**	**100%**
Black (non-Hispanic)	30,321	24,523	31.0%
Hispanic	5,321	4,861	5.4%
Native American 1	312	269	0.3%
Asian / Pacific Islander	2,101/79	2,003/79	2.2%/0.1%

1Native American=American Indian, Eskimo, and Aleutian Persons
Sources: US Census Bureau, 2013 American Community Survey (5-Year Estimates); City of Huntsville Planning Estimates.

B. **Service Standards and Policies.**

- **Vehicle Load**

DAILY ROUTES			2014 DATA					
ROUTE #	ROUTE NAME	VEH #	# Pass	Trips	Trip Capacity	Days	Annual Seating Capacity	Annual Load Factor
1	Red Core	570	61,646	12	26	251	78,312	0.8
2	Blue Core	535	47,993	12	26	251	78,312	0.6
3	Bridge Str/Holmes	526	28,324	12	26	251	78,312	0.4
4.1	Madison Sq Mall	503	69,744	14	26	251	91,364	0.8
4.2	Madison Sq Mall	504	32,989	12	26	251	78,312	0.4
5.1	South Hsv	533	33,983	6	26	251	39,156	0.9
5.2	South Hsv	534	31,806	6	26	251	39,156	0.8
6.1	SW Hsv	527	78,051	14	26	251	89,276	0.9
6.2	SW Hsv	528	29,801	11	26	251	71,786	0.4
7	Medaris/AAMU	536	63,866	13	26	251	84,838	0.8
8	AAMU	537	53,580	12	26	251	78,312	0.7
9	NW Hsv	571	64,711	13	26	251	82,554	0.8
10	DTC	565	1,768	14	26	52	18,928	0.1
11	UAH	464	1,554	8	26	52	10,140	0.2
	12 Daily Routes; 2 Friday Only Routes		**599,816**	**158**	**364**		**918,758**	**0.65 Average**

Public Transit's Service Quality Monitoring guide has been identified as an average load factor of 1.25%. The average load factor for FY 2011 was .34%. The average load factor for FY ending 2014 increased to .65%, as observed in the table above.

Public Transit continues to fall well within the established Service Quality Standard. All fixed route buses are now 26 passenger buses and have three (3) wheel chair securements.

The highest ridership is on Route 6.1 the Southwest City route that runs at the top of the hour where the minority population is 41.7% to 55.2% and the poverty population is divided between 33.17% to 44.44% and 44.45% to 55.72%. The second highest ridership is on Route 4.1 that runs at the top of the hour on the major East/West access, and has stops at major shopping areas and the Medicaid offices.

- **Vehicle Assignment**

Public Transit currently operates twelve buses in scheduled daily service along nine routes having hourly frequency, two routes having half hour service intervals. In addition, two separate routes run on weekend evenings only. At present, SEVEN (7) of the 18 buses have a seven year life expectancy. The remaining buses have a life expectancy of 10 years. Seven of the oldest buses are seven years old, one scheduled for disposal, one assigned to Friday only service. Three of the buses are held in the back up fleet. Currently there is only one bus scheduled for disposal that is 10 years old. Public Transit has four (4) Low Floor Buses scheduled for delivery in January or February of 2015. At that time we will analyze all relevant information on buses that have met their useful life to determine which vehicles will be available for disposal. Back up buses are generally assigned according to vehicle condition and age.

The seating capacity and vehicle age are identified in the following table:

VEHICLE ASSIGNMENT

Equip No.	YR	DESCRIPTION2	NO. PASS	STATUS
030463	2004	BUS, EL DORADO	26	SFD
030464	2004	BUS, EL DORADO	26	Friday's Only
030465	2004	BUS, EL DORADO	26	B-UP
030473	2004	BUS, EL DORADO	26	ACTIVE
030501	2007	BUS, EL DORADO	26	B-UP
030502	2007	BUS, EL DORADO	26	B-UP
030504	2007	BUS, EL DORADO	26	ACTIVE
030526	2009	BUS, EL DORADO	26	ACTIVE
030527	2009	BUS, EL DORADO	26	ACTIVE
030528	2009	BUS, EL DORADO	26	ACTIVE
030533	2010	BUS, EL DORADO	26	ACTIVE
030534	2010	BUS, EL DORADO	26	ACTIVE
030535	2011	BUS, EL DORADO	26	ACTIVE
030536	2011	BUS, EL DORADO	26	ACTIVE
030537	2011	BUS, EL DORADO	26	ACTIVE
030565	2012	Trolley, Supreme 33	26	Weekend's Only
030570	2012	BUS, EL DORADO	26	ACTIVE
030571	2012	BUS, EL DORADO	26	ACTIVE

Currently all transit buses have the same seating capacity, so are not assigned based on the daily ridership numbers.

- **Service Frequency**

There continues to be no data to substantiate differentiation between peak and non-peak hours. All other service frequency items remain the same.

- **Distribution of Transit Amenities**

Service Standard: The average number of benches and/or shelters located along minority/poverty routes shall exceed the average number of benches and/or shelters along non-minority/non-poverty routes.

Assessment: Bus Shelters increased by six within the last three years, all purchased with Section 5307 UAFP funds. There are eighty-one total shelters with benches. All shelters, except seven, are located on routes the census data has designated as low-income or minority populations. One of the exceptions sits at the entrance of an apartment complex that is populated by elderly/retired persons, the main patrons along that route.

A majority of the shelters were placed along a major thoroughfare with high ridership. A service equity analysis was completed as new shelter locations were identified and prior to final decisions and installation of shelters.

- **SHELTER LOCATIONS**

No.	DATE REC'D	STREET LOCATION
1	Aug 1993	Golf Rd & Chris Dr
2	June 1995	Longwood & Gallatin Str west side @ UAB
3	Oct 1996	Meridian Str, east side at Covington, AAMU
4	1/12/2006	Oakwood Ave,2206, north side @ DHR
5	1/31/2006	1000 Airport Rd no sd @ Country Club Apts, over existing pad & bench
6	1/31/2006	Gallatin Str & Pelham, west side
7	1/31/2006	Gallatin Str & Pelham, east side
8	3/3/2006	Adventist Blvd @ Oakwood University

No.	DATE REC'D	STREET LOCATION
9	3/3/2006	Johnson Rd, 3000 @ Hsv Rehab & Phoenix Ind
10	3/3/2006	Wynn Dr & Old Madison Pk @ Calhoun College Extention
11	3/3/2006	Jordan Ln & Westlawn Elementary
12	7/24/2007	Foster & Patton
13	7/24/2007	3614 Drake Avenue
14	7/24/2007	Pleasant Row, 751, & Pulaski Pk @ Central Health Care
15	7/24/2007	Holmes & Peachtree @ Mason Court
16	11/7/2008	University & Yukon
17	11/7/2008	Executive Drive @ Rescue Mission
18	11/7/2008	4970 Research Drive
19	11/7/2008	Meridian Str, north side @ Olympia Garden Apts
20	7/20/2009	Sparkman @ Gilliam Chiropractor
21	7/20/2009	University across from Evangel
22	7/20/2009	University @ Reeds Office Supply
23	7/20/2009	Holmes @ Sparkman Homes
24	7/20/2009	Randolph @ Courthouse
25	6/15/2010	Gallatin Str Parking Lot West Side Sivley
26	6/15/2010	Gallatin Str Hospital Smoking Court East Side
27	6/15/2010	Gallatin Stre Longwood West Side
28	6/15/2010	Gallatin Str Longwood East Side
29	6/15/2010	Clinton Ave Grocery Sign Indiana
30	6/15/2010	216 Seminole
31	6/15/2010	Seminole @ Bridge at Salvation Army Vernon & Binford
32	6/15/2010	Parkway Place Mall
33	6/15/2010	University & Jet Pet north side
34	6/15/2010	University & Artic North side
35	6/15/2010	University & Artic South side
36	6/15/2010	Fairbanks & Alaska North Rec Ctr
37	6/15/2010	Fairbanks & Alaska South Side
38	6/15/2010	University & Meadow North
39	6/15/2010	University & Meadow South
40	6/15/2010	University & Oster North
41	6/15/2010	University & Oster South
42	6/15/2010	University & Julia North
43	6/15/2010	University & Julia South
44	6/15/2010	University & Hillview @ Shogun South
45	6/15/2010	University & Boxwood North @ Minimart
46	6/15/2010	University & Putnam @ U-Haul North side
47	6/15/2010	2211 Country Club
48	6/15/2010	University & Henderson South
49	6/15/2010	University @ Gallery Shopping Center

No.	DATE REC'D	STREET LOCATION
50	6/15/2010	University & Boardwalk LaQuinta Inn north side
51	6/15/2010	University & Boardwalk Newks south side
52	6/15/2010	University @ Pizza Hut North
53	6/15/2010	University @ Old Monrovia Chevron TO BE MOVED
54	6/15/2010	University @ Cheddars south
55	6/15/2010	University & Old Monrovia South side @ Regions Bank
56	6/15/2010	Triana Blvd & Dunn Dr
57	6/15/2010	Triana Blvd & Loren Dr
58	6/15/2010	Whitesport Dr @ Crestwood
59	6/15/2010	South Pkwy @ Renaissance Apts
60	6/15/2010	Gallatin Street @ Publix
61	6/15/2010	Winchester Rd South side @ Lucky Mfg & Sam
62	6/15/2010	Winchester @ Lucky Mfg & Sam
63	6/15/2010	Meridian Street & Hollaway Rd @ AAMU Campus
64	6/15/2010	Blue Springs & Gamma Circle @ Patterson Place
65	6/15/2010	Sparkman at Jordan Lane
66	6/15/2010	Oakwood @ Kroger
67	6/15/2010	Sparkman Dr, 2530, across from Career Cntr
68	6/15/2010	Sparkman Dr, 2535 @ Career Cntr
69	6/15/2010	Dallas Avenue
70	6/15/2010	Alabama A & M University
71	6/15/2010	Drake & Leeman Ferry @ Krogers & Virginia College
72	6/15/2010	Green Street across from Todd Towers
73	2/16/2012	University Dr @ Holiday Inn
74	6/19/2012	2300 Memorial Pkwy @ The Rock
75	6/19/2012	3001 Winchester @ J.O. Johnson H.S.
76	6/19/2012	2804 Winchester @ J.O. Johnson H.S.
77	6/19/2012	2802 Winchester (Cecil Fain?)
78	6/19/2012	Monroe Str @ Library-West side
79	6/19/2012	Monroe Str @ Library-East side
80	6/19/2012	Bailey Cover @ Grissom H.S.
81	6/19/2012	Venona Dr

- **Transit Access**

Service Standard: Majority of routes will be located within residential areas most densely populated with low-income or minority population, as well as elderly population, as determined from Census data.

Assessment: There was significant route restructuring since the last Title VI update. This change was identified under Section II, E. Potential Service Changes with the Next Three Years in the previous Title VI Update OF 2012. A Service Equity Analysis was completed and submitted to FTA Region IV for review. The difference in any revision was indistinguishable to the system clients and will no way adversely affect any population within the City of Huntsville, either minority or otherwise.

C. Changes in Service Standards or Policies within Previous Three Years

Policy: Public Transit has not initiated any new standards or policies and no new routes were implemented during the three year period.

Impact: No impacts.

D. Transit Construction or Major Mobility Improvement included in the Transportation Improvement Plan (TIP) within the Previous Three Years

Policy: Public Transit identified a need for a new Heavy Duty Fleet Maintenance Facility. It is discussed under Section I, G. This facility did not in any way negatively affect mobility. It has proven to be very advantageous in maintaining fleet services and repairs efficiently allowing a reliable and effective transit system to remain on the road.

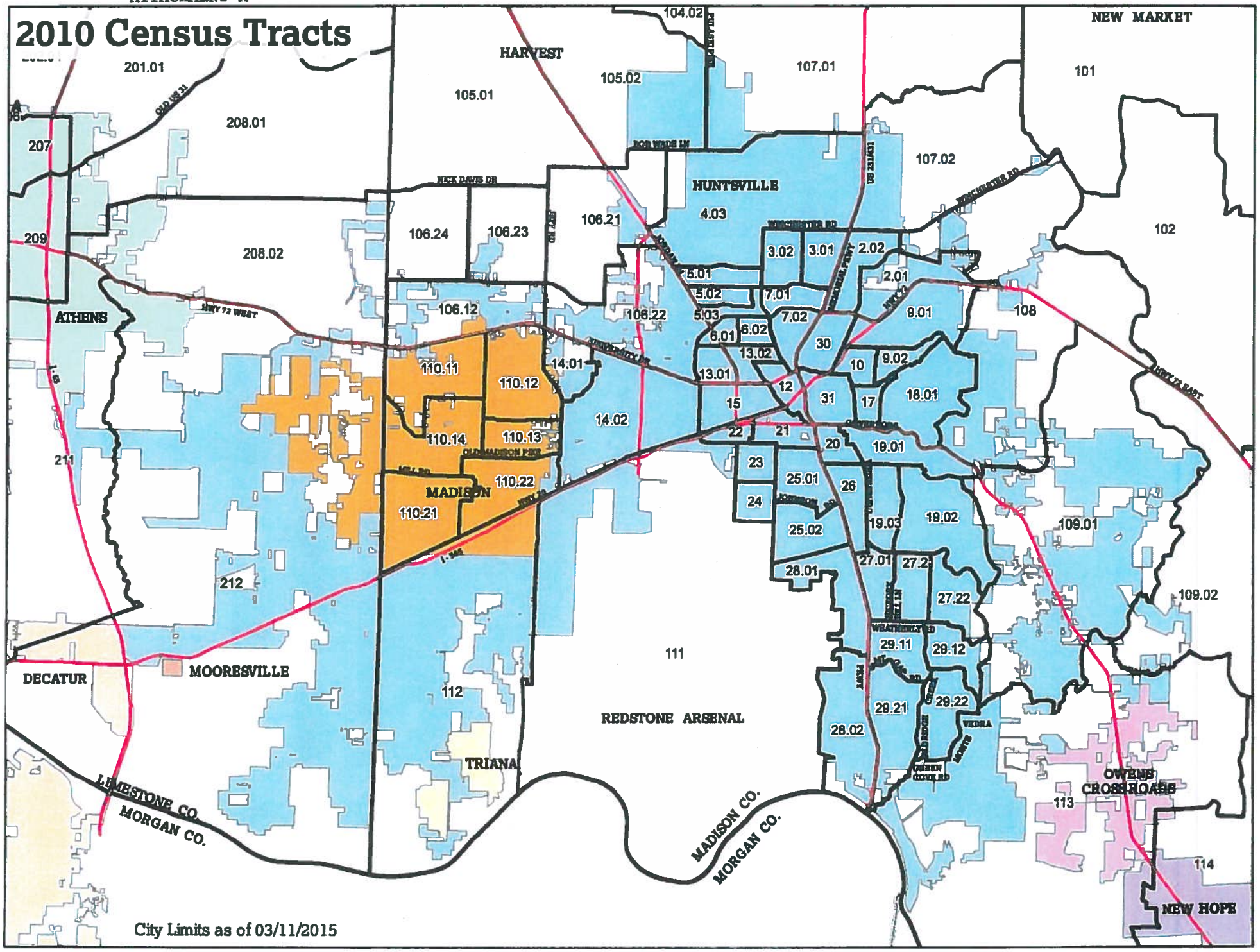
Impact: No impacts.

E. Potential Service Changes within the Next Three Years

- When completing the Long Range Transportation Plan, Public Transit identified several route expansions and service hours' extensions. However, none of these are anticipated to happen within the next three to five years.

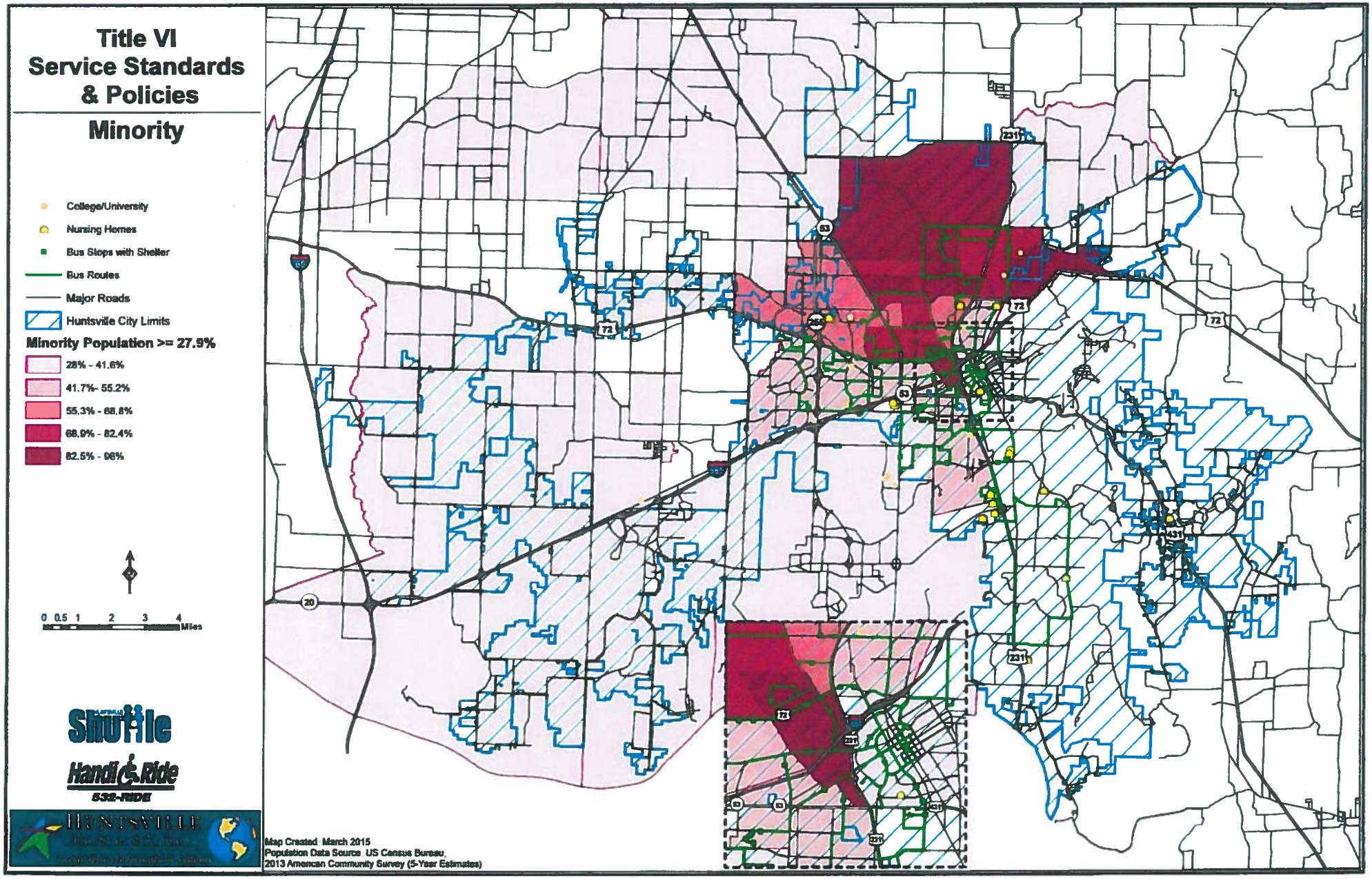
ATTACHMENT A

2010 Census Tracts

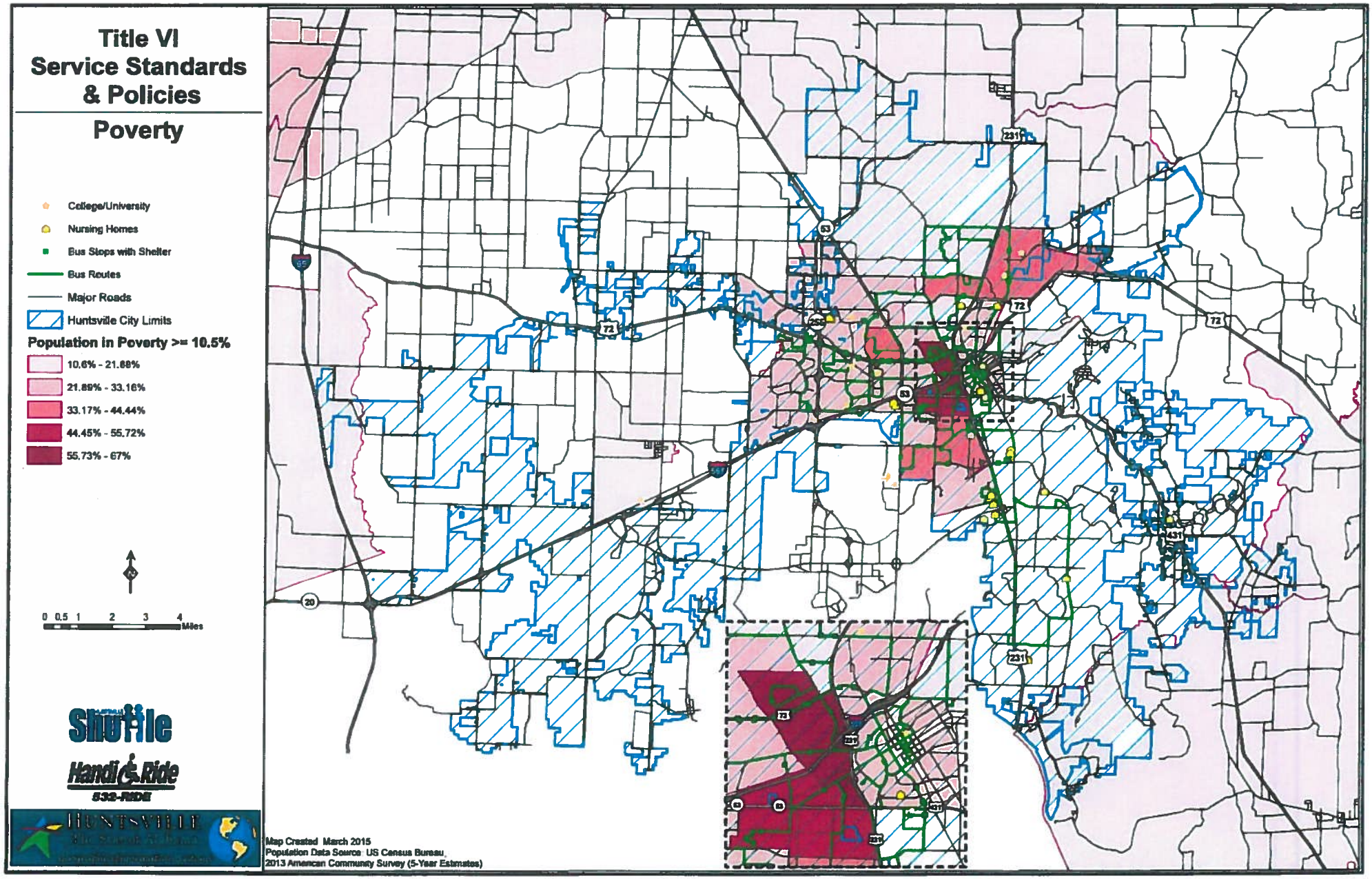


City Limits as of 03/11/2015

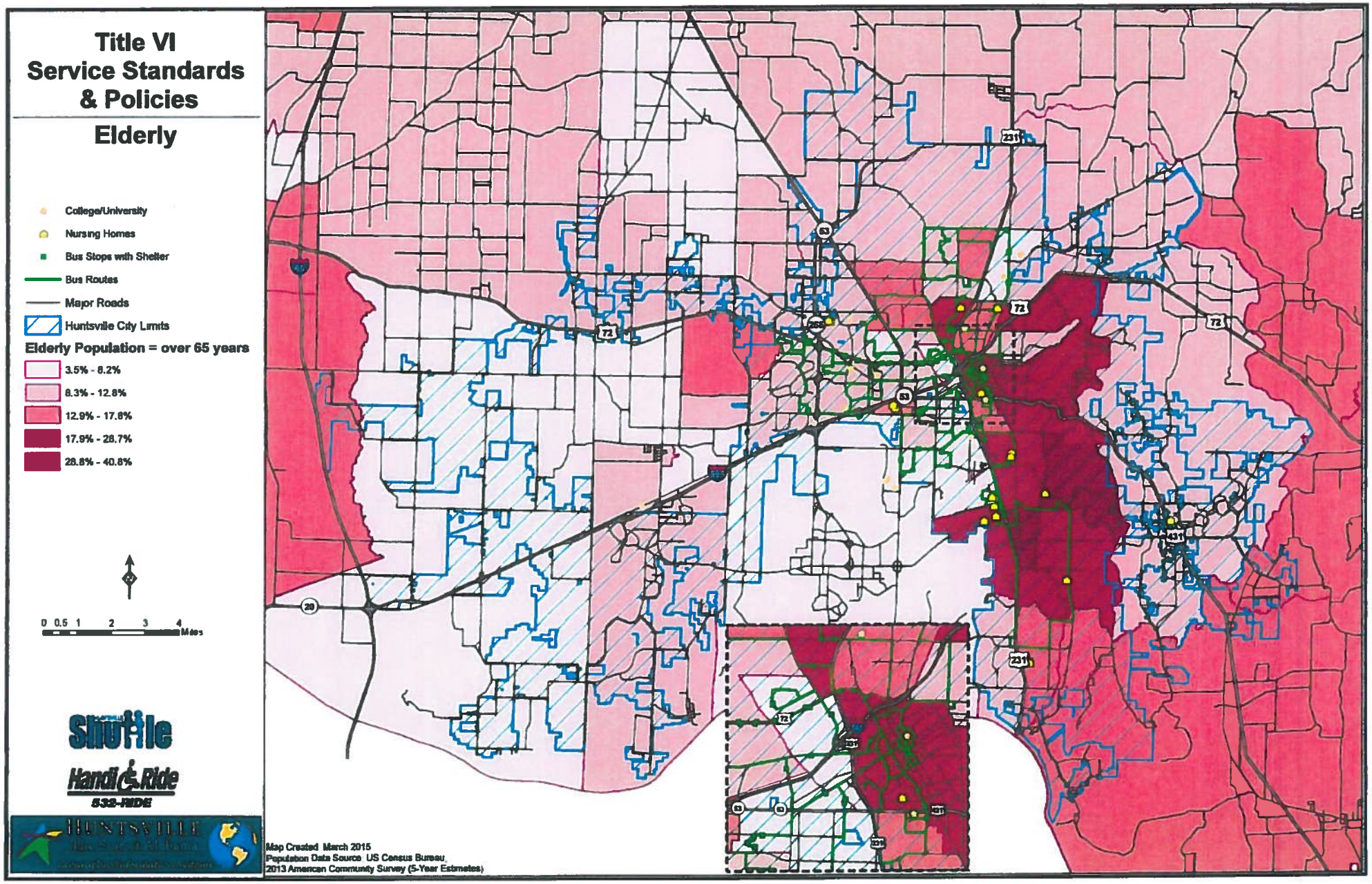
ATTACHMENT B



ATTACHMENT C



ATTACHMENT D



ATTACHMENT E

CATEGORICAL EXCLUSION

FTA CAPITAL PROGRAM SECTION 5309
FTA Recipient ID #1075

Grant #AL-12-X001
Grant #AL-04-0035

BUS MAINTENANCE FACILITY

THE CITY OF HUNTSVILLE, AL

DEPARTMENT OF PARKING AND PUBLIC TRANSIT

MADISON COUNTY, AL

In submitting the Bus Maintenance Facility categorical exclusion (CE) to the FTA, the applicant, The City of Huntsville, Department of Parking & Public Transit, affirms that it has reviewed and supports the information presented documenting the proposed action as meeting the criteria for a CE in accordance with 23 CFR Part 771.117(d)(8). Following independent review and verification by FTA, applicant, The City of Huntsville, Department of Parking & Public Transit, requests that it be notified of the acceptability of its submission

September 2011

The following is from Section 6.3 Recommendations of the Site Assessment:

6.3 RECOMMENDATIONS

Recommendation: Based on the findings of this Phase 1 ESA, no additional environmental assessment is recommended at this time.

_____L. **COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE:** **Provide a socioeconomic profile (and socioeconomic census map) of the affected community. Describe the impacts of the proposed project on the community. Identify any community resources that would be affected and the nature of the effect. If project is not located in a distressed socioeconomic area, provide narrative and census map documentation** (http://www.fhwa.dot.gov/environment/ej2.htm).

The socioeconomic census map with the socioeconomic profile is attached as Figure 4 of this document. The construction and operation of the proposed facility will be entirely on City owned property. No community alterations or residential or business displacements will occur. There will be no adverse effects on any businesses, residents, landowners, or other community resources as a result of the project. Therefore, there are no impacts to the community or its population.

_____M. **USE OF PUBLIC PARKLAND AND RECREATION AREAS:** **Indicate parks and recreational areas on the site map. If the activities and purposes of these resources will be affected by the proposed project, state how and provide concurrence from the appropriate government authority having jurisdiction over the asset(s) should be included. If the proposed project is not located in or in the vicinity of a public parkland and recreation areas, please state such and provide documentation (map).**

There are no parks or recreational areas in the project site (see Figure 3). However, a County owned park (Family Fitness Track) is directly adjacent to the site, and is accessed by a common drive (Pump Street) serving as egress for the project area. There will be no

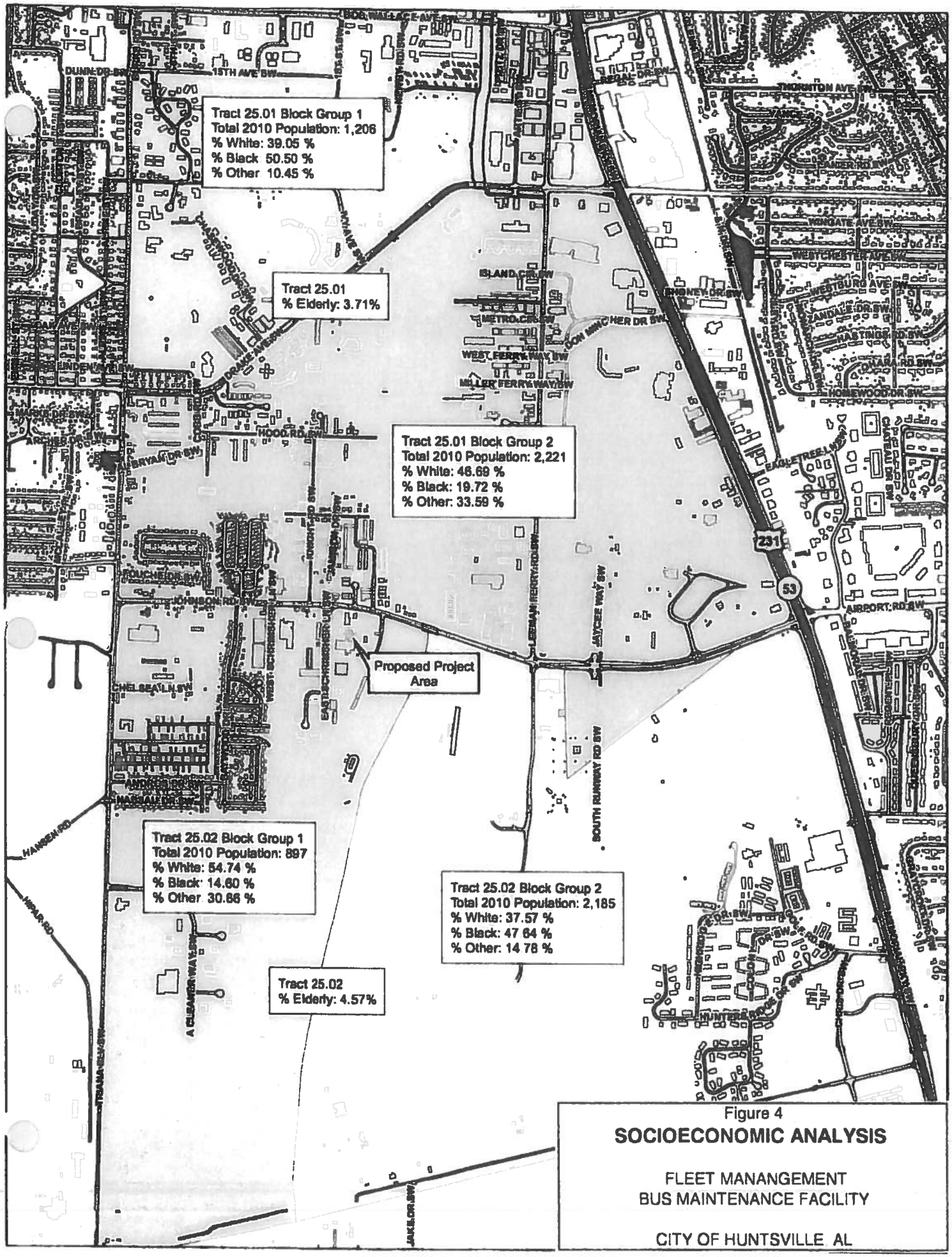


Figure 4

SOCIOECONOMIC ANALYSIS

FLEET MANANGEMENT
BUS MAINTENANCE FACILITY

CITY OF HUNTSVILLE AL