



CITY OF  
**MILTON-FREEWATER**

P.O. Box 6 • 722 South Main • Milton-Freewater, OR 97862

Phone (541) 938-5531 • Fax (541) 938-8224 • [mfcity.com](http://mfcity.com)

## PUBLIC TRANSIT TITLE VI NON-DISCRIMINATION POLICY

**REFERENCE:** FTA Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

**PURPOSE:** This policy establishes guidelines to effectively monitor that the City of Milton-Freewater, hereinafter referred to as "City", is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations under 49 CFR Part 21, and to integrate considerations expressed in the DOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005).

For purposes of this policy, the City has a fixed-route public transportation program and a demand response program within the boundaries of the Walla Walla Valley Metropolitan Organization and the State of Oregon Department of Transportation, Rail and Public Transit Division (ODOT/RPT). Also, it is not currently planned to pass FTA funds through to sub-recipients.

HISTORICALLY, and as a first-time, direct applicant, the City has responded to the needs of persons with limited English proficiency and has not been found in non-compliance by any federal agency. The City is, and has been, an in-direct recipient of federal funds through ODOT /RPT. As the City is seeking direct assistance through the Federal Transportation Administration, the city has not been found non-compliant with civil rights violations.

**CIVIL RIGHTS AND CITY PUBLIC TRANSPORTATION MISSION STATEMENT:** To provide safe and affordable public transportation within our service area in a respectful, courteous manner, and furthermore to service senior and disabled patrons and patrons with limited English proficiency, with thoughtful care and dignity, regardless of race, color, gender or national origin.

**POLICY:** This policy will be effective upon the date of Signature Resolution passage. The City will ensure that its programs, policies and activities shall comply with the DOT's Title VI regulations. The City is committed to maintaining a public transit service that is free of all forms of discrimination. The City takes whatever preventative, corrective and disciplinary action



10





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necessary to deter and correct violations of this policy and the rights and privileges it is designed to protect.

**ANNUAL TITLE VI CERTIFICATION AND ASSURANCE:** To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from the FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications and assurances is available on FTA's website. The City complies with this instruction annually in order to receive FTA funding. The City prohibits discrimination in its employment practices on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, parental status and genetic information (Exhibit A).

**NOTIFICATION OF BENEFICIARIES OF PROTECTION UNDER TITLE VI:** To comply with 49 CFR Section 212.9(d), recipients shall provide information to the public regarding their Title VI obligations and apprise the public of the protections against discrimination afforded to them by Title VI. Recipients that provide transit service shall disseminate this information to the public through measures that can include, but not limited, to a posting on the City's website. The City has information to this effect on its website as well as signage posted on all buses and on transit bus schedules (Exhibit B).

**TITLE VI PUBLIC PARTICIPATION PLAN:** FTA Circular 4702.1B requires that recipients maintain a public participation plan that includes an outreach plan to engage minority and limited English proficient populations. The City publishes meeting notices in the local, Milton-Freewater's newspaper.

The City will participate in the review the Umatilla County Coordinated Human Services Public Transportation Plan tri-annually at a series of meetings with the public and affected agencies. The Plan will set the long-term operating and capital strategy for the City, including a Para-transit element and the Title VI Plan.

At these public meetings, attendees will be asked if they require special assistance or facilities to participate.

Notices will be posted in all public transportation City vehicles to draw attention to the upcoming public meetings (See Exhibit C, Title VI Plan Implementation).





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**PROVISION FOR MEANINGFUL ACCESS TO LIMITED ENGLISH PROFICIENCY (LEP) PERSONS:** The FTA requires grant recipients to take reasonable steps to ensure those persons with limited English proficiency will have meaningful access to the benefits, services, information and other important portions of their programs and activities. The City's current website, transit bus schedules and brochures are primarily designed for an English-speaking audience; however, printed timetables written in Spanish are available.

upon request. The website also contains contact information written in Spanish for the benefit of Spanish speaking patrons.

As a small transit provider within the Walla Walla Valley Metropolitan Organization, the City does not have a transit-related, non-elected planning board, advisory council or committee, or similar body. The City programs instead are in direct approval of the elected officials on the City Council. The City is a direct recipient of FTA funds, not a primary recipient (Exhibit C).

**DEVELOPMENT OF TITLE VI COMPLAINT PROCEDURES:** To comply with 49 CFR Section 21.9(b), recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and ensures their procedures for filing a complaint available to the public upon request. The City complaint procedures and public instructions are attached (Exhibit D & E).

**RECORD KEEPING OF TITLE VI INVESTIGATIONS, COMPLAINTS OR LITIGATION:** To comply with 49 CFR Section 21.9(6), recipients shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the recipient that allege discrimination on the basis of race, color or national origin. This list shall include the date of the investigation, lawsuit or complaint filed, a summary of the allegation (s), the status of the investigation, lawsuit or complaint, and actions taken by the recipient in response to the investigation, lawsuit or complaint. The City has not had a Title VI complaint, lawsuit or investigation since its inception in 1971. For any future reporting, the City will use the FTA suggested format (Exhibit E).

**SERVICE STANDARDS FOR FIXED-ROUTE TRANSIT:** The City has both a fixed-route transit system as well as a door-to-door, demand response transportation system. As such, FTA requires that it develop quantitative standards for the following indicators: vehicle load, vehicle headways, on-time performance and service availability for each mode. The City will maintain a record of the quantitative standards in a format suggested by the FTA (Exhibit F).





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**PROVISION OF ADDITIONAL INFORMATION UPON REQUEST:** At the discretion of the FTA, information other than that required by the referenced circular may be requested, in writing, from a recipient to investigate complaints of discrimination or to resolve concerns about possible non-compliance with Title VI requirements. The City Manager, or his/her designee, will be available to provide additional information as needed and to respond to any inquiry.

**PREPARATION AND SUBMISSION OF THE TITLE VI COMPLIANCE PROGRAM:** The FTA requires recipients to report certain, general information to determine their compliance with Title VI. The collection and reporting of this program constitute the recipients' Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), the FTA requires that all recipients document their compliance with the chapter by submitting a Title VI program to FTA's regional civil rights officer once every three years.

**PROHIBITION OF DISCRIMINATION:** The City prohibits any act or omission of an act, which would prevent the use of or exclude a person from access to public transportation based upon, but not limited to, race, sex, disability or religion.

**RESPONSIBILITIES:** All employees of the City shall follow these guidelines in a manner that reflects City policy. Managers who receive information regarding a violation(s) of this policy shall determine if there is any basis for the allegation and shall proceed with resolution, as stated in the sections Manager Responsibility and/or Investigation of Complaints and Appeal Process.

**SUPERVISOR RESPONSIBILITY:** To ensure compliance with Title VI, each manager shall:

- A. Ensure that there are no reasonable barriers to service accommodation. Ensure that no discriminatory activity exists which would prevent public transit usage or access.
- B. Train subordinates as to what constitutes discrimination and barriers to access.
- C. Take prompt and appropriate action to avoid and minimize the incidents of all forms of discrimination.
- D. Notify the City Manager, or his/her designee, in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

**CONDUCT EQUITY ANALYSIS:** The requirement for the City of submit a Title VI equity analysis for any projects requiring land acquisition and the displacement of persons from their







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residences and businesses for which a NEPA process has not been completed, shall be submitted to the FTA when such projects are developed by the City.

**EXHIBIT A**  
**CITY TITLE VI POLICY STATEMENT**

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."

The City's mission is to provide safe and affordable public transportation within our service area in a respectful, courteous manner, and furthermore to serve senior and disabled patrons and patrons with limited English proficiency, with thoughtful care and dignity, regardless of race, color, gender or national origin.

It is the City's goal to provide all city services, including public transportation, without discrimination practices on the basis of race, color, national origin, sex, religion, age, disability, sexual orientation, parental status, genetic information or any other classification that may be determined.





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**EXHIBIT B-ENGLISH**

**TITLE VI PUBLIC NOTICE (Posted on all City vehicles used for public transportation)**

**Notifying the Public of Rights Under Title VI**

**City of Milton-Freewater**

- The City of Milton-Freewater of USA 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 Milton-Freewater of USA.
- For more information on the City of Milton-Freewater of USA's civil rights program, and the procedures to file a complaint, contact 1-541-938-8243 or email [wendi.daugherty@milton-freewater-or.gov](mailto:wendi.daugherty@milton-freewater-or.gov); or visit the City's Human Resource office at 722 S. Main Street, Milton-Freewater, Oregon, USA. For more information, please visit the City's website at [mfcity.com](http://mfcity.com).
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights Federal Transit Administration, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue SE, Washington, DC 20590. If you have questions on how to prepare a complain, please contact a toll-free civil rights hotline at 888-446-4511.
- If information is needed in another language, please contact 541-938-8243 or 541-938-8235.
- Si se necesita información en otro idioma, por favor póngase en contacto con 541-938-8243 or 541-938-8235.





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## **ANEXO B - ESPAÑOL**

### **TÍTULO VI AVISO PÚBLICO (Publicado en todos los vehículos de la Ciudad utilizados para el transporte público)**

## **Notificación al público de los derechos establecidos en el Título VI Ciudad de Milton-Freewater**

- La ciudad de Milton-Freewater de EE. UU. opera sus programas y servicios sin distinción de raza, color y origen nacional de conformidad con el Título VI de la Ley de Derechos Civiles. Cualquier persona que crea que ha sido perjudicada por alguna práctica discriminatoria ilegal según el Título VI puede presentar una queja ante la ciudad de Milton-Freewater de EE. UU.
- Para obtener más información sobre el programa de derechos civiles de la ciudad de Milton-Freewater de EE. UU. y los procedimientos para presentar una queja, comuníquese al 1-541-938-8243 o envíe un correo electrónico a [wendi.daugherty@milton-freewater-or.gov](mailto:wendi.daugherty@milton-freewater-or.gov); o visite la oficina de Recursos Humanos de la ciudad en 722 S. Main Street, MiltonFreewater, Oregon, EE. UU. Para obtener más información, visite el sitio web de la ciudad en [mfcity.com](http://mfcity.com).
- El denunciante puede presentar una queja directamente ante la Administración Federal de Tránsito presentando una queja ante la Oficina de Derechos Civiles de la Administración Federal de Tránsito, Atención: Coordinador del Programa del Título VI, Edificio Este, 5.º piso-TCR, 1200 New Jersey Avenue SE, Washington, DC 20590. Si tiene preguntas sobre cómo preparar una queja, comuníquese con la línea directa gratuita de derechos civiles al 888-446-4511.
- Si necesita información en otro idioma, comuníquese al 541-938-8243 o 541-938-8235.
- Si necesita información en otro idioma, por favor, póngase en contacto con el 541-938-8243 o 541-938-8235.





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**EXHIBIT C  
LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

The City 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 in their English proficiency.

**FOUR-FACTOR DEMOGRAPHIC ANALYSIS:**

**I-THE NATURE AND IMPORTANCE OF SERVICE PROVIDED BY THE CITY:**

The City provides important transit services to the public through its senior and disabled demand response transportation program. This important service provides connections to pharmaceuticals, grocery stores, banking services, health care facilities, and a junior college.

**2-THE NUMBER OR PROPORTION OF LEP PERSONS IN THE SERVICE AREA:**

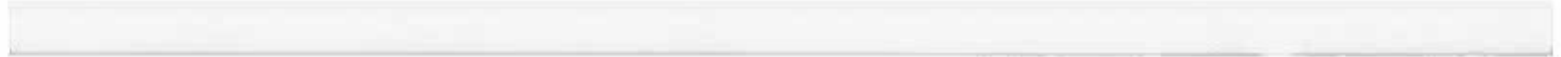
Data was gathered from the following sources to identify information on persons who do speak languages other than English at home and who speaks it less than well or not at all and would be classified as limited English proficient or LEP:

2020 Census Data

Umatilla County Planning population data gathered from 2020 Census

A review of the data from the source listed, revealed that the main minority language spoken throughout the transit service area is Spanish. The following data is based upon the 2020 Census:

- Total Service Area Population 7,146
- Spanish Spoken at Home 3,444 48.2%
- American Indian and Alaskan Native 214 3.3%
- Native Hawaiian/ Pacific Islander 71.46 0.1%
  
- People who speak a language other than English at home 34.5%
- People who speak English less than very well 11.4%
- People who speak Spanish at home 34%







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A review of the above demographic data revealed that the main minority language spoken throughout the transit service area is Spanish.

### 3-THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH THE CITY'S SERVICE:

Since commencement of the City's public transportation programs, there have been no Title VI investigations, complaints or lawsuits. There has also not been any reported requests for minority language assistance since that time. The conclusion is that the majority of local Spanish speaking patrons are also proficient in the use of English, or at a minimum, use our services with another patron that is proficient in the use of English.

### 4-THE RESOURCES AVAILABLE TO THE RECIPIENT OF THE FEDERAL FUNDS TO ASSURE MEANINGFUL ACCESS TO THE SERVICE BY LEP PERSONS:

The City contracts for vehicle operators with German Graves, a local, bi-lingual business entrepreneur. He is responsible for the training and translation services with his employees. If we lost this person in future RFP processes, we would require training and translation services by future contractors. German Graves will give preference to bi-lingual when hiring.

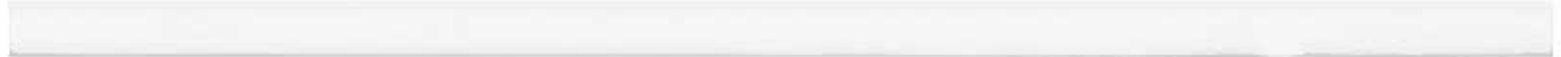
Public transportation brochures printed in both English and Spanish outline the City's Senior and Disabled Transportation program for participation. Public Rights under Title VI will be available in all public transportation vehicles, the incoming local Oregon Health and Human Services office, Chamber of Commerce in Walla Walla, and the Milton-Freewater Migrant Housing Projects.

Contract operators will assure opportunities are made available through local media when hiring vehicle operators and offer operators training in job-related Spanish.

### TITLE VI PLAN IMPLEMENTATION:

Based upon the four-factor analysis, the City recognizes the need to continue providing improved Spanish language services in this service delivery area. The City of Milton-Freewater's Senior and Disabled Taxi Service program has offered since October 1, 2013:

- Spanish speaking translators, available upon request during normal business hours.
- Route brochures will be available in both English and Spanish.
- Route information will be available in both English and Spanish on the City's website.
- Transit surveys will be available in both English and Spanish.
- Prior to public meetings, citizens may require Spanish literature.
- Spanish language signs are posted on each public transportation vehicle.





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- The City's website includes a link written in Spanish, directing computer access to pages with Spanish information.
- The City works closely with agencies that may have Spanish participation.

## **EXHIBIT D DISCRIMINATION COMPLAINT PROCEDURE**

Person(s) who believe they have been discriminated against on the basis of race, color, gender or national origin with regard to public transportation, may file a Title VI complaint by completing and submitting a Title VI Complaint Form (Exhibit H) to the City of Milton-Freewater, Attn: Human Resource Department, PO Box 6-722 S. Main Street, Milton-Freewater, OR 97862.

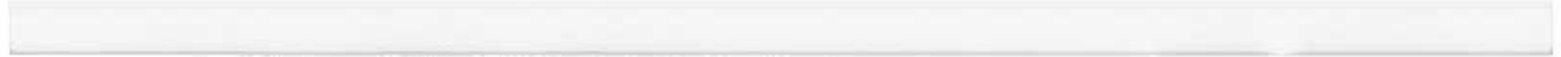
The City investigates complaints received no more than 180 days after the alleged incident. The City's Human Resource Department will process complaints that are complete.

Once the complaint is received, the Human Resource Department will review the document to determine if the City has jurisdiction. The complainant will receive an acknowledgement letter to inform whether the City will be investigating the incident through the Human Resource Department.

The Human Resource Department has 90 days to investigate the complaint. If more information is needed to reach resolution, the Human Resource Department may contact the complainant. The complainant has 30 calendar days from the date of the letter to send requested information to the investigator assigned. If the investigator is not contacted by the complainant or does not receive additional information within the 30 calendar days, the Human Resource Department can close the case. A case can also be administratively closed if the complainant no longer wishes to pursue.

After the investigator reviews the complaint, they will issue one of two letters to the complainant: a letter of closure or a finding of facts letter. A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A finding of facts letter summarizes the allegations and the interviews regarding the alleged incident, and explains whether disciplinary action, additional training of staff, or other action may occur. If the complainant wishes to appeal the decision, they have 30 days from the date of the letter. Appeals would be sent to the office of the City Manager, City of Milton-Freewater, PO Box 6-722 S. Main Street, Milton-Freewater, OR 97862.

A person may also file a complaint directly with the Federal Transit Administration through the FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.





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**EXHIBIT E**  
**CITY FORM TO REPORT TRANSIT RELATED TITLE VI INVESTIGATIONS,**  
**COMPLAINTS AND LAWSUITS**

The City is required to maintain a list of the following that allege discrimination on the basis of race, color, gender or national origin:

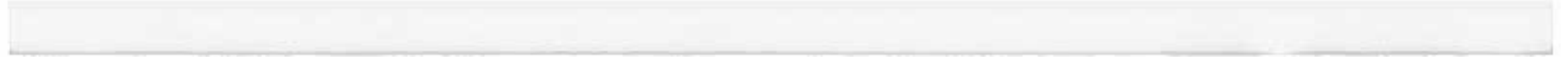
- Active investigations conducted by STA and entities other than FTA
- Lawsuits
- Complaints naming recipients

This list will include the date that the transit related Title VI investigation, lawsuit, or complaint was filed, a summary of the allegation (s), the status of the investigation, lawsuit, or complaint, actions taken by the City in response, or final findings related to the investigation, lawsuit or complaint. This list must be included in the Title VI Program submitted to FTA every three years.

For this purpose, the City will use the following form when submitting its three-year report.

**LIST OF INVESTIGATIONS, LAWSUITS AND COMPLAINTS**

	DATE (MONTH, DAY, YEAR)	SUMMARY (INCLUDE BASIS OF COMPLAINT: RACE, COLOR, GENDER OR NATIONAL ORIGIN)	STATUS	ACTION(S) TAKEN
<b>INVESTIGATIONS</b>				
<b>LAWSUITS</b>				
<b>COMPLAINTS</b>				





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## **EXHIBIT F**

### **CITY OF MILTON-FREEWATER OUTREACH AND PARTICIPATION PLAN**

The most predominant non-English language within the City's service area is Spanish.

The City contracts with German Graves, a bi-lingual contractor who speaks and writes Spanish as a primary language and uses English as a second language.

One-hundred (100%) percent of the Hispanic population is served with the City's contracted vendor, whom gives preference to bi-lingual vehicle operators.

The City will distribute from all public transportation vehicles, bus shelters and city business locations, public transportation brochures written in both Spanish and English.

The statement of public rights under Title VI will be posted in all public transportation vehicles, bus shelters and city business locations.

Bus routes and other transportation information shall be on the City's website with a link for Spanish written information.

Contract operators will assure opportunities are made available through local media when hiring vehicle operators.

City staff will avail themselves of opportunities and offer operators training in job-related Spanish.

## **EXHIBIT G – TITLE VI COMPLAINT FORM – ENGLISH**

### **TITLE VI COMPLAINT FORM – SPANISH**

## **EXHIBIT J - CITY COUNCIL RESOLUTION**

