

VILLAGE OF PALMETTO BAY

Title VI/Nondiscrimination Policy and Plan



Revised December 2018

Village of Palmetto Bay
Public Services Department
9495 SW 180th Street, Palmetto Bay, FL 33157
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I. Village's Policy Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The Village of Palmetto Bay values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the county/city believes that the best programs and services result from careful consideration of the needs of all of its communities and when those communities are involved in the transportation decision making process. Thus, county/city does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the county/city will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

This plan was developed to guide the Village of Palmetto Bay in its administration and management of Title VI-related activities.

i. Guideline:

A. Nondiscrimination programs require that Federal-aid recipients, sub-recipients, and contractors prevent discrimination and ensure nondiscrimination in all of their programs and activities, whether those programs and activities are federally-funded or not.

1. If a unit of a State or local government is extended Federal-aid and distributes such aid to another governmental entity, all of the operations of the recipient and sub• recipient are covered.
2. Corporations, partnerships, or other private organizations or sole proprietorships covered in their entirety if such entity received Federal financial assistance (FHWA Notice N 4720.6, September 2, 1992).

B. The Village of Palmetto Bay as a recipient of federal financial assistance will ensure full compliance with Title VI of the Civil Rights Act of 1964.

ii. Procedure:

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, or handicap/disability may file a confidential Title VI complaint with the Village of Palmetto Bay. Any and all complaints related to this policy should be forwarded to the Office of the Village Manager or his designee charged with the overall responsibility for the administration of this policy 9705 E. Hibiscus Street, Palmetto Bay, FL 33157.

iii. Background:

Title VI of the Civil Rights Act of 1964, as amended, provides that no person shall on the grounds of race, color, national origin, sex, age, and handicap/disability, 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 Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving Federal funds -whether schools and colleges, government entities, or private employers -must comply with Federal civil rights laws, rather than just the particular programs or activities that receive the funds.

iv. Statutory Authorities:

Title VI of the Civil Rights Act of 1964, The Civil Rights Restoration Act of 1987, Executive Order 12250, Executive Order 12898 (Environmental Justice), Executive Order 13166 (Limited English Proficiency), 49 CFR Part 21 and 23 CFR Part 200.

Any questions regarding this policy should be directed to:

Village of Palmetto Bay, Office of the Village Manager, 9705 E. Hibiscus Street, Palmetto Bay, FL 33157, Telephone: (305) 259-1234 Fax: (305) 259-1290.

II. Title VI Notice to the Public

The Village of Palmetto Bay maintains a proactive, interdisciplinary approach to Title VI, requiring that decision makers of the Village fully implement Title VI in all business decisions. The Village has adopted a "Notice of Rights under Title VI of the Civil Rights Act of 1964" in connection with all services provided. The notice is posted on the Village's website: palmettobay-fl.gov in English and Spanish. The notice contains a telephone number for individuals to contact if he/she needs information in another language. A copy of the notice is attached as **(Appendix A)**.

In addition to the website, the notice is prominently and publicly displayed in each public transit vehicle and in all Village owned facilities and each office where Title VI is applicable. An individual may also request a copy of the notice from the Office of the Village Manager. Additional information relating to the Village's nondiscrimination obligation is provided in this document.

Further information can be obtained directly from the designated Title VI representative from the Office of the Public Services.

Dionisio Torres
Title VI Coordinator
9495 SW 180th Street
Palmetto Bay, Florida 33157
Telephone: (305) 969-5011 Fax: (305) 259-1290

III. Title VI Definitions

Title VI requires that all FL/DOT programs; benefits, activities and services occur without discrimination based on race, color, national origin, or sex and with active inclusion of protected class persons. (The term benefit includes doing business with FL/DOT and encompasses all FL/DOT contracting and purchasing.).

TITLE VI: "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 otherwise subjected to discrimination under any program or activity receiving Federal financial assistance."
Section 601 of the Civil Rights Act of 1964

Simple Justice requires that public funds to which all taxpayers of all races contributes, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.
-President John F. Kennedy

Also, a part of Title VI is:

Environmental Justice – Each Agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.”

Executive Order 12898

Limited English Proficiency (LEP) – Each agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.

Executive Order 13166

IV. Title VI Complaint Procedure and Complaint Form

The Village is committed to its Title VI Policy, and Title VI Nondiscrimination Program to ensure that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Village, its recipients, sub recipients and contractors. In addition, Executive Order 12898 (Environmental Justice) prohibits discrimination based on income status.

If an individual believes he or she has been discriminated against on the basis of race, color or national origin in connection with the Village's circulator service, the individual may file a complaint by completing and submitting a Title VI Complaint Form to the Office of the Village Manager no later than 180 days after the date of the alleged discrimination. Each complaint should include the following information:

- a. Full name
- b. Mailing address
- c. Contact Information (i.e., telephone number, email address, etc.)
- d. How, when, where and why you believe you were discriminated against, including location, names and contact information of any witnesses
- e. Other information that you consider significant

All complaints will be handled in accordance with the Village's Title VI Complaint Procedure.

Also included in this Plan is **the Village’s Title VI Complaint Procedure** which outlines the process to follow for any individual or group that may feel that they have been denied the benefits of, or otherwise subjected to

discrimination under any and all programs, services, or activities administered by Village, its recipients, sub-recipients and contractors. It also explains the Village's authority and responsibilities in regard to responding to and acting upon their complaint. This document also describes enforcement procedures to be followed by the FHWA in the event of the Village's noncompliance with Title VI.

There is a form that the Village utilizes to document any complaints in regard to Title VI – the **Village of Palmetto Bay Title VI Complaint Form**. The Complaint Procedure and Complaint Form are available on the Village's website and upon request from the Office of the Village Manager. The Complaint Form is a .pdf file that can be printed and submitted via email, fax, mail, or in person to the Office of the Village Manager.

Additionally, the Village shall make every effort to address all complaints in an expeditious and thorough manner. A letter acknowledging receipt of complaint will be mailed within seven days (see **Appendix F**). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

The Village of Palmetto Bay will send a final written response letter (see **Appendix G**) to the complainant that complaint is substantiated. If the complaint is found to be not substantiated (see **Appendix H**), the complainant is also advised of his or her right to:

- a. Appeal within seven calendar days of receipt of the final written decision from the Village, and/or
- b. File a complaint externally with the U.S. Department of Transportation and/or the FTA.

Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by the Village, a written response will be drafted subject to review by the Village Attorney. If appropriate, the Village Attorney may administratively close the complaint. In this case, the Village will notify the complainant of the action as soon as possible.

The Complaint Procedure and Complaint Form contain a telephone number for an individual to contact if he/she needs the information in another language. A copy of the Complaint Procedure is attached as (**Appendix D**), and a copy of the Complaint Form is attached as (**Appendix E**).

V. Subcontracts and Vendors

All subcontractors and vendors who receive payments from the Village of Palmetto where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes a component of the contract.

VI. Record Keeping of Investigations, Complaints or Lawsuits

The Village of Palmetto Bay maintains a log of Title VI investigations, complaints, and lawsuits. A copy of the log (as of March 21, 2017) is attached in (**Appendix I**). The Village Attorney's Office shall be responsible for investigating and completing the log for any future complaints received regarding Title VI complaints and for any future formal administrative charges or lawsuits under Title VI.

VII. Website Location of Title VI Notice, Procedure and Form

An individual may locate information about the Village's Non-Discrimination policy, Title VI Notice, Complaint Procedure, and Complaint Form for all applicable programs and services on the Village's website (www.palmettobay-fl.gov).

VIII. Limited English Proficiency (LEP) Analysis:

The Village of Palmetto Bay is located in Miami-Dade County, Florida. According to the United States Census Bureau, the village has a total area of 8.8 square miles (22.6 km²). 8.8 square miles (22.5 km²) of it is land and 1.4 Square miles (0.1 km²) of it (0.44%) is mostly water. As of the census of 2000, the Village's estimated total population was 24,469 residents, 7,970 households, and 6,783 families residing in the village. There were 8,145 housing units at an average density of 925.6 per square mile (360.4/km²). The racial makeup of the village was 84.4% White (Non-Hispanic White 61.9%), 7.65% African American, 0.12% Native American, 3.00% Asian, 0.03% Pacific Islander, 2.44% from other races, and 1.35% from two or more races.

The principal languages among the Village's residents are English and Spanish. Of the Village's population 34.3% speak Spanish at home, (75% speak English very well and 25% speak English less than very well).

The Village provides information in English and in Spanish when it is requested. Residents can request translations of documents that are in English. The Village of Palmetto Bay has employees who are bilingual and are fluent in Spanish. These employees can assist any Spanish-speaking residents who call or email the office with questions or who request information concerning programs and services.

The Village uses several methods to communicate with its residents. The Village's communication tools are the Village's website, Palmetto Bay TV channel WBAY, local community newspapers, social media accounts (Facebook), Twitter, and the Village of Palmetto Bay E-Current Newsletter. Residents may watch WBAY from their home (with a Comcast cable subscription) or via the Village's website (www.palmettobay-fl.gov).

The Village Title VI Policy and Complaint Procedures is hosted on the Village's web page in English and made available in other languages as requested.

The Village educates our staff and contractors on the following procedure:

- a. Understanding the Title VI Policy and LEP responsibilities
- b. How to access Title VI Policy and Procedures via the Village's website.
- c. Document and resolve any language assistance deficiencies
- d. The procedure if a Title VI and/or LEP complaint is filed.

The Village will review LEP procedures annually to determine if modifications are needed to meet language assistance deficiencies.

IX. Public Participation / Outreach Plan:

The Village of Palmetto Bay seeks to engage the public in its planning and decision-making processes. Members of the public may make statements at Commission meetings during the "Public Hearing" portion of any Village

The Council meetings occur the first Monday of every month except for August whereas no meetings are

scheduled during this month. Village Commission agendas are available for review by the public no less than seven (7) days before Commission meetings. Notices of resolutions or ordinances under Commission consideration are available on the Village's website www.palmettobay-fl.gov. If any individual wishes to speak during the Public Hearing portion of a Commission meeting, but does not speak English fluently, he or she may contact the Village Clerk's Office at least three (3) days in advance to request a translator.

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

- Website
- The Title VI plan will be located on the Village of Palmetto Bay website for review.
- All Village Council Commission meetings are open to the public and allow for public comments during the meeting.
- Site Spanish speaking individuals who can assist those persons either with information relative to program or service complaints or concerns.

Ordinances and resolutions adopted by the Village to apply for and utilize Federal and State grant funding are placed on the public hearing/meeting agenda and are subject to public notice and comment procedures.

The Village and its records are available to the public and the Village welcomes their input. The Village's Title VI Complaint Procedure is available to the public via the Village's website www.palmettobay-fl.gov

X. Employee Education

During New Employee Orientation and subsequent employee trainings, information relative to the provisions of Title VI will be reviewed and discussed.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (**Appendix B and C**).

XI. Language Assistance Plan

The Village is taking responsible steps to ensure meaningful access to benefits, services, information and other important portions of its programs and activities for individuals who are Limited English Proficient. A copy of Village's Language Assistance Plan (LAP) is attached as **Appendix K**.



APPENDIX A

Notice of Rights under Title VI of the Civil Rights Act of 1964

The Village of Palmetto Bay is committed to ensuring that no person is excluded from participation in, or denied benefits on the basis of race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964. Any person who believes he or she has been subjected to discrimination under Title VI may file a written complaint with the Village of Palmetto Bay.

For more information on the procedure to file a complaint, contact 305-259-1234, visit the Village's website: www.palmettobay-fl.gov, or visit the Public Services administrative office at 9495 SW 180TH Street, Palmetto Bay, Florida 33157 or the Office of the Village Manager at 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157.

An individual may also file a complaint directly with the Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing 605
Suwannee Street MS 65
Tallahassee, FL 32399

If information is needed in another language, please contact 305-259-1234.

Notificación de Derechos bajo el Título VI de la Ley de Derechos Civiles del 1964

ATENCIÓN: TODOS LOS PASAJEROS DEL IBUS DE PALMETTO BAY

Notificación de Derechos bajo el Título VI de la Ley de Derechos Civiles del 1964

La ciudad de Palmetto Bay se compromete a garantizar que ninguna persona sea excluida de la participación, o negada beneficios de su programa circulador IBUS en base a raza, color u origen nacional de acuerdo con el Título VI de la Ley de Derechos Civiles del 1964. Cualquier persona que cree que él o ella ha sido sometida a discriminación bajo el Título VI puede presentar una queja por escrito con la ciudad de Palmetto Bay.

Para más información sobre el procedimiento para presentar una queja, póngase en contacto con 305-259-1234, visite el sitio web de la ciudad: www.palmettobay-fl.gov, ó visite la oficina administrativa de Obras Públicas al 9495 SW 180 Street, Palmetto Bay, Florida 33157, ó la oficina del Gerente de la ciudad, 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157.

Un individuo también puede presentar una queja directamente ante la Administración Federal de Tránsito mediante la presentación de una queja por escrito con la oficina de Derechos Civiles, Atención: Coordinador del Programa Título VI, East Building, 5th Floor-TC R, 1200 New Jersey Avenue SE, Washington, DC 20590.

Si necesita información en otro idioma, por favor póngase en contacto con 305-259-1234.



Appendix B

Employee Education Form Title VI Policy

No person 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.

All employees of the Village of Palmetto Bay are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Office of the Village Manager and Director of Public Works for the Village of Palmetto Bay.



Appendix C
Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Village of Palmetto Bay Title VI Plan. I have read the plan and am committed to ensuring that pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the county/city will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status of Village programs and activities, whether those programs and activities are federally-funded or not.

Your signature

Print your name

Date



Appendix D

Title VI Complaint Procedure

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

Any person who believes he or she has been discriminated against based on race, color, or national origin, sex, age, disability, religion, income or family status by the Village of Palmetto Bay may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. A complaint may be filed no later than 180 days after the date of the alleged discrimination. The Village or its designated Title VI Coordinator will process complaints that are complete.

Once the complaint is received, the Village Manager's office will review it to determine if his office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by the Office of the Village Manager.

The Village has 60 days to investigate the complaint. If more information is needed to resolve the case, the Manager's office may contact the complainant. The complainant will have 10 business days from the date of the letter to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, a representative of the Manager's office can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the case is investigated, he/she will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, he/she has 10 business days after the date of the LOF to do so.

If information is needed in another language, please contact 305-259-1234.



Sistema de Circulación

Título VI Procedimiento de Quejas

Título VI de la Ley de Derechos Civiles del 1964 requiere que "ninguna persona en los Estados Unidos, por razón de raza, color u origen nacional, sexo, edad, debilitación, religión, estado financiero sea excluida de la participación, sea negada los beneficios de, o ser objeto de discriminación bajo cualquier programa o actividad recibiendo asistencia financiera federal".

Cualquier persona que cree que él o ella han sido discriminados en base a raza, color o nacionalidad de origen, sexo, edad, debilitación, religión, estado financiero, por la Ciudad de Palmetto Bay puede presentar una queja de Título VI llenando y enviando el formulario de queja de a la Agencia de Título VI. Una queja puede ser presentada a más tardar 180 días después de la fecha de la supuesta discriminación. La ciudad o su designado Coordinador del Título VI procesará las quejas que están completas.

Una vez recibida la queja, la oficina del Manager de la ciudad revisara para determinar si su oficina tiene jurisdicción. El denunciante recibirá una carta de reconocimiento la cual le informa si la queja será investigada por la oficina del director de la Ciudad.

La ciudad tiene 60 días para investigar la denuncia. Si necesita más información para resolver el caso, la oficina del administrador puede comunicarse con el demandante. El denunciante tendrá 10 días hábiles desde la fecha de la carta para enviar la información solicitada al investigador asignado al caso. Si el investigador no es contactado por el querellante o no recibe la información adicional dentro de 10 días hábiles, un representante de la oficina del gerente administrativo puede cerrar el caso. Un caso también puede ser cerrado administrativamente si el demandante ya no desea seguir su caso.

Después de que el caso es investigado emitirá uno de dos letras para el demandante: una carta de cierre o una carta de encontrar (LOF). Una carta de cierre resume las acusaciones y afirma que no hubo una violación del Título VI y que el caso será cerrado. Un LOF resume las denuncias y las entrevistas sobre el presunto incidente y explica si cualquier acción disciplinaria, entrenamiento adicional de la funcionaria u otra acción ocurrirá.

Si el demandante desea apelar la decisión, tiene 10 días hábiles después de la fecha de la LOF para hacerlo. Si necesita información en otro idioma, por favor póngase en contacto con 305-259-1234.

Una persona también puede presentar una queja directamente con: Administración Federal de tránsito dentro de 180 días del presunto incidente. La queja debe ser presentada con la oficina de derechos civiles.



Appendix E Title VI Complaint Form

Note: The Village of Palmetto Bay is committed to complying with Title VI of the Civil Rights Act of 1964 which 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." Two Executive Orders extend Title VI protections to Environmental Justice, which also protects persons of low income, and Limited English Proficiency (LEP).

If you need assistance in completing this form, please contact the Office of the Village Manager.

PLEASE FILL OUT COMPLETELY.

Section I:	
Name: _____	
Address: _____	
Telephone (Home) _____ (Work) _____ (Cell) _____	
Email Address: _____	
Section II:	
Are you filing this complaint on your own behalf? Yes* _____ No _____	
*- If you answered "Yes" to this question, go to Section III.	
If you answered "No" to this question, please supply the name and relationship of the person for whom you are complaining:	
Name: _____ Relationship: _____	
Please explain why you have filed for a third party: _____	
Please confirm that you have obtained the permission of the aggrieved party, if you are filing on behalf of a third party.	Yes _____ No _____
Section III:	
I believe the discrimination experienced was based on (check all that apply):	
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Religion <input type="checkbox"/> Income or Family Based Date of alleged discrimination (month, day, year): _____	



Sistema de Circulación

Titulo VI Formulario de Quejas

Nota: La Ciudad de Palmetto Bay se compromete a cumplir con el Título VI de la Ley de Derechos Civiles del 1964 que declara que “ninguna persona en los Estados Unidos, por motivo de raza, color u origen nacional, será excluida de participar en, ser negada los beneficios de, o ser objeto de discriminación bajo ningún programa o actividad recibiendo asistencia federal.” Dos órdenes ejecutivas extienden protección bajo el Título VI a la justicia ambiental, que también protege a las personas de bajos recursos, y habilidad limitada de inglés.

Si necesita asistencia llenando este formulario, por favor comuníquese con la oficina del Gerente de la Ciudad.
POR FAVOR LLENAR COMPLETAMENTE.

Sección I:	
Nombre: _____	
Dirección: _____	
Teléfonos (Casa) _____ (Trabajo) _____ (Móvil) _____	
Correo Electrónico: _____	
Sección II:	
¿Está llenando esta queja por usted mismo? Si* _____ No _____	
* -Si contesto “Si” a esta pregunta, siga a la Sección III .	
Si contesto “No” a esta pregunta, por favor provea el nombre y la relación de la persona por la cual está llenando esta queja:	
Nombre: _____ Relación: _____	
Por favor explique porque ha llenado este formulario para una tercera persona: _____	
Por favor confirme que usted ha recibido permiso de la persona agraviada, si está llenando esta queja por una tercera persona.	Si _____ No _____
Sección III:	
Creo que la discriminación experimentada fue basada en (marque todo el que aplique): () Raza () Color () Origen Nacional () Sexo () Edad () Debilitación () Religión () Estado Financiero de Familia	
Fecha en que la supuesta discriminación ocurrió (mes, día, año): _____	



Appendix F
Letter Acknowledging Receipt of Complaint

Village Letterhead

Date

Complainant's Name
Complainant's Address

Dear (Mr./Ms.):

This letter is to acknowledge receipt of your complaint against the Village of Palmetto Bay alleging:_____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 305-259-1234, or write to me at this address.

Sincerely,

Attention: Village of Palmetto Bay
Public Service Department
9495 SW 180th Street
Palmetto Bay, Florida 33157



Appendix G
Letter Notifying Complainant that the Complaint is Substantiated

Village Letterhead

Date

Complainant's Name
Complainant's Address

Dear (Mr./Ms.):

The matter referenced in your letter of (date) against the Village of Palmetto Bay alleging Title VI violation has been investigated. The violation of the Title VI of the Civil Rights Act of 1964 mentioned in your letter was identified. Corrective action of this deficiency(s) is being implemented to ensure that this issue does not arise again Thank you for bringing this important matter to our attention.

Sincerely,

Village of Palmetto Bay
Public Service Department
9495 SW 180th Street
Palmetto Bay, Florida 33157



Appendix H
Letter Notifying Complainant that the Complaint is not Substantiated

Village Letterhead

Date

Complainant's Name
Complainant's Address

Dear (Mr./Ms.):

The matter referenced in your complaint of (date) against the Village of Palmetto Bay alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The Village Attorney has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in

our files. You have the right to:

- 1) Appeal within seven calendar days of receipt of this final written decision from the Village;

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Village of Palmetto Bay
Public Service Department
9495 SW 180th Street
Palmetto Bay, Florida 33157



Appendix I
Title VI Investigations, Complaints and Lawsuits



Title VI- Complaint Monitoring

Reference No.	Date Complaint Received	Date of Incident	Summary (describe complaint; race, color, or national origin, sex, age, disability, religion, income or family status)	Status (Ongoing/Closed)	Action(s) Taken	Date of Action

Note: The Village of Palmetto Bay does not have any complaints to disclose at this time. Any future disclosures will be listed under the Title VI Program Plan.



Title VI- Investigation Monitoring

Reference No.	Date Complaint Received	Date of Incident	Summary (describe complaint; race, color, or national origin, sex, age, disability, religion, income or family status)	Status (Ongoing/Closed)	Action(s) Taken	Date of Action

Note: The Village of Palmetto Bay does not have any investigations to disclose at this time. Any future disclosures will be listed under the Title VI Program Plan.



Title VI- Lawsuit Monitoring

Reference No.	Date Complaint Received	Date of Incident	Summary (describe complaint; race, color, or national origin, sex, age, disability, religion, income or family status)	Status (Ongoing/Closed)	Action(s) Taken	Date of Action

Note: The Village of Palmetto Bay does not have any lawsuits to disclose at this time. Any future disclosures will be listed under the Title VI Program Plan.

Appendix J

VILLAGE OF PALMETTO BAY



Language Assistance Plan (LAP)

February 2015

INTRODUCTION

The Village of Palmetto Bay (Village) as a sub-recipient of federal funding is required to ensure that Limited English Proficient (LEP) persons have *meaningful* access to programs and activities by developing and carrying out a language implementation plan pursuant to recommendations in Section VII of the U.S. Department of Transportation (DOT) LEP Guidance.

The starting point for the Language Assistance Plan (LAP) is the four-factor analysis developed by the U.S. Department of Transportation to assist agencies in creating language access plans. The four-factor approach allows the Village to prioritize types of language services and to ensure that appropriate language assistance resources are promptly available where most needed.

DEMOGRAPHIC INFORMATION

The Village determined the extent of its obligation to provide LEP services by employing the recommended four-factor analysis. This assessment includes:

- (1) The number or proportion of LEP persons eligible to be served or likely to encounter the Village's programs and services; and
- (2) The frequency with which LEP individuals come in contact with the Village's programs and services; and
- (3) The importance of Village's programs and services to people's lives; and
- (4) The resources available to the Village and costs associated with providing language services.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to encounter the Village's programs and services

The data from the 2000 U.S. Census Bureau and www.palmettobay-fl.gov on Table 1 & 2 provides information of those speaking a language other than English at home in the Village of Palmetto Bay.

Table 1: Language Spoken at Home in the Village of Palmetto Bay

AMONG PEOPLE LIVING IN THE VILLAGE OF PALMETTO BAY	ESTIMATE	PERCENT
Population	23,801	
English Only	16,399	68.9%
Language other than English	7,402	31.1%

Table 2: Analysis of LEP Population in the Village of Palmetto Bay

SELECTED SOCIAL CHARACTERISTICS IN THE U.S.- SPEAK A LANGUAGE OTHER THAN ENGLISH AT HOME	ESTIMATE	PERCENT
Spanish	6,402	26.9%
Other Languages	1,000	4.20%

With the wide range of languages within the Spanish and Asian category, further analysis was done to determine which language services the Village shall provide. Data from the 2000 Census Survey provides information regarding the race population of the Village, shown in Table 3.

Table 3: Highest Race Population in the Village of Palmetto Bay

RACE	NUMBER	PERCENT
White Non-Hispanic	6,038	61.9%
Black Non-Hispanic	5,319	7.6%
Hispanic	4,562	26.9%
Some other Race	1,564	4.2%

The 2000 Census Survey Data shows that Hispanic has the largest non-English speaking population living in the Village. With Spanish as the primary language spoken, staff has determined that Spanish is an eligible LEP language group.

Factor 2: The frequency with which LEP individuals come in contact with Village services

Staff will survey the frequency LEP individuals use Village services at the front desk of Village Hall, parks and Recreation, Permitting, Planning and Zoning and Public Works. The results of the survey will then be used to assess the Village’s language assistance needs.

Factor 3: The importance of the Village of palmetto Bay services to people's lives

Accessing the Village’s emergency, planning, permitting and recreational services are very important to the residents, and staff will strive to provide language assistance when needed.

Factor 4: The resources available to the Village of Palmetto Bay and costs associated with providing language services

Adequate resources are critical for a successful LAP program. At this time, the costs associated with delivery of service to LEP individuals are not known. Self-assessment of costs will help to identify resources spent and needed for the LAP program. Reduction of costs for language services shall be pursued through use of technology, sharing of materials and services, use of bilingual staff resources, efficient procurement of contract services, and community participation.

Language Assistance Services

The Village's administrative and field staff has several bilingual employees who speak English and Spanish. Staff with bilingual capabilities will be available to LEP individuals if needed. An employee survey will be conducted to determine what other languages, other than English are understood and spoken. This information will be documented and analyzed to enhance the effectiveness of the LAP.

Notification to LEP Individuals

The public must be informed of their rights under Title VI. This will be done by:

- Notification displayed at Village of Palmetto Bay front desk of Village Hall, parks and Recreation, Permitting, Planning and Zoning and Public Works;
- Notification will be posted on the Village's website (www.palmettobay-fl.gov); and
- Notification will be posted on all Village issued publications

Public Participation and Outreach

The Village of Palmetto Bay employs a number of methods to inform the public of Village programs and services, including but not limited to the following:

- Press releases;
- Ads and public notices in E-Current;
- Community meetings/workshops
- Information posted on the Village of Palmetto Bay website (www.palmettobay-fl.gov);
- Facebook; and
- Information posted on local public access television station (WBAY TV Channel 77)

Staff Training

The Village of Palmetto Bay works to educate its staff with the knowledge of and sensitivity to the needs of LEP residents. Staff will be trained on procedures for accommodating LEP populations. Some of the items covered include information about LEP guidance from the U.S. DOT.

Training Materials

Training materials will be developed for staff that interacts with LEP populations. The materials will include instruction on how to respond to face to face interactions, phone inquiries and written communications from LEP persons. Training materials will include instruction on how to arrange for translation services should they be required.

Monitoring and Updating of the LAP

The Village will monitor requests for translations and adjust practices to meet demand while maintaining a basic level of access by LEP populations to vital information. Staff will be using Language Identification Cards to help identify what languages people they interact with use. These cards will be issued at all the public counters in order to collect more data on the languages spoken by Palmetto Bay residents. These cards are collected, and the data tabulated to be included in future LEP plan updates.

Contact Information

Any comments or questions related to this plan should be directed to the designated Title VI representative, Mr. Dionisio Torres, Public Service Department: 9495 SW 180th Street, Palmetto Bay, Florida 33157 or to the Office of the Village Manager, 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157.

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RESOLUTION NO. 2015-31

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, APPROVING A TITLE VI PROGRAM POLICY FOR THE PURPOSE OF ENSURING COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT PURSUANT TO THE CIVIL RIGHTS ACT OF 1964 AND THE CIVIL RIGHTS RESTORATION ACT OF 1987; APPROVING THE ASSOCIATED LIMITED ENGLISH PROFICIENCY PLAN; AND FURTHER AUTHORIZING THE VILLAGE MANAGER TO SUBMIT THE POLICY DOCUMENTS TO MIAMI-DADE TRANSIT AUTHORITY FOR INCLUSION IN THEIR TITLE VI PROGRAM ON BEHALF OF THE VILLAGE OF PALMETTO BAY; AND PROVIDING FOR AN EFFECTIVE DATE. (Administration)

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WHEREAS, the Village of Palmetto Bay is a sub-recipient of Federal Transportation Administration funding through Miami-Dade Transit Authority (MDTA); and

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WHEREAS, Title VI documents are required to be in compliance with the Civil Rights Act of 1964; and

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WHEREAS, staff created a Title VI Program Policy in accordance with Circular C 4702.1B ensuring protection of people from discrimination based on race, color or national origin in programs or activities that receive federal financial assistance; and

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WHEREAS, the draft documents were reviewed by MDTA for completeness and found to be complete and ready for submittal; and

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WHEREAS, the Program documents must be approved by the Village Council of the sub-recipient and submitted to the MDTA for inclusion in their Title VI Program;

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NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

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Section 1: The Village Council hereby accepts the Title VI Program and authorizes the Village Manager to submit the Program documents to Miami-Dade County Transit Authority for inclusion in their Title VI Program.

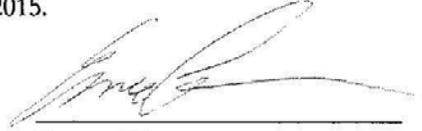
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Section 2: This resolution shall take effect immediately upon approval.

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PASSED and **ADOPTED** this 2nd day of March 2015.

Attest: 
Meighan J. Alexander
Village Clerk


Eugene Flinn
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:


Dexter W. Lehtinen
Village Attorney

FINAL VOICE AT ADOPTION:

- Council Member Karyn Cunningham YES
- Council Member Tim Schaffer YES
- Council Member Larissa Siegel Lara YES
- Vice-Mayor John DuBois YES
- Mayor Eugene Flinn YES