



City of Sunny Isles Beach Title VI/Nondiscrimination Policy and Plan (Local Agency Participation)

I. Background

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).

It is the policy of the City of Sunny Isles Beach, under Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Section 324 of the Federal-Aid Highway Act of 1973; Civil Rights Restoration Act of 1987; and related statutes and regulations, that no person shall on the basis of race, color, national origin, sex, age, disability, religion, family status, ancestry, marital status, gender identity, gender expression, sexual orientation, pregnancy, handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any federally or non-federally funded program or activity administered by the City or its sub-recipients.

The City of Sunny Isles Beach is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services including transit, on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

II. Policy Statement

The City of Sunny Isles Beach values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City believes that the best programs and services result from careful consideration of all of its communities and when those communities are involved in the transportation decision-making process. Thus, the City does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), and other federal and state authorities, the 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, family status, ancestry, marital status, gender identity, gender expression, sexual orientation, pregnancy, handicap, or income status. The City also welcomes and actively seeks input from all interested parties.

III. Nondiscrimination Assurances

Every three years, or commensurate with a change in executive leadership, the City must certify to Federal Highway Administration (FHWA) and Florida Department of Transportation (FDOT) that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed 'assurances' and serve two important purposes. First, they document the City's commitment to nondiscrimination and equitable service its community. Second, they serve as a legally enforceable agreement by which the City may be held liable for breach. Those wishing to view the City's Nondiscrimination Assurance may do so by visiting the City's website or the City Attorney's Office at the Government Center.

IV. Complaint Procedures

The City has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, age, disability, religion, family status, ancestry, marital status, gender identity, gender expression, sexual orientation, pregnancy, handicap, or income status, in any City program, service or activity may file a complaint with the City's Title VI Coordinator:

Stan Morris
Deputy City Manager, ADA Coordinator
18070 Collins Avenue
Sunny Isles Beach, FL 33160
smorris@sibfl.net
Phone Number: 305-792-1807
Hearing Impaired: 305-792-1589

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, age, disability, religion, family status, ancestry, marital status, gender identity, gender expression, sexual orientation, pregnancy, handicap, or income status) and a description of the alleged discrimination with the date of the occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI Coordinator for assistance.

All complaints shall be filed within 180 calendar days from the date of the alleged discrimination. The Title VI Coordinator will meet with the complainant within fifteen (15) calendar days after receipt of the complaint (or as is reasonably possible due to sufficient contact information provided by complainant and as complainant so desires to meet with the Title VI Coordinator), will respond to the complaint in writing within thirty (30) calendar days and will take reasonable steps to resolve the matter. The complainant may appeal the written response if it does not satisfactorily resolve the issue. Appeals must be submitted in writing, within fifteen (15) calendar days after receipt of written response from the City. Should the City be unable to satisfactorily resolve the complaint, the City will forward the complaint, along with a record of its disposition to the appropriate Florida Department of Transportation (FDOT) District Office.

The Title VI Coordinator has instantaneous access to the City's Chief Executive Officer (the City Manager) and is not required to obtain management or other approval to discuss discrimination issues with the City Manager. However, should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to FDOT. FDOT serves as a statewide clearinghouse for Title VI purposes and will either assume jurisdiction over the complaint or forward it to the appropriate federal or state authority for continued processing:

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

V. ADA/504 Posted Statement

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented in the City's transportation programs, activities and services.

The City will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City will also make every effort to ensure that its advisory committees, public involvement activities

and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that request be made at least 14 calendar days prior to the need for accommodation.

Questions, concerns, comments, or requests for accommodation should be made to the City's ADA Coordinator:

Stan Morris
Deputy City Manager, ADA Coordinator
18070 Collins Avenue
Sunny Isles Beach, FL 33160
smorris@sibfl.net
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Hearing Impaired: 305-792-1589

VI. Retaliation

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the City that persons filing a grievance of discrimination should have the right to do so without interference, intimidation, coercion or fear of reprisal. Anyone who feels they have been subjected to retaliation should report such incident to the Title VI Coordinator.

VII. Information Notices

A link to the City's Title VI information is displayed on the homepage of the City's website, www.sibfl.net, including the Title VI Coordinator's contact information (as listed above). Title VI notices are also prominently and publicly displayed at City Hall. Additional information relating to the City's nondiscrimination obligation is in this document and can be obtained from the Title VI Coordinator.

VIII. Record Keeping

The Title VI Coordinator will ensure the maintenance of permanent records, which include, but are not limited to copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI Investigations. A copy of the Complaint Monitoring Log is attached as Appendix B.

IX. Limited English Proficiency (LEP) Guidance

Title VI of the Civil Rights Acts of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal-aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services or activities;
- The frequency with which LEP individuals come in contact with these programs, services or activities;
- The nature and importance of the program, service or activity to people's lives and;
- The resources available to the City and the likely costs of the LEP services.

Four Factor Analysis

Using census data, the City has determined that LEP individuals speaking English less than well represent approximately 33.8% of the community. The City realizes that such statistical data can become outdated or inaccurate. Therefore, the City contacted local law enforcement to validate the proportion of LEP served by those entities. Spanish was reported to be the prevalent LEP language with an estimate of 25% eligible to be served.

1. The City has received requests for translation or interpretation of its programs, services or activities into Spanish and Russian. In addition, City sponsored community outreach or public events are attended by LEP individuals. Thus, the City estimates its contact with LEP individuals to be high.
2. The City believes that transportation is of critical importance to its public, as access to healthcare, emergency services, employment and other essentials

would be difficult or impossible without reliable transportation systems. In that spirit, the City defines as essential any document that advises the public of how to access nondiscrimination and public involvement policies, as well as those that impact public safety, health and welfare and emergency services. A full list of translated documents is available on the City's website or by contacting the City Title VI Coordinator.

3. The City is fortunate to house within/near its jurisdiction one or more institutions of higher education which have extensive language resources. Additionally, the City employs a number of proficient Spanish and Russian speakers that are able to interpret and/or provide translation services.
4. The City is fortunate to house within/near its jurisdiction or more institutions of higher education like Florida International University Biscayne Bay Campus which have extensive language resources. Further, the City maintains cordial relationships with faith based and/ or community organizations that offer competent language services at low or no cost. Finally, the City employs a number of proficient Spanish and Russian speakers that are able to interpret and or provide translation services.

The analysis of these factors suggests that LEP services are required at this time. At a minimum, the City commits to:

- Maintain a list of employees who competently speak the LEP language(s) and who are willing to provide translation and/or interpretation services.
- Distribute this list to staff that regularly has contact with the public.
- Provide public notification in the LEP language of the availability of language assistance, free of charge.

The City understands that its community characteristics change and that the four-factor analysis may reveal the need for more or varied LEP services in the future. As such, it will at least triennially examine its LEP plan to ensure that it remains reflective of the community's needs. Persons requiring special language services should contact the Agency's Title VI Coordinator.

X. Transit Amenities

All Sunny Isles Beach Community Shuttles are equipped with the following:

- Air conditioned interior
- Front-facing seats
- Wheelchair accessible seating and ramps
- Non-skid surfaces at entrance and exit areas
- 1 of the shuttles is equipped with a bicycle rack

- Safety & security cameras (on each shuttle and also strategically placed throughout the City)
- Amenities such as benches and stop shelters are also provided throughout the City

XI. Public Participation Element

To plan for efficient, effective safe, equitable and reliable transportation systems, SIB must have input of its public. The Agency spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The agency hosts an informative website that advises the public on how it can access information and provide input. The City also holds public meetings, workshops and other events designed to gather public input on program/project planning and construction. Further, the City sponsors, attends and participates in other community events to promote its services to the public. The City is constantly seeking ways of measuring the effectiveness of its public involvement. Persons wishing to request special presentations by the City, volunteer in any of its activities, offer suggestions for improvements or to simply learn more about City programs and services should visit: www.sibfl.net. Furthermore, as an agency receiving federal financial assistance, the City has made the following community outreach efforts to encompass all programs, services or activities:

- Public notices in local and county-wide newspapers
- A link to the City's Title VI Program information is available on the homepage of the City's website (www.sibfl.net)
- The City and its records are available to the public and the City welcomes input.
- Website posting with service information and a shuttle route map (http://www.sibfl.net/main_transportation/) (a copy of the route map is attached as Appendix C)
- The City has published information about all its programs and services, including a pamphlet for the shuttle service that contains service information and a map of the shuttle route. This publication is made available at City Hall, the Visitor's Center, Pelican Community Center, and all hotels throughout the City (a copy of the pamphlet is attached as Appendix C)
- Public meetings have been held to obtain community feedback; information received was used to improve shuttle and other services.
- A survey was issued to obtain community feedback; information received was used to improve the shuttle service (a copy of the survey is attached as Appendix D). Additionally, all complaints and feedback regarding any City services and programs are recorded and used for future improvement.

- All publications, including those relating to the shuttle service have a phone number listed that people can call with any questions or concerns. Staff receiving the calls are instructed that all Title VI related issues are to be directed to the Title VI Coordinator.
- Every August, the City hosts an annual “Back to School Picnic,” open to the public, at which information regarding the shuttle service and other community services is disseminated.
- The City has information boards at the Government Center and Pelican Community Park, and will be installing information boards in each of the community shuttles that provide information and announcements to passengers, including information about the City’s Title VI Program.

XII. Decision Making Bodies

The City of Sunny Isles Beach does not have any transit related non-elected planning boards or advisory committees or planning boards. If any such entities are established in the future, this plan will be amended to depict minority representation on such committees and to describe the efforts made to encourage participation on the committee that reflects the make-up of the population.

XIII. Data Collection

FHWA regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by programs, services and activities, including transportation. The City accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its community development department and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in City programs, services or activities. This information assists the City with improving service equity and ensuring effective outreach. Self-identification of personal data to the City will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.