

RESOLUTION NO. 1270

A RESOLUTION ADOPTING A TITLE VI PLAN FOR THE CITY OF PRINEVILLE

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

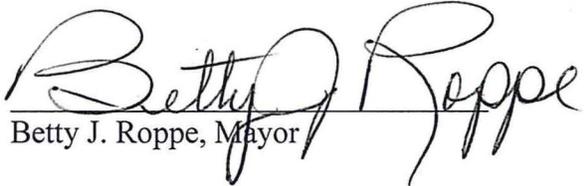
WHEREAS, any entity receiving federal dollars, either directly from the Federal Transit Administration or through the Oregon Department of Transportation Public Transit Division must not discriminate based on race, color, or national origin; and

WHEREAS, since the City is receiving federal grant funding from the Oregon Department of Transportation Public Transit Division, it is required to have a Title VI Plan to implement Federal Title VI non-discrimination requirements.

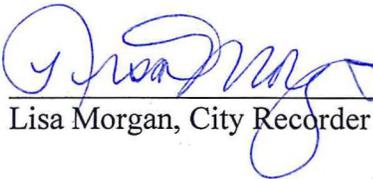
NOW, THEREFORE, the City of Prineville resolves that:

1. The City of Prineville Title VI Plan dated August 11, 2015, and attached hereto as Exhibit A and by this reference incorporated herein, is adopted by the Prineville City Council.
2. This Resolution is effective immediately.

Dated: August 25th, 2015


Betty J. Roppe, Mayor

ATTEST:


Lisa Morgan, City Recorder

Date: August 11, 2015



CITY OF PRINEVILLE

Title VI Plan

Adopted August 25th, 2015

Table of Contents

INTRODUCTION.....	3
TITLE VI COMPLAINT PROCEDURES.....	3
TITLE VI COMPLAINT FORM.....	5
RECORD OF TITLE VI OR OTHER CIVIL RIGHTS INVESTIGATION, COMPLAINTS OR LAWSUITS.....	7
COUNCIL COMPOSITON.....	7
LIMITED ENGLISH PROFICIENCY (LEP) PLAN.....	8
ANALYSIS OF FACTORS.....	8
IMPLEMENTATION PLAN.....	9
NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI.....	9
ANALYSIS OF CONSTRUCTION PROJECTS.....	9
INCLUSIVE PUBLIC PARTICIPATION.....	10
NOTIFICATION OF COMPLIANCE WITH TITLE VI.....	10

INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving Federal financial assistance.

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

TITLE VI COMPLAINT PROCEDURES

In order to comply with 49 CFR Section 21.9(b), the City of Prineville has developed procedures for investigating and tracking Title VI complaints filed against them. These procedures are available to members of the public upon request. Complainants, or their representative, may file a written complaint with the City Manager at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act.

If you believe you have been subjected to discrimination under Title VI, you may file a complaint.

How to file a Title VI Complaint

You may file a signed, written complaint up to one hundred and eighty (180) days from the date of alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- Name, address, phone number and relationship of Representative to Complainant, if applicable
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

A form is available at <http://www.cityofprineville.com/doc/index.php?lib=17>, which may be completed for this purpose. (Attachment A)

The complaint may also be filed in writing with the City of Prineville at the following address:

City of Prineville
City Recorder
387 NE Third Street
Prineville, OR 97759
By phone: 541-447-5627
By fax: 541-447-5628

NOTE: The City of Prineville encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the City Recorder as soon as possible, but no later than 180 days from the alleged date of discrimination.

What happens to your complaint after it is submitted to the City of Prineville?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the City will be directly addressed. The City Manager, or designee, will investigate the complaint and make a determination. Formal investigation of the complaint will be confidential and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Customer will be notified of resolution.

The City of Prineville shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the City shall make every effort to address all complaints in an expeditious and thorough manner.

In instances where additional information is needed for investigation of the complaint, the City Manager, or designee, will contact the complainant in writing. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information within seven (7) calendar days may result in the administrative closure of the complaint.

How will you be notified of the outcome of your complaint?

The City will send a final written response to the complainant which will be either a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states there was not a Title VI violation and 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 staff, or other action will occur. An appeal of the closure letter or IOF must be made within seven (7) calendar days of the notification.

A complaint may also be filed directly with the Federal Transit Administration at:

Federal Transit Administration Office of Civil Rights
1200 New Jersey Ave., SE
Washington, DC 20590
www.fta.dot.gov/contract_us.html
TTY: 1-800-877-8339
Voice: 1-866-377-8642
VCO: 1-877-877-6280

TITLE VI COMPLAINT FORM

Section I:

Name:

Address:

Telephone (Home):

Telephone (Work):

Electronic Mail Address:

Accessible Format Requirements?

Large
Print

Audio Tape

TDD

Other

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", please supply the name and relationship of the person for whom you are complaining:

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 I experienced was based on (check all that apply):

Race

Color

National Origin

Date of Alleged Discrimination (Month, Day, Year):

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Recording Title VI Investigations, Complaints and Lawsuits

In order to comply with 49 CFR Section 21.9(b), the City of Prineville prepares and maintains a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the City of Prineville that allege discrimination on the basis of race, color, or national origin. This list includes the date of the investigation, lawsuit, or complaint was 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 Recorder maintains these files until closed. The City Recorder will also maintain a log of all complaints received. Records will be stored according to state and federal record retention requirements. Tracked information will be reported to the Oregon Department of Transportation as the grantor of the funds.

Additional Information upon Request

At the discretion of FTA, additional information may be requested, in writing, from the City in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements.

**RECORD OF TITLE VI OR OTHER CIVIL RIGHTS INVESTIGATION,
COMPLAINTS OR LAWSUITS**

To date, there have been no Title VI investigations, complaints or lawsuits.

COUNCIL COMPOSTION

The City of Prineville is overseen by an elected City Council. The table below depicts Council membership as of July 2015.

	Caucasian	Hispanic or Latino (of any race)	Black or African American	Asian	Native Hawaiian	American Indian or Alaskan Native	Two or more races	Other
Crook County 2010 Census)	18,758	1,463	30	96	11	273	335	12
Prineville City Council	7	0	0	0	0	0	0	0

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

The City of Prineville is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area.

The United States is home to millions of national origin minority individuals with Limited English Proficiency (LEP). That is, their primary language is not English and they cannot speak, read, write or understand the English language at a level that permits them to interact effectively with recipients of Federal financial assistance.

Because of language differences and the inability to effectively speak or understand English, persons with LEP may be subject to exclusion from programs or activities, experience delays or denials of services. These individuals may be entitled to language assistance with respect to a particular type of service. The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide. This will require agencies to establish solutions to address the needs of this growing population of individuals, for whom English is not their primary language.

ANALYSIS OF FACTORS

Factor No. 1: The number or proportion of LEP persons in the service area.

The City of Prineville is largely English speaking. The vast majority of the population with which we interact is proficient in English. According to the 2013 American Community Survey, 85% of Oregon's population age five and up speaks English only, while 9% have Spanish as the language spoken at home.

Factor No. 2. The frequency with which LEP individuals come into contact with the service.

Contacts with the City of Prineville are made at City Hall, cityhall@cityofprineville.com and through our website, www.cityofprineville.com. We have had no contacts that require services for translation services. The City would provide translation services and would partner with Crook County School District or Crook County when necessary. The City of Prineville website has a link to choose the language to translate all documents posted on the city website.

Factor No. 3: The nature and importance of service provided by the City of Prineville.

The City of Prineville provides important mobility management and transportation coordination services to the public through Cascades East Transit and a contract with Central Oregon Intergovernmental Council which runs the program.

Factor No. 4. The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons. The City would partner with Crook County or Crook County School District to provide translation services as necessary.

The City's current in-house language capabilities are English. The City has not encountered a need to have language services in other languages.

IMPLEMENTATION PLAN

The City of Prineville will review its implementation plan annually, including any contacts with LEP persons, to determine the frequency of contacts, the language used, and how the contacts were handled.

The City of Prineville identifies LEP persons in the service area through telephone and personal contact. The City would provide translation services and would partner with Crook County School District or Crook County when necessary. Bus schedules for Cascades East Transit are available at www.cascadeseasttransit.com. The CET homepage contains Title VI language.

City employees will ensure that there are no barriers to service or accommodation that would prevent usage or access to city services. Employees will notify the City Manager in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

NOTIFYING BENEFICIARIES OF THEIR RIGHTS UNDER TITLE VI

Our website includes our Title VI Compliance Statement and Complaint Form. The City's Title VI Compliance Statement and complaint form are also posted at City Hall (located at 387 NE Third Street, Prineville, OR). Individuals who believe they have been discriminated against may request a complaint form from the City Recorder.

ANALYSIS OF CONSTRUCTION PROJECTS

Over the last three years the City of Prineville has not completed a construction project

INCLUSIVE PUBLIC PARTICIPATION

requiring an environmental assessment (EA) or environmental impact statement (EIS).

Community Outreach is a requirement of Title VI. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected population, the public involvement process, and

the resources of the City. The City of Prineville engages the public in its planning and decision-making processes. The City also follows public notification regulations as required by any federal funds received.

NOTIFICATION OF COMPLIANCE WITH TITLE VI

In order to comply with 49 CFR Section 21.9 (d) the City of Prineville has posted information for the public regarding the Title VI obligations and protections against discrimination afforded to the public by Title VI on the City of Prineville's website. The City of Prineville has also posted the following notice of compliance with Title VI, which is visible to the public at City Hall and directs the public to the City website and to the appropriate phone number to inquire for more information. This information is also available upon request.



Notification of Compliance with Title VI

The City of Prineville operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Prineville.

Information on the City of Prineville civil rights program, and the obligations and procedures to file a complaint, can be found on the City of Prineville website at <http://www.cityofprineville.com/doc/index.php?lib=17>. This information is also available upon request, please inquire at City Hall or contact the Lisa Morgan, City Recorder at (541) 447-5627.

A complainant may also file a complaint directly with the Federal Transit Administration: Office of Civil Rights, Attn: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590. <http://www.fta.dot.gov/contact.us.html>

Si necesita información en otro idioma de contacto 541-447-5627
別の言語で情報が必要な場合に連絡 541-447-5627