CITY OF SCOTTSDALE

Scottsdale, Arizona

Title VI
NON-DISCRIMINATION
Implementation Plan

RELATING TO FEDERAL HIGHWAY ADMINISTRATION (FHWA) FUNDS
AUGUST 1, 2019

Submitted to:
Arizona Department of Transportation
Title VI Nondiscrimination Program Coordinator

SUBRECIPIENT INFORMATION

Subrecipient:	City of Scottsdale Population 246,645 (2016 estimate)
Contact Information:	Sharon Cini Diversity and Inclusion Program Manager - Title VI Coordinator 7506 E. Indian School Rd. Scottsdale, AZ 85251 Phone: 480.312.2727 Email: scini@scottsdaleaz.gov
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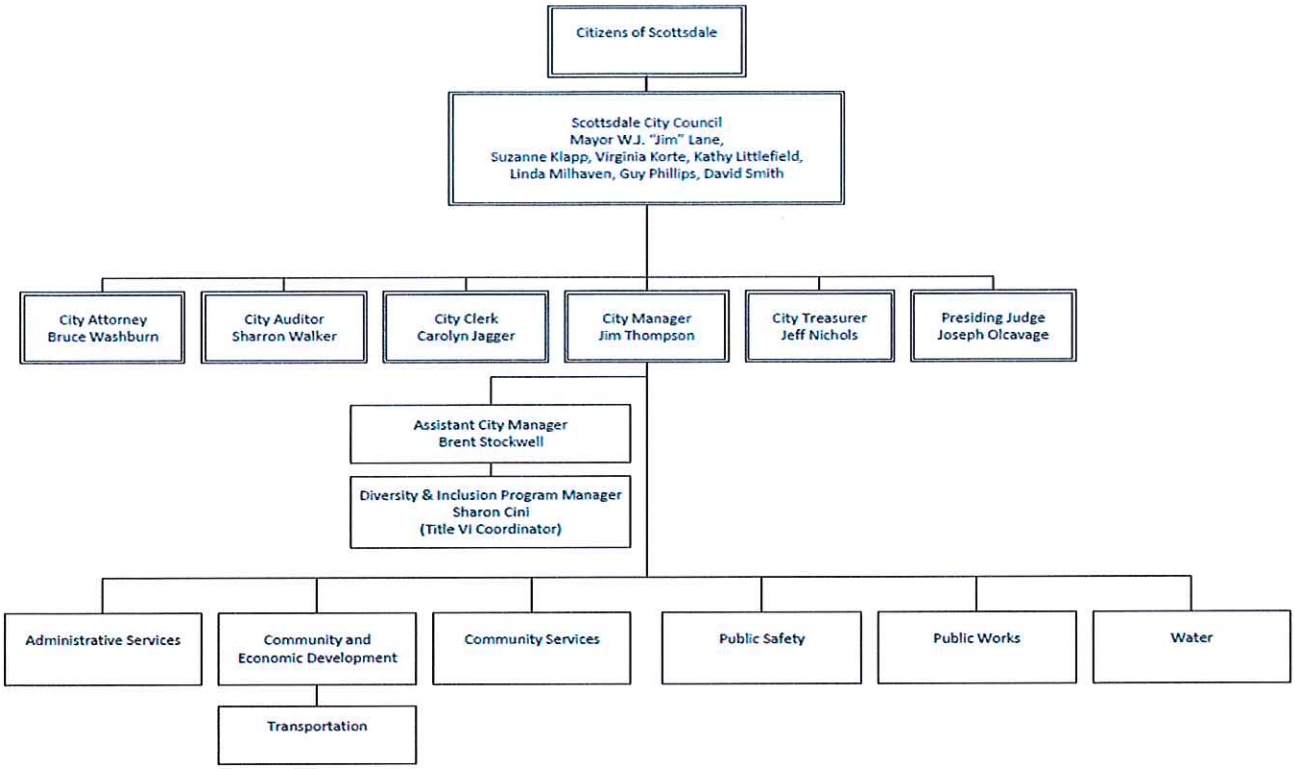
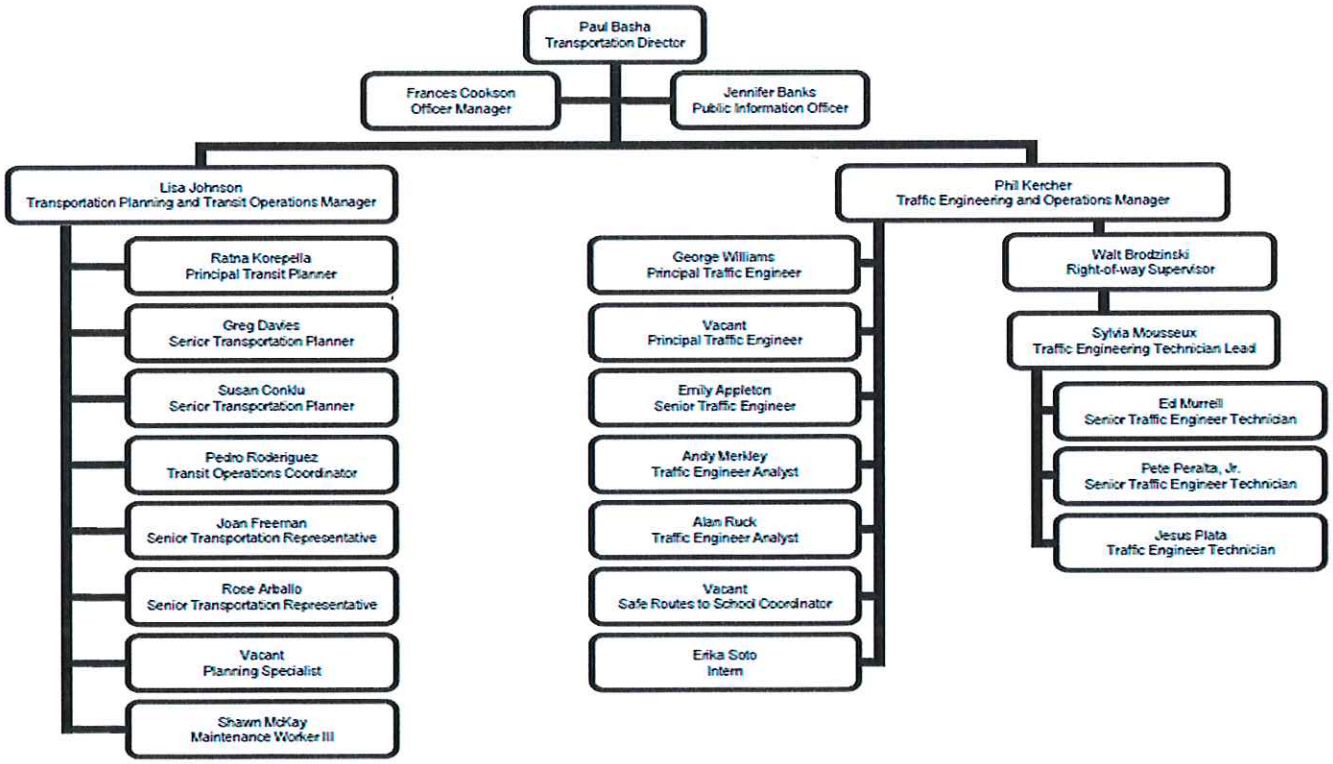
Table of Contents

Organization Chart 4
Policy Statement and Notification 5
Standard Title VI Assurance 6
Authorities 15
Administration 16
Program Area Review Procedures/Special Emphasis Areas 18
Inclusive Public Participation and Community Outreach 21
Environmental Justice Planning 21
Limited English Proficiency and Dissemination of Title VI information 22
Notice to the Public and Public Meetings 29
Compliant Procedures/Filing a Complaint 31
Appendix 1 Title VI Notice to the Public 33
Appendix 2 Title VI Complaint Form 34
Appendix 3 Title VI Complaint Log 37

City of Scottsdale Organization Chart



City of Scottsdale Transportation Division Organization Chart



Policy Statement and Notification

It is declared to be the policy for the people of Scottsdale, Arizona, that no person is discriminated against on the grounds of color, race, or national origin as provided by Title VI of the Civil Rights Act of 1964 and related legislation. Specifically, Title VI provides that, "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." Additional protections are provided in the Scottsdale City Code for religion, sex, disability, age, sexual orientation, and gender identity for City employment. The City of Scottsdale strives to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. As a subrecipient of federal funding, the City of Scottsdale is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities pursuant to 28 Code of Federal Regulations (CFR) § 42.401 et seq. and 28 CFR § 50.3 and the U.S. Department of Transportation Title VI implementing regulations at 49 CFR part 21 and Ord. No. O2014.10, 2-27-14.

7/30/2019

JIM THOMPSON, CITY MANAGER **DATE**

Notification
Notice to the public, of protections afforded by Title VI has been posted on the City of Scottsdale's website. (See Appendix 1 of the Title VI Plan)

City of Scottsdale Title VI Assurances

The **City of Scottsdale** (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through *Federal Highway Administration and Arizona Department of Transportation*, it is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation--Effectuation Of Title VI Of The Civil Rights Act Of 1964);*
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda and/or guidance, the Recipient hereby gives assurances that it will promptly take any measures necessary to ensure that:

"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 otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its *Federal Aid Highway Program.*

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "an "activity")

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all *Federal Aid Highway Programs* and, in adapted form, in all proposals for negotiated agreements regardless of finding source:

> *"The City of Scottsdale, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252.42 U.S.C. §§ 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to a construct a facility or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transference for the longer of the following periods:

a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants in Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

11. Contract Administrator is responsible for providing oversight for the Title VI program as it pertains to this contract.

By signing this ASSURANCE, *City of Scottsdale* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing *Federal Highway Administration or Arizona Department of Transportation* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the *Federal Highway Administration or Arizona Department of Transportation.* You must keep records, reports, and submit the material for review upon request to *Federal Highway Administration, Arizona Department of Transportation,* or its designee in timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

City of Scottsdale gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal Highway Administration and Arizona Department of Transportation.* This ASSURANCE is binding on the City of Scottsdale, other recipients, sub-recipients, sub- grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the *Federal Aid Highway Program.* The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

City of Scottsdale
Jim Thompson, City Manager

by _____ Date 7/30/2019
(Signature of Authorized Official)

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, *Federal Highway Administration or the Arizona Department of Transportation,* as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to the work performance by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient, the *Federal Highway Administration or Arizona Department of Transportation* to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient, the *Federal Highway Administration, or Arizona Department of Transportation,* as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the *Federal Highway Administration or Arizona Department of Transportation*, may determine to be appropriate, including, but not limited to:

   a. withholding payments to the contractor under the contract until the contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with request to any subcontract or procurement as the Recipient, the *Federal Highway Administration, or Arizona Department of Transportation* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B
CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that ***City of Scottsdale*** will accept title to the lands and maintain the project constructed thereon in accordance with *Title 23*, United States Code the Regulations for the Administration of *Federal Aid for Highways*, and the policies and procedures prescribed by the *Arizona Department of Transportation, Federal Highway Administration and* the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252;42 42 U.S.C. § 2000d to 2000d- 4), does hereby remise, release, quitclaim and convey unto the ***City of Scottsdale*** all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto ***City of Scottsdale*** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the ***City of Scottsdale,*** its successors and assigns.

The ***City of Scottsdale*** ,in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [.] [and]* (2) that the ***City of Scottsdale*** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the ***City of Scottsdale*** pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities,

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non- discrimination covenants, ***City of Scottsdale*** will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non- discrimination covenants, ***City of Scottsdale*** will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the ***City of Scottsdale*** and its assigns*.

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

C

APPENDIX D
CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by ***City of Scottsdale*** pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non- discrimination covenants, ***City of Scottsdale*** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, ***City of Scottsdale*** will there upon revert to and vest in and become the absolute property of ***City of Scottsdale*** and its assigns.*

Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non- discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.,* 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin): and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42

U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);

- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons

have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1687 et seq).

Authorities

Title VI of the Civil Rights Act of 1964– 42 U.S.C. 2000d.

Federal-aid Highway Act of 1973 – amended Title VI to prohibit discrimination on basis of sex

Rehabilitation Act of 1973, Section 504 – prohibits discrimination on basis of handicap/disability

Age Discrimination Act of 1975 – prohibits discrimination on the basis of age

Civil Rights Restoration Act of 1987 – 100 P. L. 259

Americans with Disabilities Act of 1990

Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority and Low-Income Populations

Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency

49 CFR Part 21 – Nondiscrimination in Federally-assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

DOT Order 1050.2 – Standard Title VI Assurances

Administration

Title VI Oversight coordinator Responsibilities

City of Scottsdale's Diversity and Inclusion Program Manager and Title VI Oversight coordinator, Sharon Cini is responsible for ensuring the implementation of the Title VI Plan and reports to the City Manager's office. She has direct access to the City Manager, Jim Thompson and two both Assistant City Managers, Brent Stockwell and Bill Murphy. City of Scottsdale's Title VI Oversight coordinator is responsible for implementing, monitoring, and ensuring the City's compliance with the Title VI regulations.

Within the Transit/Transportation department, Principal Transit Planner, Ratna Korepella is the interim Title VI coordinator. Within the Transportation Department, she will be responsible for implementing, monitoring, ensuring compliance in program as well as handles proper investigations of any Title VI FHWA complaints.

City Engineer, Dave Lipinski is responsible for Title VI coordination within the Capital Projects Department.

The City of Scottsdale's Title VI Oversight coordinator delegates responsibilities for Title VI compliance for the design and construction of capital improvement projects to the Capital Project Management Department (CPM). CPM staff act as Contract Administrators and shall be responsible for:

- Ensuring all City contract documents contain the appropriate Title VI provisions.
- Reporting when Title VI complaints are received, or issues arise.
- Ensure that all people are treated equitably regardless of race, color, national origin, disability, gender, age, income status or limited English proficiency.
- Define internal policies and procedures as part of a continuous process improvements to ensure Title VI compliance during all phases of projects, activities, etc.
- Ensure all business pertaining to the selection, negotiation and administration of consultant contracts and agreements is accomplished without discrimination based on race, color, national origin, disability, gender, age, income status or limited English proficiency.
- Ensure internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference.
- Provide information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons.
- Utilize a check list to ensure the Appendices A & E.

Title VI Information Dissemination

Title VI information posters, including the name of the Title VI Oversight coordinator and contact information, will be prominently and publicly displayed. Additional information

relating to nondiscrimination obligations can be obtained from the city's Title VI coordinator.

During monthly New Employee Orientation, new employees will be informed of the provisions of Title VI, and the city's expectations for them to perform their duties accordingly. Title VI information will also be disseminated to city employees at least once per year via the City Manager's Update to remind employees of the city's policy statement, and of their Title VI responsibilities in their daily work and duties.

Contracts and Vendors

Title VI Program information will be disseminated to contractors and beneficiaries through inclusion of Title VI language in contracts. All contractors, subcontractors, and vendors who receive payments from the City of Scottsdale related to a program or activity for which the City receives federal financial 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 an associated component of the contract.

The Contract Administrator is responsible for providing oversight for the Title VI Program as it pertains to contracts with the city.

Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, copies of Title VI complaints and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

Title VI Complaints

If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the City. Complaints may be filed with the Title VI coordinator. Every effort will be made to resolve complaints informally at the lowest level. ADOT will also be notified of any complaints received.

Data Collection

Statistical data on race, sex, national origin, and English language ability of participants in and beneficiaries of city programs impacted citizens and affected communities. This data will be gathered by city staff and maintained by the city in accordance with the city's record keeping policy and procedures. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Annual Report

An annual report will be required to be complied each year. The Title VI Oversight

coordinator will be responsible for this report and it will be submitted to Arizona Department of Transportation (ADOT) by August 1. This report will review the Title VI accomplishments during the year and goals for the next year.

Title VI Plan Updates

The Title VI Plan will be updated every three years and will be submitted by August 1 to ADOT. If significant changes are made, a copy of Title VI Plan will be submitted to the ADOT Civil Rights Office as soon as the update has been completed, or as soon as practicable.

Program Area Review Procedures/Special Emphasis Areas

The review team will include the division Title VI Civil Rights coordinator and the Title VI Oversight coordinator as well as other pertinent members of team when necessary. The Transportation Department is responsible for submitting relatable Title IV information for reporting each quarter. Capital Projects Management (CPM) is responsible for internal contract compliance reviews on each federal project in accordance with our CA agreement. CPM coordinates independent project reviews in accordance with section 3.14 Audit and Oversight procedures as submitted to ADOT as part of Certification Acceptance.

Methodology for reviewing program areas take each of the areas into consideration and allow for accurate data collection to be used as part of the review. For example, Capital Projects Manager includes specific Title VI objectives as part of his checklist when an FHWA project is identified and funding is approved for implementation.

Areas that will be included in the review for each FHWA project:

1. Limited English Populations review
2. Special Emphasis Program Areas review
3. Complaint log review
4. Sub-recipient review procedures
5. Data collection and analysis

LEP reviews will include project areas that include Limited English Populations and identify discriminatory trends and patterns.

Special emphasis project area reviews will include an assessment of any previous recorded compliant of discrimination. This is to determine any trends we need to take notice of and prevent future complaints.

Complaint log reviews will include the Title VI Civil Rights complaint log to confirm how the complaint was received (online, in person, phone call, email.) as well as review whether the complaint was addressed within the timeframe indicated. If not, the city will document as to why they did not address it within the 180-day timeframe. The city will

also review its jurisdiction and confirm that the City of Scottsdale reviewed and addressed our specific responsibility or coordinated with other cities, if necessary. If outside of our jurisdiction, we will confirm that a certified letter was sent to complainant that has the name and contact information of the appropriate agency with jurisdiction. If within our city's jurisdiction, we will confirm that a certified letter was sent regarding the need for an investigation, for both warranted or not warranted along with the reasons for the determination and factors considered.

To maintain good standing with Title VI Civil Rights assurances, the city will take steps to achieve remedial action:

1. City employees and contractors will be invited to participate in training with ADOT Title VI Civil Rights office personnel in 2018-19.
2. City employees will also comply with the city's Administrative Regulations AR 333
3. The city will follow policy guidelines pertaining to any violation or discriminatory actions per AR 333 Anti-Discrimination and non-harassment policy.
4. The city will also consider implementing other ways to either self-report or have Transportation staff or an outside agency monitor both the compliance and prevention/intervention of discriminatory actions.

When reviewing Agency Directives, the city has identified that there is a need to develop a process to better review directives for potential Title VI implication. For example, the city would want to periodically review our local directives. Currently, the city will use the program review procedures as the process to reconcile issues if directives have Title VI implications. Should the city identify this need, we will interpret how this may affect each program from a title VI perspective and create interventions to avoid adverse issues.

Compliance and Enforcement Procedures:

Identifying trends/patterns of discrimination are the responsibility of the Title VI Department coordinator. This staff member informs their department of what to do when discrimination concerns are identified, so they can handle this complaint for compliance. For example, Title VI coordinator will keep documented information of any complaints, assigns appropriate staff to research and investigate and communicates the resolution both to the complainant and to those involved with the issues. Coordinator will ensure that staff members or contracted agency understands how to prevent situations from occurring again and can establish a plan of action that includes compliance and enforcement of inclusive project implementation.

Sub-recipient review procedures:

Transportation Manager will conduct reviews each year with city contractors for transit and transportation. This will include:

1. Review with city contractors for trolley systems compliance at least one time per year and ensure they acknowledge their requirement to follow Title VI including to report any issues as well as the remedy that followed.
2. Additional periodic checks of services by city staff will be conducted to ensure that city contractors are compliant with areas within this Title VI plan.
3. Title VI Oversight coordinator will review agency directives to make sure they meet Title VI requirements. This includes a thorough review procedure that will be completed through regularly scheduled meetings once every quarter or at least four times per year.
4. The City of Scottsdale will also track progress made and make reports during annual goals and accomplishments to ADOT annually.

Data collection and analysis:

1. The City of Scottsdale will collect Title VI data (race, color, national origin, disability) for analysis by including a demographic self-report card/questionnaire in preliminary project plans and public outreach. For example, the city would identify the population demographic in that particular area in our city.
2. Data collection will include staff input from all programs to part of an enhanced comprehensive decision-making process.
3. The city will add a process within the Purchasing department to help us consider ways contracts will be analyzed. For example, important reviews can identify race of the bidders in comparison of awardees. This will be updated in 2019/20.

Statistical data on race, national origin, sex, LEP and disability populations will be collected via available data and reviewed by Title VI coordinator at the beginning of each project. In FY 2019/20, the city will continue to work on integrating a process to analyze project areas and overlay the MAG demographics map for accuracy.

Once a project review begins, the city and any other contractors/vendors will conduct a comprehensive review of any LEP areas and identify them within the project assessment prior to implementation. If a project will vastly impact a certain area, the city will create a triage list and collaborate with other divisions such as Street Operations, Capital Projects, and Transportation to identify the assigned staff and utilize the Title VI implementation plan to provide appropriate recommendations and considerations to the team.

Training:

As part of the on-going commitment for inclusivity and compliance, the city needs to make sure the public is not denied since this is a public right. There are several ways the city will conduct and participate in on-going training:

- Training opportunities are provided by ADOT Civil Rights staff and Title VI coordinators (in person, on site or webinars) to city staff. The city plans on coordinating available training of subject matter experts to help staff identify know expectations for compliance on Title VI Civil Rights regulations, how to file a

complaint, where information is, how to access information, and how to address language barriers to ensure they have access to services.

- The city's Title VI coordinators will also participate with this team from ADOT to ensure we integrate our own city obligations, strategies and expectations to strengthen an understanding of our responsibility as well as who to contact.
- Capital Projects Manager (CPM) Dave Lipinski will continue to send staff to attend the ADOT Annual Certification Acceptance FHWA Title VI nondiscrimination program training held annually.
- During New Employee Orientation held monthly and throughout the year, the Diversity and Inclusion Program Manager/Title VI Oversight coordinator Sharon Cini will continue providing segments of training to include both ADA and Title VI Civil Rights information. She averages 200 new employees will receive this information each year.
- The city will strategize to begin to include management training and consultants, contractors (follow our agencies protocol).
- Title VI coordinators are also considering how we might develop a computer-based training (CBT) and encourage mandatory participation in annual CBT training.

Inclusive Public Participation and Community Outreach

Public and community outreach is a requirement of Title VI as it provides meaningful access to the citizens. Scottsdale's public involvement process aims to give the public ample opportunities for early and continuing participation in critical transportation projects, plans and decisions, and to provide full public access to key decisions.

An important aspect of identification and Scottsdale resident involvement requires the city to seek out and consider the viewpoints of minority and low-income populations during conducting public outreach. This section includes how the city will manage our inclusive public participation and outreach:

- Internal monitoring that will apply Environmental Justice planning.
- Data collection procedures as part of an Environmental Justice planning.
- Limited English Proficiency (LEP) planning.
- Ways to provide meaningful access to LEP persons
- Notice to the public and announcements of public meetings.

Environmental Justice planning and analysis:

To ensuring minorities and low-income families are being informed of any changes in transportation, they need to be given an opportunity to be a part of the transportation process. For example, Environmental Justice reviews identifies and addresses disproportionately high and adverse effects on minority population and low-income populations. Reviews will help the city communicate and engage with the community and ensure inclusion. The city, in its plan of action procedures, has a section for program review and evaluation and will begin to include an EJ review. Evaluation procedure will

have an emphasis to take notice of discriminatory trends and patterns as well as how we might prevent any complaints relating to Civil Rights violations.

The Title VI liaison in Capital projects, Transportation and Street Ops will monitor activities and should include an Environmental Justice analysis meant to help identify and address disproportionately high and adverse effects on the city's programs, policies, and activities on minority populations and low-income populations. Using an EJ analysis will assure an equitable distribution of benefits and burdens. Currently, the City Engineer and his team utilize a check off list for projects. Once any adverse effects or inequitable distributions are identified, he will ensure they are addressed. The EP process will have a public involvement plan which will include a review LEP, low-income and minority populations as well as integrated into the overall Inclusive Public Participation and Community Outreach plan. The Transportation Department is responsible for submitting relevant Title IV areas each quarter and the city will use information to further evaluate impacts, benefits and burdens.

The 2019/20 plan of action includes specific training information and requirements involving Title VI Civil rights:

1.) Information is a part of New Employee Orientation.
2.) Utilize available resources such as ADOT Civil Rights staff/speaker/trainer for on-site training.
3.) Attend ADOT Civil Rights trainings provided.
4.) Integrate into employee diversity competency.
5.) Involving staff members in updates and annual report development.

Limited English Proficiency (LEP)

In the Phoenix Metropolitan Area, there are 40 different languages spoken in households where English is not the predominate language. Sixty eight percent of the population speaks English as a primary language and 27 percent of the population speaks Spanish as the primary language. The remaining five percent of the population represents 39 different languages as the primary language, but each language spoken represents less than one percent of the entire regional population. Twelve percent of the service area population represents LEP residents that do not speak English or do not speak English well.

The City of Scottsdale's LEP Plan content is consistent with the guidance on an effective language implementation plan expressed in Sections V and VII of the U.S. Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons [Federal Register: December 14, 2005 (Volume 70, Number 239), 70 FR 74087].

Table 2. Demographic Information for City of Scottsdale[1]

Demographic	2011-2015 Census 5 year Estimate	Demographic	2011-2015 Census 5 year Estimate
Population by Race			
Total Population:	227,471	Number of persons with a disability	22,449
White alone	201,112	Number Age 65 and Over	49,131
Black or African American alone	4,123	65+ with a Disability	13,271
American Indian and Alaska Native alone	2,585	Low Income/Poverty level	9.5%
Asian alone	9,259		
Native Hawaiian and Other Pacific Islander alone	188		
Some other race alone	5,434		
Two or more races:	4,770		
Category by Ethnicity			
Hispanic or Latino (of any race)	22,929*		
Not Hispanic or Latino (of any race)	204,542		

[1] Data from the Census' 2011-2015 American Community Survey 5-Year Estimates for Scottsdale. [2]Hispanic/Latino Origin is considered an ethnicity and can be of any race.

PROVIDING MEANINGFUL ACCESS TO LEP PERSONS

The ADOT guidelines require LEP plans to address six elements that include identifying LEP individuals with language needs, delineating the measures and materials needed, training staff, providing notice to LEP persons regarding availability of assistance, and disseminating copies of the plan and updating it. Copies of the plan can be accessed from the City's website, or placing a request to the City's Title VI Oversight coordinator at 480-312-2727 or by emailing diversity@scottsdaleaz.gov

Providing Access to Transportation Services and Activities:

The same legislation, Title VI of the Civil Rights act and Executive Order 13166 (2000), also define the need to include persons with Limited English Proficiency (LEP) in the provision of full transportation access. The purpose of this LEP plan is to document Scottsdale's approach for complying with the City's responsibilities to LEP persons as defined by these and other legislative documents.

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 2000), reinforces the Federal Government's commitment to improving the accessibility of services to eligible LEP persons, a goal that reinforces the government's equally important commitment to promoting programs and activities designed to help individuals learn English. The order directs each Federal agency to work to ensure that recipients of Federal financial assistance (including recipients of ADOT and FWHA funds) provide meaningful access to their LEP applicants and beneficiaries.

Scottsdale has two factors that compel our City to be proactive in meeting the needs of our minority and LEP populations. The City's resort and tourism industry draws workers from throughout the Valley making Scottsdale a net importer of employees, many of whom are LEP. The tourism industry also attracts thousands of international visitors who are well versed in using transit, but who do not always speak English very well. While Scottsdale's LEP and other minority populations appear small, the City recognizes the need to be proactive in meeting access needs for these populations for the benefit of employers, visitors, the community and our own LEP population.

Table 3. Population Language Mastery[1]

Category	Estimated Number	Percent of Total
Total Population	227,471	100%
Speak only English	189,238	86.8%
Speak English "very well"	28,527	9%
Speak English less than "very well"	9,706	3.6%

[1] Data base: U.S. Census Bureau 2011-15 American Community Survey, 5-Year Estimates.

Identifying LEP Populations:

Using a four-factor analysis, the city plans to engage and acknowledge LEP areas via a preliminary review prior to FHWA projects. This process will be completed each year.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency in which LEP individuals come in contact with services.
3. The nature and importance of services to LEP individuals.
4. The resources available to the recipient and the costs.

Currently, the city has not had any language assistance requests. Future tasks include correlating MAG demographics with project areas as well as staff training on LEP plan.

The plan identifies the steps Scottsdale takes toward providing language assistance for LEP persons seeking meaningful access to the City's transportation project system. By Federal definition, a LEP person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English.

The Census Bureau classifies mastery of the English language into four categories: 1) very well, 2) well, 3) not well, and 4) not at all. The term "less than very well" includes categories 2, 3 and 4, and defines the LEP audience which is the focus of this LEP language assistance plan. The plan provides guidance on how to identify a person who may have language assistance needs and various methods for supplying assistance.

First, a four factor analysis will be done to determine the extent to which LEP services needed to be provided. This analysis will consider the following:

Service Area Evaluation by Factor

The following is Scottsdale's evaluation of each factor which forms the basis for our approach to ensuring and enhancing access for the City's LEP population:

Factor 1: *The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.*

According to the U.S. Census Bureau 2015 American Community Survey, 5-Year Estimates for the City of Scottsdale there are 39 different languages spoken in households where English is not the predominate language. Eighty-six percent of the population speaks English as a primary language and seven percent of the population speaks Spanish as the primary language. The remaining seven percent of the population represents 38 different languages as the primary language; however, each language spoken represents less than one percent of the entire city population.

In all, the City of Scottsdale has a total LEP population of approximately 9,706 or five (5) percent of the total population. This percent is less than half that of the Phoenix Metropolitan Area (12 percent). The population counts of the four most predominant primary language populations are Spanish (6,025), Chinese (447), French (412), and Russian (310). The map in Attachment C delineates Census information regarding LEP populations in Scottsdale based on Census information, as well as trip generators and public meeting facilities. The map also indicates that when the bus and trolley systems are overlain on the LEP population it can be seen that the service area encompasses the City's entire LEP population.

Other data in addition to the Census data table that will help the city consider or identify LEP persons will be to include a review of school districts data and community organizations data.

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

The frequency with which staff have or could have contact with LEP persons will be analyzed by talking with staff and assessing the lack of complaints from LEP consumers

(not assumed to necessarily correspond to lower incident of program contact), and by reviewing customer complaints in our City.

The city will do periodic inventory reviews on the resources we have on hand to better serve the public. For example, it was recently discovered that contracts for translators was reduced to Spanish-speakers only and the Language Line contract is only used by Courts and Scottsdale Police Department. The Title VI Oversight coordinator is currently working on ensuring that a Language Line is available to any division with programs or projects involving FHWA.

Factor 3: *The nature and importance of services to LEP individuals.*

Scottsdale will ensure that Spanish speaking staff or designated interpreters are available during all hours of operation including public meetings for transportation (FHWA) projects. The Courts and Police Department also serves as a LEP resource for the entire city including transportation activities or programs.

If staff is proficient in the language that the customer is speaking, they will communicate with the customer and provide assistance. If staff is not proficient in the language, they will ask Scottsdale City Court for assistance. If fluency in the needed language is not found among Scottsdale City Court, assistance may be acquired through Language Line Services. Language Line Services provides over-the-phone, on demand video remote interpreting, and on-site interpretation, translation of documents, websites, and multimedia in over 200 languages.

Currently, at public meetings, staff members assess for language needs by being in person. This process will need to be enhanced at public meetings and it will be a recommended addition to include on public meeting notices for LEP participants as a request ahead of the meeting. Staff would then ensure that a translator or interpreter is available specific for the requested language, similarly to the Americans with Disabilities notice to the public for requests for accommodations.

Public outreach includes appropriately written materials, door-to-door outreach, publications of Public Notices, both printed and online (city web page). This invites persons to participate in dialogue.

Public Information resources:

- Bilingual (English and Spanish) information.
- Graphic-oriented interior signage including FHWA Title VI Notification.
- On-site open houses using graphic displays prior any planned or programmed (FHWA) transportation-related projects. Questions answered in Spanish and English.
- Written translation services through City of Scottsdale Office of Communications.
- Annual Satisfaction Survey administered verbally in both English and Spanish for FHWA Transportation Projects.
- Scottsdale Transit Survey administered biennially in English and Spanish

Factor 4: *The resources available to the recipient and the costs.*

Using the LEP guidance in 70 FR 74087 - 74100 on implementing an LEP plan, the following tasks will be used to address the needs of the LEP population served:

a. ***Identifying LEP individuals who need language assistance***.

- A staff greeter at each public meeting helps determine language assistance needs through interactions with incoming attendees either through the use of learned Spanish phrases or language assistance cards.
- Scottsdale transportation staff also works with the City's Human Services department to provide information on transit as needed for their clients. The Human Services department also provides operations at the City's three community and senior centers, two of which are served by circulator service.

b. ***Providing language assistance measures***. Currently Scottsdale provides several means for providing assistance including:

- The City Call Center number, 480-312-3111, is the receiving point for LEP assistance calls and triages them to the appropriate staff. This number is printed on all materials.
- Language assistance cards are provided, as well as to direct non-English speaking individuals to City resources.
- Website notification of assistance availability will be posted on the City's website.
- Brochures – printed notification of assistance availability and transportation projects currently can be printed in English and Spanish, also available on line (Chinese, Russian, and French under development).
- Provide option for bilingual Spanish speaking staff to be at public meetings as well as additional language translators, when requested.
- Network with local ethnic and language organizations and the City's Diversity Advisory Committee to provide them with information for dissemination to their members about the city's transportation programs.

c. ***Training staff.*** A copy of this plan will be transmitted to the transportation department. In addition, the following has, and will continue to, occur.

- The Transportation Administrator and/or Title VI coordinator will work with the transportation staff to educate on Title VI/LEP requirements.
- The Transportation Administrator and/or Title VI coordinator will provide training to transportation staff on the use of the language identification

flashcards and appropriate ways to interact with individuals needing language assistance.

- The Transportation Administrator and/or Title VI coordinator will provide training to transportation staff on appropriate methods for interacting with a potential Title VI/LEP complainant.

d. ***Providing notice to LEP persons of the availability of language assistance.***

- Language assistance information is posted on Title VI Compliance poster.
- A Spanish version will include Title VI/LEP information indicating its availability of other languages (Chinese, Russian, and French versions being developed)
- The City's website contains LEP assistance information and can contact the Title VI Oversight coordinator for any additional resources needed.

e. ***Monitoring and updating the LEP plan.*** This plan will be evaluated annually and updated every three years or sooner if necessary. The following evaluations should be undertaken at a minimum to gain information prior to the update:

- Compare more recent census information to the information used for the previous plan, if available, to determine if changes have occurred in the LEP population.
- Perform an annual evaluation of the contractor in May of each fiscal year to determine if the contractor has followed the plan and if any adjustments are needed. Compliance with the plan should be factored into whether or not the annual increase is granted or into the liquidated damages formula.
- Evaluate public outreach activities for LEP compliance and effectiveness.

Copies of the LEP plan will be on file in the Title VI Coordinator/Office of Diversity and Inclusion as well as on the city's website in English and Spanish. A copy will be sent to the Human Services Department, Transportation Department and the Call Center Department. Anyone may obtain a copy in English or Spanish upon request. The information available makes it clear that questions or comments regarding the plan can be directed to the City's Title VI Coordinator:

Title VI Oversight coordinator/Office of Diversity and Inclusion
City of Scottsdale
7506 E. Indian School Road
Scottsdale, AZ 85251
Phone: 480.312.2727
diversity@scottsdaleaz.gov

NOTICE TO THE PUBLIC AND ANNOUNCMENTS OF PUBLIC MEETINGS

For equitable access and public involvement, meetings are held at centrally located locations, with good public transit access, in highest density of low income, minority, senior and LEP individuals. Meeting conducted at City Hall are televised on public access. Changes to Transit or Transportation require public hearings and are offered at various times of day, in multiple locations to be accessible to the greatest number of people. Meeting topics can include Public Transit, Capital Improvement and other related topics.

City staff will check by conducting period reviews two times per year by the department coordinator to ensure that we met our public involvement plan procedures.

Road closure notices are sent out through a city newsletter that citizens can sign up for, posted on the city of Scottsdale website, interactive map showing all closures and gives additional details, on road signage, barricades and construction signs, for those projects that significantly impact traffic on arterial streets will be pushed through a news feed and may be published in major publication.

Posters are publicly displayed, complaint form/guidelines for filing a complaint are on the city's Diversity web page. Dissemination includes an annual City Manager announcement to all staff and Diversity office includes in NEO. Staff, vendor and contractor training will include how to process complaints in upcoming training/CBT.

Public and community outreach activities seek public comment on the service and facility changes that occur. At each meeting, the public is encouraged to make verbal or written comments. Press releases go out and as a result, newspaper articles announce the public meetings in every case. Public meetings about transportation changes are generally held in concert with Transportation Commission meetings where a special public comment period is held before and/or following a presentation to the commission.

City publications include Next Door, Scottsdale Update (sent with utility bills), brochures and other community newsletters. Copies of the press releases will be in both English and Spanish.

The City community outreach efforts include:

- *Transportation Commission.* The Transportation Commission provides a forum for public hearings and other public involvement mechanisms to assure community-based transportation plans, projects and issues, and to meet all Federal and other guidelines for public involvement in transportation projects. The Commission has monthly meetings at which the public is invited to make either generic transportation comments or comments specific to any transportation project, route, or other related issue. The Commission occasionally holds a public hearing, after

other public meetings more centrally located to the low income and minority populations have been held on a given topic.

- *Meeting locations.* The Commission meetings are held at City Hall which is centrally located in South Scottsdale - the area of the highest density of low income, minority, senior, and LEP individuals and households. Meetings held at City Hall are televised on public access Channel 11. When route changes were proposed for areas outside of the South Scottsdale area or additional public input was needed, a special meeting was held closer to the actual route/route segment being proposed for changes. Except for Commission meetings, transit public meetings are held at a variety of times in the day to accommodate the needs of our population and encourage attendance.

- *Advertisements of public hearings.* Public meetings and hearings are held at several accessible locations within the areas with populations identified as low income, minority, LEP, senior, and disabled. Public hearings are held for capital improvement projects, and bus route changes.

- *Public Discussion meetings.* Meetings are held several weeks to several months in advance before construction decisions are made. Additionally, public discussion meetings occur for topics of specific neighborhood concerns. A news release is sent to the local newspaper, and information is posted on the City's website and at the meeting location. Additionally, City of Scottsdale sends informational mailings to affected property owners.

- Advertisements for publication will consider minority owned and operated newspapers to reach target audience: Arizona Informant (African American community), Asian American Times (Asian American community), LaVoz and Prensa Hispana (Hispanic community). Copies of the press releases will be in both English and Spanish.

- *On site community open houses.* Open houses are held at transit and community centers at various times through the day and week to increase the likelihood in meeting with residents to hear their comments and questions. These open houses are accessible by public transit and have planning staff available to answer questions in both English and Spanish.

- *Accessibility to community.* Planners can receive calls regularly from minority and low-income community residents requesting information on capital improvements projects, service changes and offering comments and suggestions.

- *The City's website. www.scottsdaleaz.gov* is also updated to provide public involvement information, meeting details, route change information, and is used for intake of public comments.

- *Meeting Event Sequence and Materials.* All public meetings begin with greeting the customer at the door and offering language or other assistance/accommodation. Transportation public meetings begin with an introduction and an educational presentation before discussion and recording of comments. Copies of the presentation slides are available in print for those needing reading assistance, and comment cards are available at the greeting desk. If requested, a translator for Spanish or any other language is provided.

Table 1. Scottsdale Public Outreach Opportunities

Notification Type	Location	Assistance Provided
Press Release (PR) Newspaper Article (NA) Newsletter/Bulletin (NB) City Website (W) VM Website (VW) Door Hangers (DH) Bus Stop Notice (S)	Granite Reef (GR) Piute (P) Cactus (C) City Hall (CH) Mustang Library(NL)	Greeter (G) Spanish Interpreter Available (SI)

COMPLAINT PROCEDURE - Filing a Complaint

The City of Scottsdale, under Title VI of the Civil Rights Act of 1964 and related statutes, must ensure that no person in the City of Scottsdale shall, on the grounds of race, color, and national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any federally funded program or activity it administers.

All FHWA Title VI Civil Rights complaints will be sent to ADOT for processing.

Complainants have the option of filing an on-line complaint through the City of Scottsdale Office of Diversity and Inclusion/City Manager's Office, directly to the City of Scottsdale Transportation Department, or can go to an outside or state agency such as Arizona Department of Transportation (ADOT) Civil Rights Office.

If someone perceives they have suffered from discrimination, they are encouraged to address the matter with the Title VI coordinator. According to 49 CFR Section 21.9(b), complaints may be filed if the matter cannot be resolved. In such cases, the following steps may be followed:

1. Within 180 days of the alleged infraction, complainants will submit to the Title VI coordinator a complaint in writing or verbally with the complainant's name, the nature and basis of the complaint, the dates of the complaint, requested action, and contact information. Complaints received verbally will be documented in writing by the Title VI coordinator.

2. The Title VI coordinator and Transportation Director will review the complaint and determine its jurisdiction and if there is a need for additional information.

3. Additional information will be solicited from the complainant, as needed. If additional information is requested and not received within 15 business days, the case may be administratively closed. The case also may be closed if the complainant no longer wishes to pursue their case.

4. A complaint log will be kept by Title VI coordinator containing the name of the complainant, nature of the complaint, and date of submission.

5. If the complaint is outside the jurisdiction of Scottsdale, Scottsdale will notify the complainant by certified letter, including the name and contact information for the appropriate agency with jurisdiction, if applicable.

6. If the complaint falls within the jurisdiction of Scottsdale, it will be handled within a maximum of 60 days of receipt of the complaint.

7. Records and investigative files will be kept for three years.

8. The complainant may also file a discrimination related complaint on an FHWA program or activity directly with ADOT or with the Federal Highway Administration by contacting the agencies at:

   ADOT Civil Rights Office
   206 S. 17th Avenue, Mail Drop 155A
   Phoenix, AZ 85007
   Email: civilrightsoffice@azdot.gov
   602.712.8946
   602.239.6257 FAX

   Federal Highway Administration
   U.S. Department of Transportation
   Office of Civil Rights
   1200 New Jersey Avenue, SE
   8th Floor E81-105
   Washington, DC 20590
   Email: CivilRights.FHWA@dot.gov
   202-366-0693
   202-366-1599 FAX

RECORD OF INVESTIGATIONS/COMPLAINTS/LAWSUITS

The City of Scottsdale will keep records of all investigations, complaints and lawsuits through the resolution to case closure. To the best of our knowledge, there are presently no ongoing civil rights compliance review activities being conducted with respect to projects or activities funded with FHWA funds.

(Appendix 1 of Title VI Plan)

CITY OF SCOTTSDALE TITLE VI NOTICE TO THE PUBLIC

The City of Scottsdale hereby gives public notice that it is the city's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City of Scottsdale program or activity.

Any person, who believes his or her Title VI rights have been violated, may file a complaint. Any such complaint must be in writing and filed with the City of Scottsdale Office of Diversity, within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complainant Forms may be obtained from the City of Scottsdale Diversity Office by contacting:

CUIDAD DE SCOTTSDALE TITULO VI AVISO AL PÚBLICO

La Ciudad de Scottsdale da este aviso público. Es la policía de la cuidad asegurar que el pleno cumplimiento con el título VI de la ley de los derechos civiles de 1987 y los estatutos y reglamentos en todos los programas y actividades. El Título VI establece que ninguna persona podrá, por motivos de raza, color, sexo, origen nacional, edad o discapacidad ser excluido de la participación, ser negado los beneficios de, o ser discriminado por cualquier programa de la Ciudad de Scottsdale o actividad.

Cualquier persona que crea que su protección Titulo VI ha sido violada, puede presentar una queja. Cualquier queja debe ser por escrito y presentada a la Ciudad de Scottsdale en la oficina de Diversidad, dentro de los ciento ochenta (180) días siguientes a la fecha de lo ocurrido. Formas Discriminación Titulo IV, para el demandante pueden ser obtenidas en la oficina de Diversidad de la Cuidad de Scottsdale.

For more information:
Informacion de contacto:
Sharon Cini
Diversity and Inclusion Program Manager / Title VI coordinator
City of Scottsdale, 7506 E. Indian School Road, Scottsdale, AZ 85251
480-312-2727
diversity@scottsdaleaz.gov
www.scottsdaleaz.gov/departments/citymanager/diversity

Contact information for the **ADOT Civil Rights Office:**
Informacion de contacto de la **Oficina de Derechos Civiles de ADOT**:
206 S. 17th Ave, Phoenix AZ 85007 Mail Drop 155A Room 183 (602) 712-8946

(Appendix 2 of Title VI Plan)

TITLE VI and ADA COMPLAINT FORM
(TÍTULO VI Y FORMULARIO DE RECLAMACIÓN ADA)

Section I:				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
Electronic Mail Address:				
Accessible Format Requirements? (circle yes or no)	Large Print	Yes No	Audio Tape	Yes No
	TDD	Yes No	Other	Yes No

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.		
If you are filing on behalf of a third party, please explain why.		
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):

[ ] Race [ ] Color [ ] National Origin [ ] Disability

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 write out on extra paper and submit with the form.

Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No

Section V

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court?

[ ] Yes [ ] No

If yes, check all that apply and fill in agency's name:

[ ] Federal Agency: _____

[ ] Federal Court _____ [ ] State Agency _____

[ ] State Court _____ [ ] Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint. Your authorized signature and date of the complaint are required below.

_____ _____

Signature Date

Please submit this form in person or mail to:

Attention: Sharon Cini
Diversity and Inclusion Program Manager/Title VI Oversight coordinator
City of Scottsdale Office of Diversity
7506 E. Indian School Road
Scottsdale, AZ 85251

(Appendix 3 of Title VI Plan)

CITY OF SCOTTSDALE

TITLE VI CIVIL RIGHTS COMPLAINT LOG – ADOT

CASE NO.	COMPLAINTANT	RESPONDENT	AGENCY FILD WITH	DATE FILED	BASIS	DATE OF REPORT	DECISION