



**Scottsdale, Arizona**

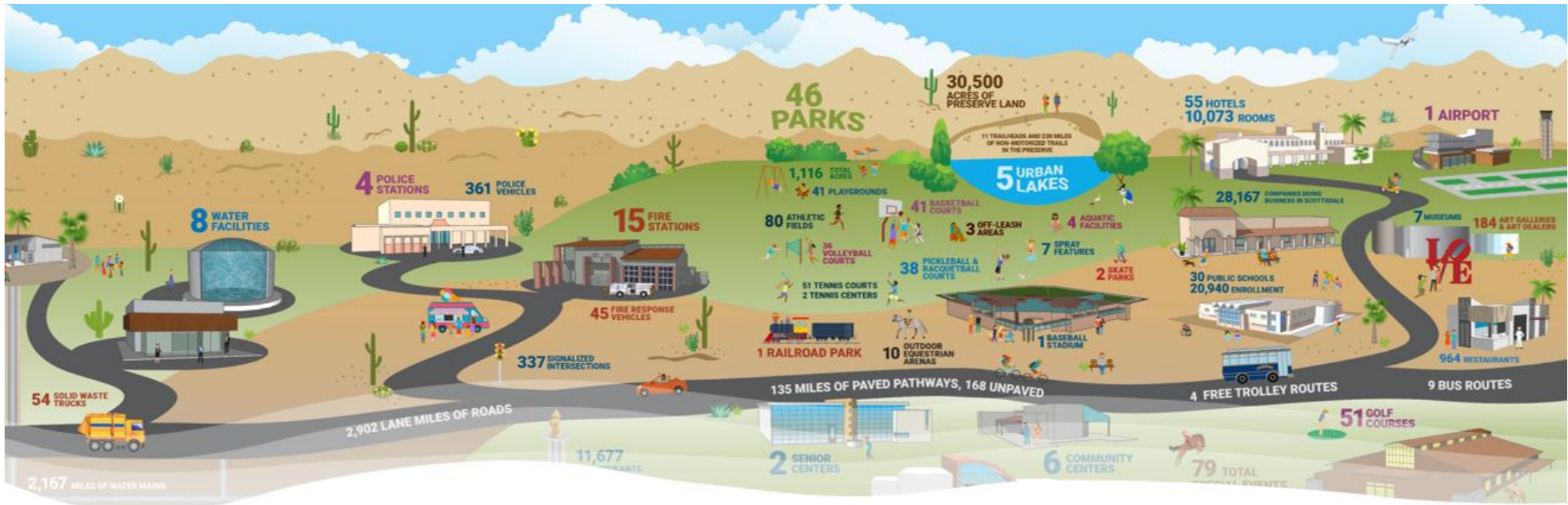
**Title VI  
FHWA Implementation Plan**

October 2025

Submitted to:  
Arizona Department of Transportation

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## Introduction

The City of Scottsdale is a recipient of federal funds from the U.S. Department of Transportation modal agencies, including the Federal Highway Administration (FHWA), Federal Aviation Administration and the Federal Transit Administration (FTA). All Recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations, and authorities. This Implementation Plan describes how the City of Scottsdale accomplished nondiscrimination in the delivery of its federally-assisted programs, services, and activities. The Plan includes the structure of the city's FHWA Title VI program as well as the policies, procedures and practices the city uses to comply with nondiscrimination requirements. The Plan is intended to be a living document, regularly monitored and updated by the city to meaningfully reflect the program as it changes and grows. Anyone wishing to provide input into the City's FHWA Title VI Implementation Plan is encouraged to contact the ADA/Title VI Compliance Coordinator, Felicia Beltran, at 480-312-2311 or by writing to 7447 E. Indian School Road, Scottsdale, AZ 85251.

## Organization and Staffing

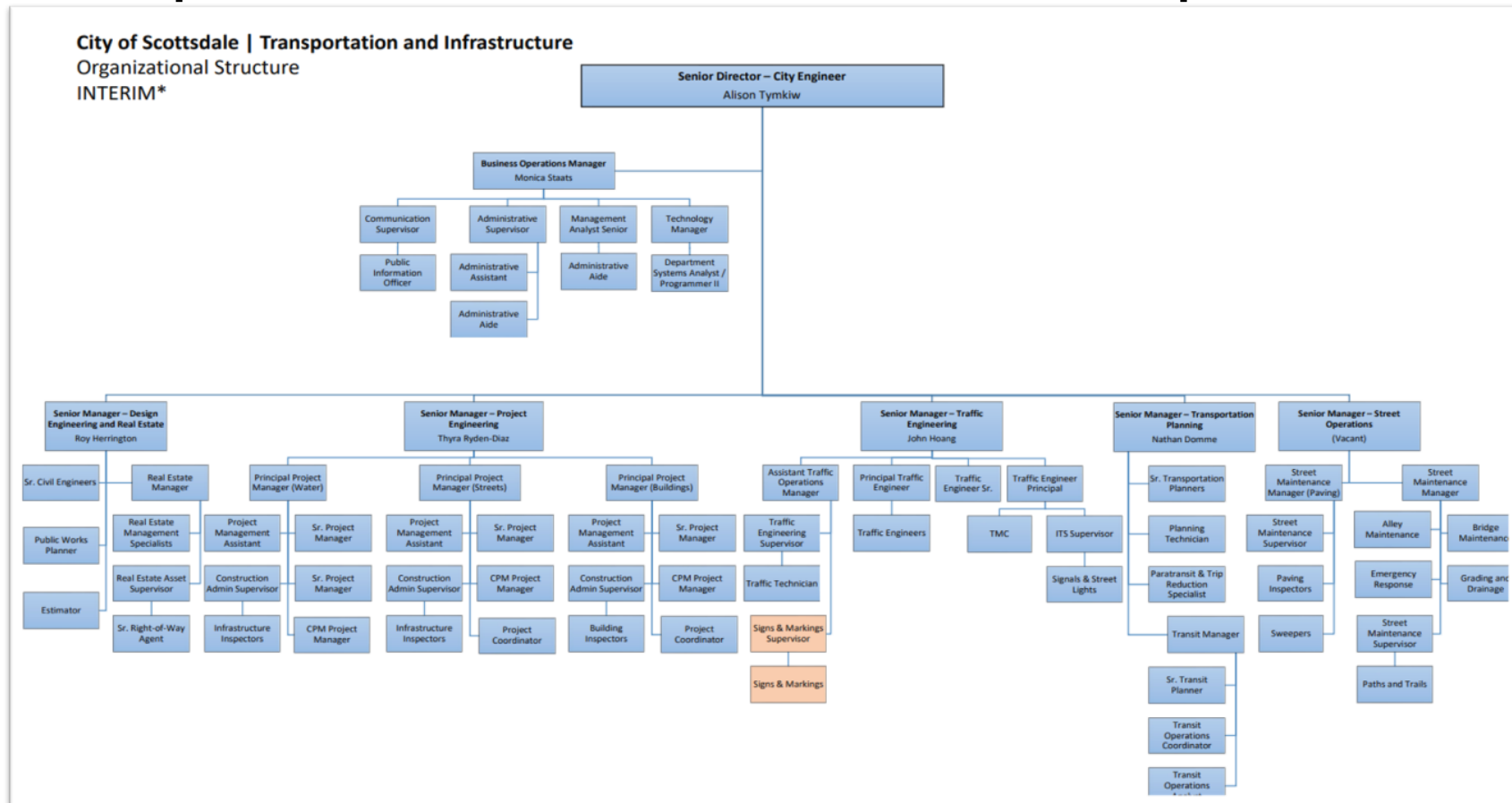
### ADA/Title VI Compliance Coordinator Responsibilities:

The ADA/Title VI Compliance Coordinator position resides within the City Manager's Office, who has access to the City Manager. The City of Scottsdale's ADA/Title VI Compliance Coordinator, Felicia Beltran is responsible for implementing, monitoring, and ensuring the City's overall compliance with Title VI, which includes FHWA Title VI activities as outlined in this plan within the Transportation and Infrastructure Department. The City's Transportation and Infrastructure Department has Title VI Liaisons who have delegated FHWA Title VI oversight responsibilities for implementing, monitoring, and ensuring FHWA Title VI compliance within their respective operations.

The City of Scottsdale's ADA/Title VI Compliance Coordinator delegates the following responsibilities to Title VI Liaisons within the city's Transportation and Infrastructure Department:

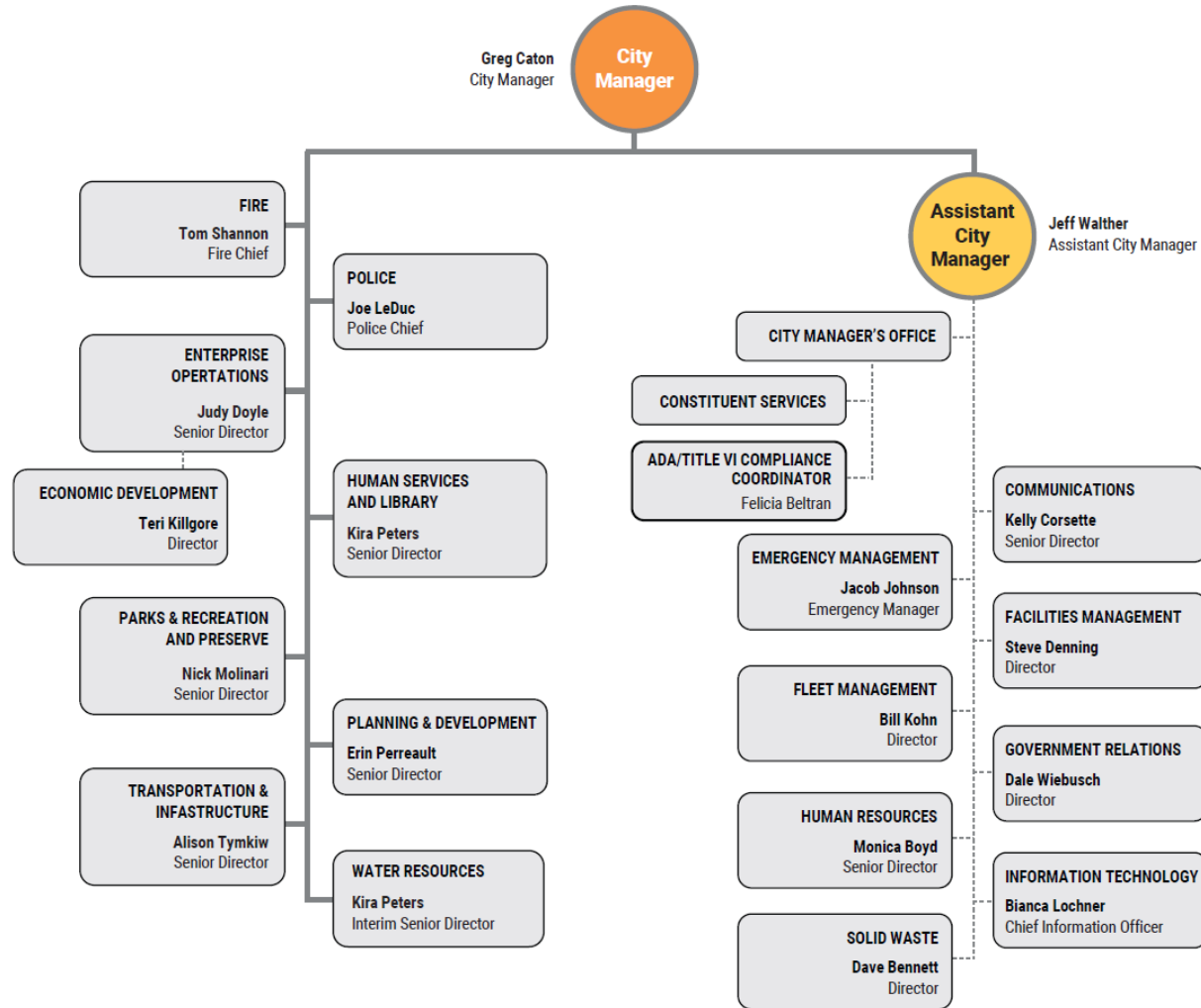
- Ensure regular communication and reporting to the ADA/Title VI Compliance Coordinator regarding FHWA Title VI-related activities.
- Assist with providing a summary of the program's Title VI accomplishments for the past year and goals for the upcoming year to the ADA/Title VI Compliance Coordinator.
- Report to the ADA/Title VI Compliance Coordinator within 24 hours when Title VI complaints are received, or issues arise, including during public meetings.
- Coordinate with the ADA/Title VI Compliance Coordinator to ensure that new or updated Administrative Regulations and procedures comply with Title VI requirements.
- Ensure public notifications disseminated include Nondiscrimination Title VI language and notice of language and modification services free of charge, upon request.
- Coordinate with the ADA/Title VI Compliance Coordinator mandatory Title VI awareness within respective program to include training, tutorials and discussions.
- Ensure all contracts include the required Title VI contract language from USDOT Order 1050.2A and that contractors/vendors are aware of their Title VI responsibilities.
- Collaborate with the ADA/Title VI Compliance Coordinator to conduct Title VI compliance reviews.
- Participate in quarterly ADA/Title VI Liaison meetings convened by the ADA/Title VI Compliance Coordinator, when scheduled.
- Maintain statistical data by race, color, and national origin, as needed for respective program areas.

# Transportation and Infrastructure Department





## ADA/Title VI Compliance Coordinator located within the City Manager's Office



## **Internal Program Area Review Procedures and Data Collection, Reporting and Analysis**

The following processes detail internal Program Area review procedures, data collection, reporting and analysis. The City of Scottsdale's FHWA program does not pass on any FHWA funding to any entities and therefore this Plan does not include FHWA subrecipient Title VI oversight procedures and training.

The goals of internal Title VI program area reviews are to evaluate the program area's implementation of Title VI, identify areas of non-compliance, resolve any concerns, and provide Title VI-related technical assistance to the program area. The following program area review procedures is a guide to conduct internal program area reviews by the Title VI Liaisons with coordination of the ADA/Title VI Compliance Coordinator. The Title VI Liaisons and/or ADA/Title VI Compliance Coordinator have discretion to conduct informal program area reviews to correct issues that can be easily resolved without implementation of all the following steps. All Title VI program area reviews conducted, and accomplishments achieved will be documented and reported to the ADA/Title VI Compliance Coordinator upon completion and reported in annual federal reporting, as needed.

### **Program Area Review Procedures:**

#### **1) Coordination**

An internal coordination meeting will be held with the program area Director and Title VI Liaison, ADA/Title VI Compliance Coordinator and other staff as needed. The purpose of this meeting is to share information about the program's Title VI compliance activities, coordinate logistics, and discuss the scope of the review.

#### **2) Notification**

The program area review process will commence after formal notification is sent to the program area Director that is the subject of the review. The notification letter will detail the schedule and process for the program review. Included in the letter sent by the Title VI Liaison and/or ADA/Title VI Compliance Coordinator, will be a Request for Information (RFI), which requests documents pertaining to the policies and procedures the program area uses in implementing Title VI. The City Manager's Office will also be included in this initial notification.

#### **3) Kickoff Meeting**

After the issuance of the notification, the Title VI Liaison will organize a virtual kick-off meeting to discuss the review process, answer any questions, and address concerns about the review.

#### **4) Desk Review**

After the program area has submitted the documents from the RFI, Title VI Liaison will perform a desk review of project documents, or other relevant standard operating procedures (SOPs) requested from the RFI. The Title VI Liaison will utilize the information gathered from the desk review in order to determine areas of focus and a schedule for the onsite visit/review.

## **5) Onsite visit/review**

After the RFI submission and desk review, the Title VI Liaison will schedule an onsite visit. Onsite visits will typically take on to two days but may be longer, if necessary. The purpose of the site visit is for the Liaison to interview program area staff and provide technical assistance. Under special circumstances, virtual interviews may supplement or replace the onsite visit. An agenda will be provided prior to the onsite visit that will state which subjects are to be discussed and when, what additional documents are needed from the program area for this discussion, and what staff should be present from the program area. The final day of the onsite visit will include a close out meeting between the ADA/Title VI Compliance Coordinator, Title VI Liaison and program area leadership and staff. The wrap-up meeting will provide preliminary observations that the program review team will further detail later in a report.

## **6) Program Review Report**

After the onsite review, the Title VI Liaison will draft a written report, with assistance from the ADA/Title VI Compliance Coordinator, summarizing the program review. The report will give an overview of the observations from the document review and staff interviews. Each observation will be followed by required or recommended actions. Required actions are those that are specifically outlined in Title VI regulations and are necessary for the program area to comply with requirements. Recommended actions are those that would strengthen the program area's Title VI compliance efforts. The report will also highlight some of the program area's successful practices.

## **7) Monitoring: Compliance and Enforcement Procedures**

Following the issuance of the program review report, the program area must submit a schedule for implementing the required actions specified in the report to the Title VI Liaison and ADA/Title VI Compliance Coordinator. The Title VI Liaison and ADA/Title VI Compliance Coordinator will monitor the implementation of the program area's required actions according to the schedule. The goal for the city's FHWA Title VI program is to achieve voluntary compliance through active communication, technical assistance by both the Title VI Liaison and ADA/Title VI Compliance Coordinator. Accomplishments will be reported to the City Manager's Office and through required federal annual reporting.

The Scope of FHWA Title VI program area reviews can be customized to include the following, and/or based on Title VI reporting received by the Title VI Liaisons and/or ADA/Title VI Compliance Coordinator:

- Review of discrimination Title VI complaints received, if any.
- Review of collection of data of the race, color, and national origin of participants in, and beneficiaries of its programs.
- Review of analysis conducted from Title VI data.
- Title VI dissemination efforts.
- Review how demographic data is being utilized to measure the effectiveness of public outreach efforts.
- Language Access activities.
- Review of selected SOPs and/or Administrative Regulations for alignment with the City of Scottsdale FHWA Title VI Implementation Plan.
- Other items as necessary.

Currently, program area reviews will be conducted at minimum on a three year cycle, based on complaints received, sampling of SOPs and review of select processes and data reported to the Title VI Liaisons and/or ADA/Title VI Compliance Coordinator. A risk-based assessment/schedule to conduct

Title VI program area reviews will continue to be refined, as not every program area is required to be reviewed each year.

## **Transportation and Infrastructure FHWA-Funded Program Areas:**

### **Business Operations**

The Business Operations program provides essential operational support to ensure the effective and efficient functioning of the Transportation and Infrastructure department. This group manages financial 5-year planning, budgeting, accounting, and information technology and communications. Additionally, this program provides support for public involvement in areas such as Capital Improvement Planning efforts. Public involvement data collection/analysis efforts are described in the Dissemination of Title VI Information/Language Access: Public Outreach, chapter.

### **Engineering and Real Estate**

This program is responsible for acquiring land rights and managing city owned land uses through licenses, permits and leases. The program is also responsible for in-house planning and design of public infrastructure supporting the community's daily needs.

### **Project Engineering**

The Project Engineering program leads the delivery of capital improvement construction projects by coordinating every phase from initial design through completion. Focused on building infrastructure that meets the community's needs, the division manages engineer and architectural design contracts, construction contracts, construction schedules, budgets, contractor performance, and quality control to ensure projects are delivered safely, efficiently, and to specification.

### **Traffic Engineering**

This program is responsible for designing, operating, and maintaining safe and efficient traffic flow across the transportation network, including work zones, and during special events. The division applies engineering principles and data-driven analysis to manage traffic signals, signs, pavement markings, and roadway geometry.

### **Transportation Planning**

The Transportation Planning program is dedicated to developing and implementing strategic plans that ensure safe and efficient transportation systems. The division analyzes current and future mobility needs, coordinates with local, regional, and federal agencies, and engages with the community to create integrated solutions for roads, transit, biking, and pedestrian networks.

### **Street Operations**

This program is responsible for maintaining and repairing city streets and related infrastructure. Core activities include pothole repair, street resurfacing, street sweeping, and the maintenance of curbs, gutters, and storm drains. The division also responds to emergencies, such as roadway hazards and weather-related events, to maintain public safety and mobility.

As program area data collection/analysis evolves, program areas will utilize the Voluntary Self-Identification Questionnaire (Appendix Three) as a method to collect and analyze data of the race, color

and national origin of participants in and beneficiaries of its programs. The City of Scottsdale will continue to assess potential sources for Title VI-related data collection/analysis and will consider the [FHWA's Title VI Assessment catalog](#) for data sources for each program area to conduct FHWA Title VI program reviews, as appropriate. Once data collection/analysis procedures are further established reporting processes shall be developed to regularly report data to the Title VI Liaison and the ADA/Title VI Compliance Coordinator.

The city's progress and updated procedures in these areas will be reported and documented in future federal reporting. The city will make public their most updated FHWA Title VI Implementation Plan on the city's webpage, when available.

## FHWA Title VI Training Procedures

The ADA/Title VI Compliance Coordinator plans to develop a mandatory introductory level computer-based Title VI training to help leadership, Title VI Liaisons and employees understand expectations to comply with Title VI, how to file a complaint and access resources to provide language services, etc. The training schedule will be at the time of onboarding of new staff and a refresher as appropriate. Title VI training materials will live on the city's online training platform, Scottsdale University that creates a training transcript for each employee of the courses taken and start and completion dates. Plans to develop Title VI training materials tailored for contractors, consultants and vendors outside of Title VI Assurances within contracts will be considered, including during contract consultations with the city highlighting their nondiscrimination requirements. Currently, contractors and consultants are advised of their Title VI responsibilities through contract nondiscrimination assurances.

The ADA/Title VI Compliance Coordinator is currently looking for methods to further develop and engage Title VI Liaisons to receive in-depth training on all components of the city's Title VI and ADA Nondiscrimination programs. Additional Title VI training will be reported annually through required federal reporting.

Current Title VI-related trainings offered:

- Annual training modules offered by HR to all employees over the [City's Anti-discrimination and Non-Harassment policy](#) (AR333) that covers nondiscrimination related to protected classes of race, color and national origin. After completion employee training records are updated for tracking purposes.
- Annual Title VI training invitations are extended by ADOT's External Civil Rights staff to city staff, which covers elements of a FHWA Title VI program of complaint procedures, data collection and analysis etc.
- Various informal Title VI trainings held throughout the year by the ADA/Title VI Compliance Coordinator when interacting with department staff during staff meetings and/or in partnership when addressing public concerns such as language access resources and complaint procedures.

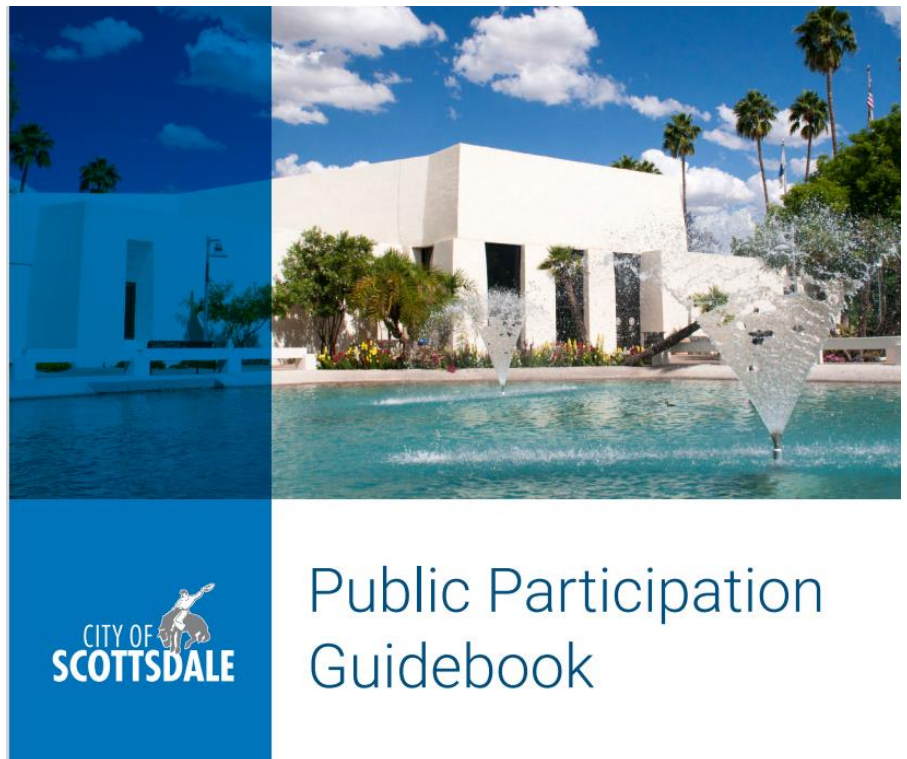
## Dissemination of Title VI Information/Language Access: Public Outreach

The City of Scottsdale's Title VI Non-Discrimination Notice to the Public includes the ADA/Title VI Compliance Coordinator's contact information and complaint process (see Appendix 1). The city's Nondiscrimination Title VI Notice is posted on the city's [webpage](#) and complaint form and procedures are available on the city's [Scottsdale EZ portal](#). The city will continue to research other opportunities to integrate this notice into other engagement platforms when interacting with the public, including virtual events. The City of Scottsdale Title VI Implementation Plan will be available on the City's website.

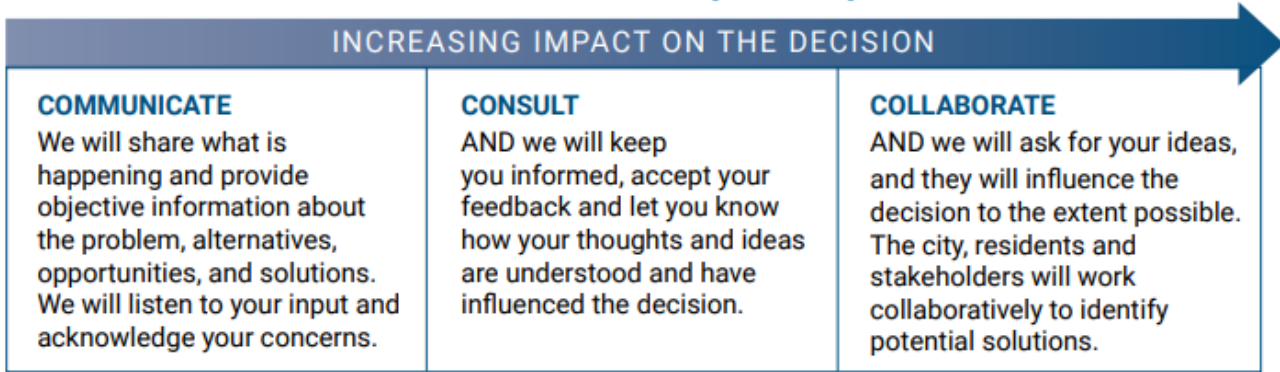
The Office of Communications has developed a Public Participation Guidebook (2023) as a central resource that provides the basic principles and framework for community involvement and public participation in Scottsdale. This guidebook provides details of effective strategies and tactics for providing meaningful public participation. It acknowledges that there is not a one-size-fits-all approach to public participation and encourages targeted outreach to those most impacted by projects.

The Public Participation Guidebook also utilizes a Community Engagement Project Worksheet on a project-by-project basis to document how data will be collected, analyzed for effectiveness and reported within Public Involvement Plans. Additionally, this Worksheet considers which stakeholders may be difficult to reach/engage and how this will be overcome. A summary of potential impacts to the public such as financial and social (Title VI), among

other issues is also documented. The guide contains components of effective engagement such as reaching people, providing information, and gathering input. Trained and experienced practitioners throughout various city departments comprise a Public Participation Team that works collaboratively to ensure the city engages with stakeholders in the most effective ways for each given issue, project or program using the tools and documentation guidelines within the Public Participation Guidebook.



## Scottsdale's Public Participation Spectrum



*Adapted from the International Association of Public Participation Spectrum of Public Participation*

Additional facilitation of effective communication:

- Public meetings/hearings/activities
  - Materials are distributed that provide clear information and timely public notice.
  - Meetings/hearings or activities are scheduled at convenient times/days to the public; such as immediately before or after the workday (which could be day or night for workers with nontraditional work schedules) at a site within the business district, or at a community center or school within a neighborhood.
  - Ensure that public meetings sites are accessible for all persons, regardless of ability.
  - Reaching out to the public rather than having them come to us.
  - Having staff available to provide language services, as needed.
  - Make special efforts to be sensitive to the cultures and etiquette of the affected populations through using a local liaison to facilitate communication and provide guidance on etiquette.
  - Staff training in interpersonal skills. In non-English-speaking communities, consider multilingual presentations and handouts, as appropriate.
- Various online customer comment portals are utilized to solicit community feedback on city initiatives. If comments are received in alternative languages, responses will be in the language that the comment was received in.
- The city's public involvement website contains public meeting information, active public comment solicitations, calendar of future public meetings and City public notices.
- The city of Scottsdale also posts the Title VI Non-Discrimination Notice to the Public on the website at [Title VI | City of Scottsdale](#).

The city will continue to look for opportunities to evaluate effectiveness with Title VI in public involvement, including in virtual spaces and will adjust as the needs of communities evolve.

### Language Access

The City of Scottsdale provides language services to efficiently provide public access to its governmental services. The ADA/Title VI Compliance Coordinator will evaluate the following language analysis and training on an annual basis and document updates as needed. The following four-factor analysis helps anticipate city-wide language needs; however, meaningful four-factor analysis can only occur on a project-by-project basis. When preparing to publish a document, launch a campaign, hold a public meeting, etc., a focused four-factor analysis should be considered to determine what type of language assistance is needed. The city's tourism industry also attracts thousands of international visitors who do

not always speak English very well. While Scottsdale's non-English language needs may not be significant, the city recognizes the need to be proactive in meeting language needs for the benefit of employers, visitors and the community.

The following 2023: ACS 5-Year Estimate language data and four factor analysis provides insight into the language needs of the City of Scottsdale. Spanish is highlighted below as the top language whose speakers speak English less than very well, who are served or likely to be encountered by a city program, activity, or service.

| Languages                                   | Scottsdale, Arizona: Estimate | Margin of Error |
|---------------------------------------------|-------------------------------|-----------------|
| Total:                                      | 233,958                       | ±1,014          |
| Speak only English                          | 205,320                       | ±2,463          |
| Spanish:                                    | 11,735                        | ±1,539          |
| Speak English "very well"                   | 9,256                         | ±1,428          |
| <b>Speak English less than "very well"</b>  | <b>2,479</b>                  | <b>±503</b>     |
| French, Haitian, or Cajun:                  | 1,253                         | ±290            |
| Speak English "very well"                   | 1,053                         | ±269            |
| Speak English less than "very well"         | 200                           | ±91             |
| German or other West Germanic languages:    | 881                           | ±233            |
| Speak English "very well"                   | 794                           | ±203            |
| Speak English less than "very well"         | 87                            | ±75             |
| Russian, Polish, or other Slavic languages: | 1,720                         | ±381            |
| Speak English "very well"                   | 1,328                         | ±316            |
| Speak English less than "very well"         | 392                           | ±151            |
| Other Indo-European languages:              | 5,285                         | ±1,177          |
| Speak English "very well"                   | 4,689                         | ±1,104          |
| Speak English less than "very well"         | 596                           | ±219            |
| Korean:                                     | 753                           | ±486            |
| Speak English "very well"                   | 450                           | ±284            |
| Speak English less than "very well"         | 303                           | ±258            |
| Chinese (incl. Mandarin, Cantonese):        | 1,473                         | ±420            |
| Speak English "very well"                   | 1,178                         | ±343            |
| Speak English less than "very well"         | 295                           | ±129            |
| Vietnamese:                                 | 407                           | ±199            |
| Speak English "very well"                   | 240                           | ±117            |
| Speak English less than "very well"         | 167                           | ±144            |
| Tagalog (incl. Filipino):                   | 693                           | ±334            |
| Speak English "very well"                   | 579                           | ±307            |
| Speak English less than "very well"         | 114                           | ±107            |
| Other Asian and Pacific Island languages:   | 2,568                         | ±598            |
| Speak English "very well"                   | 2,147                         | ±526            |
| Speak English less than "very well"         | 421                           | ±214            |
| Arabic:                                     | 946                           | ±442            |
| Speak English "very well"                   | 756                           | ±364            |
| Speak English less than "very well"         | 190                           | ±123            |
| Other and unspecified languages:            | 924                           | ±375            |
| Speak English "very well"                   | 775                           | ±369            |
| Speak English less than "very well"         | 149                           | ±105            |

Source: **American Community Survey: C16001 Language Spoken at Home for the Population 5 Years and Over** Spanish highlighted as a Safe Harbor Threshold: language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Applicable to written translations.

**Factor 1:** *The languages and number or proportion of persons who speak English less than "very well" served or encountered of the impacted project and/or City program or service.*

According to ACS table C16001 (2023 5-yr estimate) Spanish meets the Safe Harbor standard (5% of the population or 1000 persons) for document translation. Updated data will be obtained from various sources such as ACS, language logs, city officials, members of the public etc.

**Factor 2:** *The frequency in which the languages identified and number or proportion of persons who speak English less than “very well” come in contact with the impacted project and/or city program or service.*

The frequency with which city staff encounters persons who speak English less than “very well” can vary depending on the location within the city. Data will be obtained from various sources such as ACS, language logs, public requests, city officials, members of the public etc.

**Factor 3:** *The nature and importance of the city program, activity, or service provided.*

The City of Scottsdale provides a wide variety of public transportation services from project development to maintenance that could impact the public. In general, the nature and importance of language encounters will be considered on a project-by-project basis.

**Factor 4:** *Internal Resources*

- Use of the city’s Nondiscrimination Notices in both English and Spanish to notify the public of their Title VI rights.
- Use of web-based translation services to provide basic language services.
- Procurement of interpretation and/or translation services, as needed.
- The city’s Human Resources Intranet Page houses a list of Spanish interpreters/translators available to city staff with their contact information. The city also has established a Bilingual Pay Program to encourage participation and increase language service access to the public. This list is reviewed and updated as needed.
- The city’s Communications office is a centralized resource for all staff to plan for and provide effective communication during public meetings, hearings and activities.
- Engagement of the graphics team to develop public notices, meeting directional signage in alternative languages as needed.
- Public referrals to the city’s online [Scottsdale EZ portal](#) to request a language service.

#### Training

The ADA/Title VI Compliance Coordinator is planning to coordinate with Human Resources to include a training module that incorporates staff resources for language services during New Employee Orientation with reoccurring training opportunities.

The City of Scottsdale will continue to assess the expansion of opportunities for Title VI dissemination, public involvement and language access. The city’s progress and updated procedures in these areas will be reported and documented in future required federal reporting and in subsequent FHWA Title VI Implementation plans due to ADOT’s External Civil Rights. The city will make public their most updated FHWA Title VI Implementation Plan on the city’s webpage, when available.

## Review of City Directives

The ADA/Title VI Compliance Coordinator has a process to engage all city program areas that may prepare/revise Administration Regulations (AR) to ensure that they are nondiscriminatory and do not conflict with Title VI regulations within its FHWA Title VI program. This process consists of routing draft Administrative Regulations for preparation or revision by program areas within the city, so that the coordinator can engage in the updated review, if applicable. The ADA/Title VI Compliance Coordinator will continue to engage each program area to ensure their involvement in the review process for revised/new proposed ARs.

As FHWA recipients, the City of Scottsdale is required to insert the following notification in accordance with U.S. Standard Title VI Assurance (DOT 1050.2A), in all solicitations for bids, RFPs for work, or material subject to the Acts and the Regulations made in connection with all Federally assisted programs, and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

***"The City of Scottsdale in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that 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."***

Additionally, the inclusion of Appendix A and Appendix E from the Title VI Assurances is required to be included in every contract or agreement subject to the Acts and Regulations to give notice to all affected contractors, subcontractors, and vendors who receive payments from the City of Scottsdale of their nondiscrimination requirements.

The ADA/Title VI Coordinator will work with the Contract Administrator and Purchasing Director to monitor the process to incorporate all required Title VI Assurances and nondiscrimination language in applicable city contracts and solicitations. The city's progress and updated procedures in this area will be reported and documented in future FHWA Title VI Annual Goals and Accomplishments reporting and in subsequent FHWA Title VI Implementation plans that will be posted on the city's webpage, when available.

## Complaint Procedures

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. Any person who believes they, or any specific class of persons, to be subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative.

Title VI Complaints related to the Federal-aid highway program may be filed with the City of Scottsdale or the agencies below. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FHWA. Complaints should be in writing and signed. They may be filed by mail, in person, or e-mail. The ADA/Title VI Compliance Coordinator, in conjunction with the Title VI Liaisons, will ensure that all complaints received by the City are forwarded to ADOT External Civil Rights within 72 hours for processing. The city's ADA/Title VI Compliance Coordinator will maintain a compliant log for at least four years, containing the name of the complainant, date received, nature of the complaint, and date of submission to the appropriate authority for disposition.

Complaints alleging violations of Title VI by the city may be filed directly with the following agencies and methods:

### **City of Scottsdale**

ADA/Title VI Compliance Coordinator

7447 E. Indian School Road

Scottsdale, AZ 85251

Email: [Fbeltran@ScottsdaleAZ.gov](mailto:Fbeltran@ScottsdaleAZ.gov)

Online: [ScottsdaleEZ](https://scottsdaleaz.eservices.scottsdaleaz.gov/ez/Request/Submit?group=ADA) [eservices.scottsdaleaz.gov/ez/Request/Submit?group=ADA](https://scottsdaleaz.eservices.scottsdaleaz.gov/ez/Request/Submit?group=ADA)

Phone: 480- 312-2311

### **ADOT External Civil Rights**

1801 W. Jefferson Street, Suite 101, MD#154A

Phoenix, AZ 85007

602-712-8946

### **Federal Highway Administration-Arizona Division**

4000 N. Central Avenue, Ste. 1500

Phoenix, AZ 85012

602-379-3646

### **US Department of Justice, Civil Rights Division**

950 Pennsylvania Avenue, NW

Washington, D.C. 20530

202-514-3847

## Appendix One

### CITY OF SCOTTSDALE NONDISCRIMINATION TITLE VI NOTICE TO THE PUBLIC



#### City of Scottsdale Nondiscrimination Notice to the Public

The City of Scottsdale hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all of its programs and activities.

The City's Title VI and ADA Programs require that no person shall, on the grounds of race, color, national origin and disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person, who believes that their Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with the City of Scottsdale within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For additional information about the City's Title VI or ADA Programs and the procedures to file a complaint, contact the ADA/Title VI Compliance Coordinator via the information provided at the bottom of this notice.

#### Aviso De No-Discriminación Al Publico De La Cuidad De Scottsdale

La Cuidad de Scottsdale da aviso al público que esta agencia tiene como política asegurar el cumplimiento total del Título VI de la Ley de los Derechos Civiles de 1964, del Título II de la Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA) y otras normas relacionadas con todos sus programas y actividades.

Los programas del Título VI y ADA de la Cuidad de Scottsdale exigen que a ninguna persona se le excluya de participar, se le nieguen beneficios o de ninguna otra manera sea sujeta a discriminación en ningún programa o actividad de la Cuidad de Scottsdale por motivo de raza, color, país de origen, o discapacidad.

Cualquier persona que crea que se han violado sus derechos bajo el Título VI o el ADA, puede presentar una queja. Cualquier queja de este tipo debe ser por escrito y presentada ante la Ciudad de Scottsdale dentro de ciento ochenta (180) días a partir de la fecha en que se alega que ocurrió la discriminación. Para recibir más información sobre los programas de Derechos Civiles de la Cuidad de Scottsdale y los procedimientos para presentar una queja, por favor comuníquese con el Coordinador de Cumplimiento del ADA/Título VI a través de la información que se indica a continuación:

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|                                                                                                            |                                                                                              |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Felicia Beltran</b><br>ADA/Title VI Compliance Coordinator<br>FBeltran@ScottsdaleAZ.gov<br>480-312-2311 | City of Scottsdale<br>7447 E. Indian School Road<br>Scottsdale, AZ 85251<br>ScottsdaleAZ.gov |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|



## Appendix Two

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

|                                                                                                                                                                                                                                                                                                                                                                                           |             |           |                   |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|-------------------|-----------|
| <b>Section I:</b>                                                                                                                                                                                                                                                                                                                                                                         |             |           |                   |           |
| Name:                                                                                                                                                                                                                                                                                                                                                                                     |             |           |                   |           |
| Address:                                                                                                                                                                                                                                                                                                                                                                                  |             |           |                   |           |
| Telephone (Home):                                                                                                                                                                                                                                                                                                                                                                         |             |           | Telephone (Work): |           |
| Electronic Mail Address:                                                                                                                                                                                                                                                                                                                                                                  |             |           |                   |           |
| Accessible Format Requirements?<br><br>(circle yes or no)                                                                                                                                                                                                                                                                                                                                 | Large Print | Yes<br>No | Audio Tape        | Yes<br>No |
|                                                                                                                                                                                                                                                                                                                                                                                           | TDD         | Yes<br>No | Other             | Yes<br>No |
| <b>Section II:</b>                                                                                                                                                                                                                                                                                                                                                                        |             |           |                   |           |
| 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        |
| <b>Section III:</b>                                                                                                                                                                                                                                                                                                                                                                       |             |           |                   |           |
| I believe the discrimination experienced was based on (check all that apply):                                                                                                                                                                                                                                                                                                             |             |           |                   |           |
| <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> 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. |             |           |                   |           |

| <b>Section IV</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |     |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| Have you previously filed a Title VI complaint with this agency?                                                                                                                                                                                                                                                                                                                                                                                                                 | Yes | No |
| <b>Section V</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |     |    |
| Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court?<br><input type="checkbox"/> Yes <input type="checkbox"/> No<br>If yes, check all that apply and fill in agency's name:<br><input type="checkbox"/> Federal Agency: _____<br><input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Agency _____<br><input type="checkbox"/> State Court _____ <input type="checkbox"/> Local Agency _____ |     |    |
| Please provide information about a contact person at the agency/court where the complaint was filed.                                                                                                                                                                                                                                                                                                                                                                             |     |    |
| Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |     |    |
| Title:                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |     |    |
| Agency:                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |     |    |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |    |
| Telephone:                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |    |
| <b>Section VI</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |     |    |
| 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: Felicia Beltran  
 ADA/Title VI Compliance Coordinator  
 City of Scottsdale  
 7447 E. Indian School Rd.  
 Scottsdale, AZ 85251

## TITLE VI and ADA COMPLAINT FORM

### (TÍTULO VI Y FORMULARIO DE RECLAMACIÓN ADA)

|                                                                                                                             |              |                     |                |          |
|-----------------------------------------------------------------------------------------------------------------------------|--------------|---------------------|----------------|----------|
| <b>Sección I:</b>                                                                                                           |              |                     |                |          |
| Nombre:                                                                                                                     |              |                     |                |          |
| Dirección:                                                                                                                  |              |                     |                |          |
| Teléfono (Casa):                                                                                                            |              | Teléfono (Trabajo): |                |          |
| Dirección de correo electrónico:                                                                                            |              |                     |                |          |
| ¿Requisitos de formato accesible?                                                                                           | Letra grande | Sí<br>No            | Cinta de audio | Sí<br>No |
|                                                                                                                             | TDD          | Sí<br>No            | Otro           | Sí<br>No |
|                                                                                                                             |              |                     |                |          |
|                                                                                                                             |              |                     |                |          |
| (encierre en un círculo sí o no)                                                                                            |              |                     |                |          |
| <b>Sección II:</b>                                                                                                          |              |                     |                |          |
| ¿Está presentando esta denuncia en su propio nombre?                                                                        |              | Sí*                 | No             |          |
| *Si respondió "sí" a esta pregunta, continúe en la Sección III.                                                             |              |                     |                |          |
| Si respondió "no", a esta pregunta, indique el nombre y la relación de la persona por la que presenta esta denuncia.        |              |                     |                |          |
| Si presenta la solicitud en nombre de un tercero, explique por qué.                                                         |              |                     |                |          |
| Por favor confirme que ha obtenido el permiso del partido agraviado si es que presenta la denuncia en nombre de un tercero. |              | Sí                  | No             |          |
| <b>Sección III:</b>                                                                                                         |              |                     |                |          |
| Creo que la discriminación experimentada se basó en (marque todo lo que corresponda):                                       |              |                     |                |          |

☐ Raza ☐ Color ☐ Origen Nacional ☐ Discapacidad

Fecha de la presunta discriminación (mes, día, año): \_\_\_\_\_

Explique lo más claro posible lo que sucedió y por qué cree que fue discriminado. Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la(s) persona(s) que le discriminó (si se conoce), así como los nombres y la información de contacto de los testigos. Si se necesita más espacio, por favor escriba en papel extra y envíelo con el formulario.

#### Sección IV

¿Ha presentado previamente una queja del Título VI ante esta agencia?

Sí

No

#### Sección V

¿Ha presentado esta denuncia ante alguna otra agencia federal, estatal o local, o ante algún tribunal federal o estatal?

☐ Sí ☐ No

En caso afirmativo, marque todo lo que corresponda y complete el nombre de la agencia:

☐ Agencia Federal:

☐ Tribunal Federal ☐ Agencia Estatal

☐ Tribunal Estatal ☐ Agencia Local

Favor de proporcionar información de contacto de una persona en la agencia/tribunal donde se presentó la denuncia.

Nombre:

Título:

Agencia:

Dirección:

Teléfono:

#### Sección VI

Nombre de la agencia denunciada:

|                      |
|----------------------|
| Persona de contacto: |
| Título:              |
| Número de teléfono:  |

Puede adjuntar cualquier material escrito u otra información que considere relevante para su denuncia. Su firma autorizada y la fecha de la denuncia se requieren a continuación.

|       |       |
|-------|-------|
| _____ | _____ |
| Firma | Fecha |

Envíe este formulario en persona o por correo a:

Atención: Felicia Beltran  
Coordinador de Supervisión del Título VI  
Ciudad de Scottsdale  
7447 E. Escuela Indígena Rd.  
Scottsdale, AZ 85251

# Voluntary Self Identification Questionnaire



## Voluntary Self-Identification Questionnaire

Your input helps ensure all communities are represented in Scottsdale's planning and projects. The City of Scottsdale will take reasonable steps to provide modifications based on language or disability. Requests should be made as early as possible to ensure the city has an opportunity to provide modifications.

If you have questions or need assistance, please see a City of Scottsdale employee or call **(insert phone number of your department's designated contact person)** or by **email (INSERT)**.

### About you

Race/Ethnicity (check all that apply & write in specifics):

- ☐ White (German, Irish, Italian, etc.)
- ☐ Black or African American (Jamaican, Nigerian, Ethiopian, etc.)
- ☐ Asian (Chinese, Filipino, Indian, Vietnamese, etc.)
- ☐ Native Hawaiian or Pacific Islander (Samoan, Chamorro, Fijian, etc.)
- ☐ Hispanic, Latino, or Spanish Origin (Mexican, Puerto Rican, Salvadoran, etc.)
- ☐ American Indian or Alaska Native (Navajo, Aztec, Mayan, etc.)
- ☐ Other: \_\_\_\_\_

Language:

Do you speak a language other than English?

- ☐ Spanish ☐ French ☐ Arabic ☐ Chinese ☐ Tagalog ☐ Korean ☐ Other: \_\_\_\_\_

Disability:

Do you consider yourself to have a disability?

- ☐ Yes (For assistance with accommodations, **call (insert phone number of your department's designated contact person)**).
- ☐ No

Age:

- ☐ Under 18 ☐ 18-40 ☐ 41-65 ☐ 65+

**For more information visit [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) and search "Scottsdale EZ"**

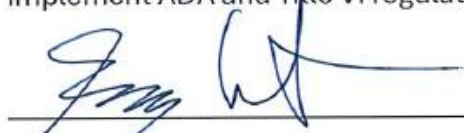
## Appendix Four

### Title VI and the Americans with Disabilities Act (ADA) Nondiscrimination Policy Statement

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, national origin and disability as provided by Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act, Americans with Disabilities Act of 1990, Title II of the ADA, and the Code of Federal Regulations 49 § 21, and Code of Federal Regulations 23 § 200.

No person in the United States shall, on the grounds of race, color, national origin and disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City program or activity receiving federal financial assistance. Additional protections are provided in the Scottsdale Anti-Discrimination Ordinance (AR4497) which includes, religion, age, sex, sexual orientation and gender identity as protected classes. 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.

The City Manager delegates authority to the ADA/Title VI Compliance Coordinator to oversee and implement ADA and Title VI regulations.

  
\_\_\_\_\_  
Greg Caton, City Manager

10/22/2025

Date

## Appendix Five

The following USDOT Assurances contain references to Executive Orders 12898 (Environmental Justice) and 13166 (Limited English Proficiency) in Appendix E that have been revoked and are no longer in effect.

### USDOT Order 1050.2A Assurances

#### City of Scottsdale FHWA 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 City of Scottsdale 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") 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 to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that 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 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

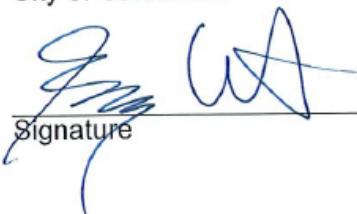
transference for the longer of the following periods:

- 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 regarding any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the 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.

**The 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.

**Greg Caton, City Manager**  
City of Scottsdale

  
Signature

Date 10/22/2025

## 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 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.

#### **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).