



City of *Downey*

# TRANSIT SERVICES TITLE VI PROGRAM

Revised May 24, 2022

This document sets forth policies and procedures to effectively monitor and ensure that Downey Transit Services are in compliance with Title VI of the Civil Rights Act of 1964 as required by the US Federal Transit Administration.

DOWNEY TRANSIT SERVICES TITLE VI PROGRAM

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## I. INTRODUCTION

The City of Downey is a place of pride, history, involvement, and community. The City is committed to ensuring that all citizens are provided services and opportunities to engage in City decision-making without regard to race, color, religion, gender, gender expression, age, national origin, disability, marital status, sexual orientation, or military status. This commitment to inclusion and service is reflected in the Title VI Program of Downey's Transit Services. As required by the Federal Transit Administration (FTA), Federal Highway Administration (FHWA), and as set forth in Title VI of the Civil Rights Act of 1964, the City of Downey is reiterating its commitment to fair and equitable access to the City's transit services, specifically:

*"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. 2000d)*

To ensure that all residents are given equitable access to Transit Services and that all citizens are provided an opportunity take part in Transit planning and decision-making (and as a recipient of federal funding), the City of Downey Transit Services will ensure full compliance with Title VI of the Civil Rights Act of 1964.

The Title VI Program-Transit was adopted by the Downey City Council in conformance with FTA C 4702.1B (October 1, 2012, April 26, 2016, May 28, 2019 October 8, 2019 and May 24, 2022). On November 18, 2020 this Policy was updated to incorporate an updated FTA mailing address regarding complaints and web link to the City's Title VI webpage. No other changes were made.

## II. TITLE VI REQUIREMENTS

### A. Requirement to Notify Beneficiaries of Protection under Title VI.

In order to comply with 49 CFR, Section 21.9(d), the City shall provide information to the public regarding the City's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

The City of Downey will inform members of the public of their Title VI protection in a variety of way, including:

- On the City's website at <http://www.downeyca.org/titleVI> (The Website also includes a link to translate the webpage into Spanish);
- On City agendas, which are printed in both Spanish and English;
- Posting of notices inside all Dial-A-Ride and Fixed-Route vehicles; and,
- Posting of notices in the public area of the Transit Center.

Copies of notices can be found in Attachment #1.

## **B. Requirement to Develop Title VI Complaint Procedures and Complaint Form.**

The City of Downey takes allegations of discrimination of any kind very seriously. Three specific categories of discrimination fall under Federal Title VI regulations: discrimination on the basis of race, color and national origin. As a recipient of Federal funding, the City is required to develop procedures for investigating and tracking Title VI complaints filed against the City's Transit Services and to make these procedures for filing a complaint available to the general public.

### 1. City of Downey Title VI Complaint Procedures

The city-wide complaint procedures can be found in Attachment 2.

### 2. Ensuring Easy Access to Complaint Form and Procedures

The City has developed a Title VI Complaint Form to document all complaints received by City and/or transit contractor staff (Attachment #3). This form is available in English, Spanish and Korean on the City's website and at the City of Downey Transit Depot located at 8150 Nance Ave., Downey, CA 90241. The form is also available via email or can be mailed upon request.

## **C. Requirement to Record and Report Transit-Related Title VI Investigations, Complaints, and Lawsuits.**

The City is required to prepare and maintain a list of investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs. The City will maintain a list of Transit Services Title VI investigations, complaints, and lawsuits, including a comprehensive summary and description of actions taken by the City, as required by Title VI regulations (see Attachment #4). The list shall include:

- The date that the investigation, lawsuit, or complaint was filed,
- A summary of the allegations(s),
- The status of the investigation, lawsuit, or complaint, and
- Actions taken by the City in response, or final findings related to the investigation, lawsuit, or complaint.

The list will be maintained by the City Manager's Office and an updated copy provided to the Human Resources' office on a periodic basis.

The list shall be included in the City's Title VI submittal to FTA every three (3) years. As of May 24, 2022, the City of Downey had one Title VI – Transit complaints, investigations, or lawsuits.

#### **D. Promoting Inclusive Public Participation.**

Transit Services' Public Participation Plan is designed to encourage participation by all Downey residents in transit planning and services. Downey Transit Services has used – and will continue to use – a number of avenues to reach the greatest number of residents. These activities include, but are not limited to widely disseminating bilingual brochures as well as biannual mailings to LEP Outreach List to ensure access by their LEP clients and attendees. The full Public Participation Plan is included as Attachment #5.

#### Summary of outreach efforts made since the last Title VI Program submission

Transit services has changed their principal marketing brochure to create a bi-lingual brochure (Spanish/English) to ensure that all outreach efforts include LEP Spanish speakers. In addition, Downey has implemented a city-wide Title VI LAP Program that includes contracting with telephonic translators, creating “Point to Your Language” cards for all staff who interact with the public, and posting notices at key sites of the number to call for translation assistance.

#### **E. Language Assistance Plan and Requirement to Provide Meaningful Access to Limited English Proficiency (LEP) Persons.**

The Language Assistance Plan includes two components; a Title VI Limited English Proficiency Analysis (LEP Analysis), and a Language Assistance Plan. The LEP Analysis is a four factor analysis, which considers:

- The number of LEP persons in the service area,
- The frequency that LEP persons come in contact with transit services,
- The nature and importance of programs, activities or service to the LEP population, and
- The resources available to the City and overall costs to provide LEP assistance.

The Language Assistance Plan explains the findings of the Four Factor Analysis and describes how the City will implement language assistance.

Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who have Limited English Proficiency. In addition to the steps outlined herein, the City collaborates with the Los Angeles County Metropolitan Transportation Authority (Metro) and other neighborhood stakeholders to ensure LEP persons have access to necessary information.

The LEP Analysis and Language Assistance Plan are detailed in Attachment #6.

#### **F. Minority Representation on Planning or Advisory Board (not applicable).**

The City of Downey does not have a “transit-related, non-elected” planning board, advisory council, or committee. Rather, the City Council serves as the legislative body for all

transportation related policy decisions. Therefore, this requirement does not apply to the City of Downey. The city of Downey will follow all Title VI Requirements if a transit advisory council or committee should be formed at an undetermined future date.

**G. Determination of Site or Location of Facilities (not applicable).**

The City of Downey is not currently using any Federal grants for the construction of any transit related facilities such as storage facilities, maintenance facilities, or operations centers. Therefore, this requirement does not apply.

**H. Requirement to Develop System-Wide Standards and Policies.**

FTA requires all fixed-route transit providers to develop quantitative service standards and policies for their fixed-route service.

The City has developed service standards and policies for its fixed-route system consistent with Title VI requirements. The standards include (a) vehicle load; (b) vehicle headway; (c) on-time performance; and (d) service availability. The policies include (a) the policy for the distribution of transit amenities, and (b) vehicle assignment policies (see Attachment #6).

**I. Obligation to Provide Additional Information upon Request.**

The City of Downey's City Manager's Office is available to provide additional information, as needed, and to respond to any verbal or written requests for information in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

## ATTACHMENT 1

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### ≡ NOTICE OF CIVIL RIGHTS ≡

- Text for Website
- 8½ x 11 Flyer for Posting
- DAR Vehicle Cards and  
Downey LINK Bus

## Notice of Civil Rights - Website Text

<http://www.downeyca.org/TitleVI>

The screenshot shows the City of Downey website. The header includes the City of Downey logo and navigation links: **Our City**, **Residents**, **Business**, and **I Want To...**. A search icon is also present. The left sidebar contains a menu with items such as "Commissions, Boards, Task Force", "Measure S", "Departments", "City Mission Statement & Values", "City Performance Management", "Press Releases", "Americans with Disabilities Act", "Downey ADA Transition Plan", "Title VI Nondiscrimination & Language Access Plan" (highlighted), "SB 272 - Public Agency Enterprise Systems Disclosure", "Clean Power Alliance/ Green Projects", "Homeless Resources", "Girls on Fire Summer Program", "Contact Us", "Privacy", and "Visitors".

### Title VI Nondiscrimination & Language Access Plan

Font Size: [+](#) [-](#) [Share & Bookmark](#) [Feedback](#) [Print](#)

The City of Downey affirms its commitment to Section VI of the Civil Rights Act of 1964:

*"No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance."*

The Downey City Council formally adopted their Title VI Language Access Plan on May 8, 2018. The [Citywide Language Plan](#) and [Title VI Transit Plan](#) were updated and approved on May 28, 2019. The City's Title VI Program focuses on fair and equitable access by the public and provides the policy direction necessary to ensure compliance with Title VI of the Civil Rights Act of 1964. If you have questions regarding the City's Title VI Language Access Plan, please contact : (562) 299-6619.

[Notice of Non-Discrimination Title VI Notice - English](#)

[Notice of Non-Discrimination Title VI Notice- Spanish \(En Espanol\)](#)

[Aviso de la norma de la ciudad de Downey contra la discriminación - Español](#)

[Notice of Non-Discrimination Title VI Notice - Korean](#)

[다운우니시의 비차별 정책 - 한국어](#)

### TITLE VI COMPLAINT PROCEDURES

#### SUBMISSION OF COMPLAINT

If a patron believes he/she has received discriminatory treatment on the basis of race, color or national origin, including limited English proficiency, by a city of Downey staff member or a staff member of a contract service provider (e.g. the transit contractor), the patron will have the right to file a complaint with the city. Please complete the form below in as much detail as possible to file a complaint. This completed form must be submitted within 180 days of the incident. If you need help completing this form for any reason, please contact the Downey Human Resources department at (562) 904-7292.


**Citywide**

[Title VI Complaint Form - English](#)



**Notice of Civil Rights Posting in Transit Center** (a Spanish version will also be posted)

Actual Size – 8½ x 11



**City of Downey • Transit Services**  
8150 Nance Street, Downey, CA 90241

## Public Notice of Rights under Title VI of the Civil Rights Act

In keeping with the City's tradition of community and involvement, Downey Transit Services is committed to ensuring that **no person is excluded from participation in, or denied the benefits of its service on the basis of race, color or national origin** as provided under Title VI of the Civil Rights Act. In addition, Downey prohibits discrimination based on sex, age, disability, religion, sexual orientation, gender identity, and other protected classes enumerated in federal and state laws.

If you have any questions about the Title VI Civil Rights Act or would like additional information on Downey's obligation regarding non-discrimination, please visit the Title VI Nondiscrimination & Language Access Plan page on the City website or call (562) 299-6619.

If you believe you have been discriminated against, you have 180 days from the date of the alleged discrimination to file a signed, written complaint. The complaint should include the following information:

- Your name, address, and how to contact you (i.e., telephone number, email address)
- How, when, where, and why you believe you were discriminated against. Include the location, names, and contact information of any witnesses.

A full description of the Complaint Process and complaint form is available on the Transit section of the City's website or at the Transit.

The complaint should be filed in writing with:  
Downey City Manager's Office  
11111 Brookshire Ave., Downey, 3rd floor  
(562) 299-6619

You may also file a Civil Rights Act Title VI complaint with the FTA at:  
U.S. Department of Transportation  
Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR,  
1200 New Jersey Avenue, SE,  
Washington, DC 20590

제목 VI 에 따른 권리 공시

다른 언어로 정보를 제공받으시려면 (562) 299-6619 로 연락하십시오

**Notice for Posting in Dial-A-Ride Vehicles**

Actual Size: 5.4 x 6.5

**Public Notice of Rights under Title VI**  
**Aviso Público de Derechos bajo el Título VI**

**제목 VI 에 따른 권리 공시**

Downey Transit Services operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act. (Downey also prohibits discrimination based on sex, age, disability, religion, sexual orientation, gender identity, and other protected classes enumerated in federal and state laws.) Any person who believes he/she has been a victim of any unlawful discriminatory practice under Title VI may file a complaint with Downey City Manager's Office.

If you have any questions or would like additional information on Downey's obligation regarding non-discrimination or how to file a complaint, please visit the Title VI Nondiscrimination & Language Access Plan page on the City's website or call (562) 299-6619.


You may also file a complaint directly with the Federal Transit Administration:  
Federal Transit Administration, Office of Civil Rights,  
Attention: Complaint Team, East Building, 5th Floor – TCR,  
1200 New Jersey Avenue, SE, Washington, DC 20590



If information is needed in another language, please contact (562) 299-6619  
Por información en español, póngase en contacto con (562) 299-6619  
다른 언어로 정보를 제공받으시려면 (562) 299-6619 로 연락하십시오

**Notice for Downey LINK Fixed-Route Vehicles**

Actual Size: 5.3" x 9.8"

|  |   |   |
|--|---|---|
| <p><b>Public Notice of Rights under Title VI</b></p>   | <p>제목 VI 에 따른<br/>권리 공시</p>   | <p><b>Aviso Público de Derechos bajo el Título VI</b></p> |
| <p>Downey Transit Services operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act. Downey also prohibits discrimination based on sex, age, disability, religion, sexual orientation, gender identity, and other protected classes enumerated in federal and state laws. Any person who believes he/she has been a victim of any unlawful discriminatory practice under Title VI may file a complaint with the Downey City Manager's Office.</p> <p>If you have any questions or would like additional information on Downey's obligation regarding non-discrimination or how to file a complaint, please visit the Title VI Nondiscrimination &amp; Language Access Plan page on the City's website or call (562) 299-6619.</p> | <p>Los servicios del Tránsito de Downey opera sus programas y servicios, sin distinción de raza, color u origen nacional, de conformidad con el Título VI de la Ley de Derechos Civiles. Downey también prohíbe la discriminación basada en el sexo, edad, discapacidad, religión, orientación sexual, identidad de género, y otras clases protegidas mencionados en las leyes federales y estatales. Cualquier persona que cree que él / ella ha sido víctima de cualquier práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja con oficina Gerente de la Ciudad.</p> <p>Si usted tiene alguna pregunta o desea información adicional relativa a la obligación de Downey en materia de no discriminación o cómo presentar una queja, por favor visite la página de Tránsito en el sitio web de la ciudad o póngase en contacto con (562) 299-6619.</p> |   |
|    | <p>다른 언어로 정보를 제공받으시려면 (562) 299-6619 로 연락하십시오<br/>If information is needed in another language, please call (562) 299-6619</p>  |   |

## ATTACHMENT 2

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≡ CITY-WIDE TITLE VI LAP EXCERPT:  
COMPLAINT PROCESS ≡

## **Excerpt from City-wide Language Access Plan May 2022**

Page 4-7

The City of Downey takes allegations of discrimination of any kind very seriously. Three specific categories of discrimination fall under Federal Title VI regulations: discrimination on the basis of race, color or national origin. As a recipient of Federal funding, the City is required to develop procedures for investigating and tracking Title VI complaints filed against the City and to make these procedures for filing a complaint available to the general public.

The City has developed the following Title VI complaint procedures. Both the complaint procedures and the complaint form will be posted in English, Spanish and Korean on the City's website. They will also be available on the City's shared network drive for any City staff member to print as requested. This procedure is the same for other nondiscrimination statues complaints (except for ADA complaints as the City has developed a separate ADA Complaint and Grievance Procedure.)

### 1. City of Downey Title VI Complaint Procedures

#### (a) Complaint Submission

If a patron believes he/she has received discriminatory treatment on the basis of race, color, religion, gender, age, national origin, disability (handled by a separate process), marital status, sexual orientation, or military status, including limited English proficiency, by a City of Downey staff member or a staff member of a contract service provider (e.g. the Transit contractor), the patron will have the right to file a complaint with the City. The complaint must be filed within 180 calendar days of the alleged incident. Title VI complaint procedures will be available in English, Spanish and Korean.

#### (b) Complaint Investigation Process

2. Per the FHWA Guidance Memorandum, *Processing of Title VI Complaints*, dated June 13, 2018, all Title VI complaints received by a sub-recipient (the City of Downey) will be forwarded to Caltrans (email to: Title.VI@dot.ca.gov) to be submitted to FHWA Division Office within one business day of receipt.

Similarly, if a complaint is received by an FTA sub-recipient, those are to be forwarded to the FTA for investigation or review (mail to: Federal Transit Administration- Office of Civil Rights, Attention: Complaint Team, East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590).

The FHWA/FTA will then forward that complaint to the U.S. Department of Transportation Headquarters Office of Civil Rights (HCR) within one business day of receipt. If HCR determines a Title VI complaint against a sub-recipient can be investigated by a Caltrans, HCR may delegate the task of investigating the complaint to Caltrans. If Caltrans' Office of Business & Economic Opportunity (OBEO) is delegated the responsibility of performing an investigation, OBEO has 90 days to investigate the complaint. If additional time is needed, OBEO will call the Complainant and inform

them.

If more information is needed to resolve the case, the OBEO investigator may contact the Complainant. The Complainant has ten business days from the date of the letter to send the requested information to the investigator assigned to the case.

If the investigator is not contacted by the Complainant or does not receive the additional information within ten business days, OBEO will consult with HCR regarding the disposition of the complaint. Disposition of Title VI complaint will be undertaken by HCR, through either (1) *informal resolution* or (2) *issuance of a Letter of Finding of compliance or noncompliance with Title VI*. A copy of the Letter of Finding will be sent to all parties via the Division Office.

#### FTA – Filing a Local Complaint

FTA recommends, but does not require, that individuals first file a complaint directly with their transit provider to give it an opportunity to resolve the situation. FTA grantees are required under the ADA, Title VI, and EEO to have local complaint procedures.

#### Complaints Filed Against California Department of Transportation (Caltrans)

Written complaints filed with Caltrans in which Caltrans is named as the Respondent will be forwarded to Federal Highway Administration (FHWA) Division Office, or Federal Transit Agency (FTA), depending on who is the oversight agency, for investigation. The FHWA/FTA will then forward that complaint to the Headquarters Office of Civil Rights (HCR). All complaints filed under Title VI against State DOT's are investigated by HCR.

##### (a) Submission of Complaint Directly to Caltrans and to the Federal Department

Complainant may, at any time, submit the complaint directly to the relevant Federal Department for investigation, including:

- California Department of Transportation, Office of Business & Economic Opportunity, 1823 14<sup>th</sup> Street, Sacramento, California 95811. (916) 324-0449, TTY 711, [title.vi@dot.ca.gov](mailto:title.vi@dot.ca.gov)
- U.S. Department of Transportation, Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor E81-105, Washington, DC 20590. (202)366-0693, [FHWA.TitleVIcomplaints@dot.gov](mailto:FHWA.TitleVIcomplaints@dot.gov)

- Title Vi And Other Discrimination Complaint Form - <https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?frmid=OBEO0002>

FORMULARIO DE QUEJAS DE DISCRIMINACIÓN DEL TÍTULO VI Y OTRAS - <http://cefs2.dot.ca.gov/v2Forms/servlet/FormRenderer?frmid=OBEO0002ES>

FHWA F.A.Q for Complaints Alleging Violations for Title VI - [https://www.fhwa.dot.gov/civilrights/programs/docs/FHWA\\_Title\\_VI%20\\_Complaint\\_QA.pdf](https://www.fhwa.dot.gov/civilrights/programs/docs/FHWA_Title_VI%20_Complaint_QA.pdf)

- U.S. Department of Transportation, Federal Transit Administration- Office of Civil Rights, Attention: Complaint Team, East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590, such a complaint must be filed within 180 calendar days of the date of the alleged discrimination.
- U.S. Department of Housing and Urban Development, One Sansome Street, Suite 1200, San Francisco, CA 94104, (415) 489-6400
- U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001. (202) 514-2000
- US Department of Homeland Security, Office for Civil Rights and Civil Liberties, Review and Compliance, 245 Murray Lane, SW., Building 410, Mail Stop #0190, Washington, DC 20528. (866) 644-8360, Toll Free TTY: (866)644-8361, Fax: (202) 401-4708, crcl@dhs.gov.

## 2. Ensuring Easy Access to Complaint Form and Procedures

The City has developed a Title VI Complaint Form to document all complaints received by City and/or contractor staff (Attachment #2). This form is available in English, Spanish and Korean on the City's website and from any staff member from the City's shared network folder. The form will also be available via email or US mailed for free upon request.

## 3. Tracking and Recording Title VI Investigations, Complaints, and Lawsuits.

The City will maintain a list of all Title VI and of other nondiscrimination statues investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, religion, gender, age, national origin, disability, marital status, sexual orientation, or military status in City activities and programs. The list will include shall include:

- The date that the investigation, lawsuit, or complaint was filed,
- A summary of the allegations(s),
- The status of the investigation, lawsuit, or complaint, and
- Actions taken by the City in response, or final findings related to the investigation, lawsuit, or complaint.

The list will be maintained by the City Manager's office and an updated copy provided to the Human Resources' office on a periodic basis.

## ATTACHMENT 3

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≡ TITLE VI COMPLAINT FORM ≡



Complaint form is available in English, Spanish and Korean either online, at the Transit Center, from City Hall or (upon request) by mail or email.



## Title VI Complaint Form

As required by the Federal Transit Administration (FTA) and as set forth in Title VI of the Civil Rights Act of 1964:

*"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. 2000d)*

If you believe you have been the target of discrimination on the basis of race, color, national origin, religion, gender, age, disability (handled through a separate the ADA complaint and grievance procedure), marital status, sexual orientation, or military status, please complete this form in as much detail as possible. This completed form must be submitted within 180 days of the incident. If you need help completing this form for any reason, please contact the City Manager's Office at (562) 299-6619.



|  |   |
|--|---|
| <b>Section I:</b>  |   |
| Name:  | <input type="text"/>  |
| Address:   | <input type="text"/>  |
| Telephone (Home):  | <input type="text"/> Telephone (Cell): <input type="text"/> |
| Email Address:   | <input type="text"/>  |
| <b>Section II:</b>   |   |
| Are you filing this complaint on your own behalf? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>        |   |
| If you answered "Yes," go to Section III   |   |
| If you answered "No":  |   |
| Please supply the name and relationship of the person for whom you are filing this form: <input type="text"/>  |   |
| Explain why you have filed for a third party: <input type="text"/>   |   |
| Have you obtained the permission of the aggrieved party? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> |   |
| <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"/> <input type="text"/>  |   |
| Other* <input type="text"/>  |   |
| Date of Alleged Discrimination (Month, Day, Year): <input type="text"/>  |   |
| (continued on back)  |   |

Explain as clearly and completely as possible what happened and why you believe you (or another) 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 attach additional sheets.

\_\_\_\_\_

**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 list the agency's name:

Federal Agency \_\_\_\_\_  State Agency \_\_\_\_\_

Federal Court \_\_\_\_\_  State Court \_\_\_\_\_

Local Agency \_\_\_\_\_  Other \_\_\_\_\_

Please provide information for the contact person at the agency/court(s) where the complaint was filed. (Please attach additional sheets if more than one agency/court.)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please attach any written materials or other information that you think is relevant to your complaint. Signature and date are required.

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

Please submit this form in person at the address below, or mail this form to:  
 City Manager's Office  
 11111 Brookshire Ave., 3<sup>rd</sup> Floor  
 Downey, CA 90241  
 (562) 299-6619

## ATTACHMENT 4

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# ≡ LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS ≡

### City of Downey

#### List of Transit-Related Title VI Investigations, Complaints and Lawsuits

As of May 2022, one complaints or lawsuits have been filed against the City of Downey Transit Services.

| Complaints              |                                |                     |        |   |
|-------------------------|--------------------------------|---------------------|--------|---|
| Date Complaint Received | Type of Alleged Discrimination | Name of Complainant | Status | Action Taken  |
| 10.2.2019               | Race                           | ID: 001             | CLOSED | 10.2.2019 - Emailed Complaint to Caltrans<br>10.3.2019 - mailed complaint to FTA<br><br>10.2.2019 - No discrimination was found per staff, Complainant felt the delay for pickup was based on her race. Staff explained to Complainant regarding transit operations.<br><br>10.11.2019 – Staff sent letter to complainant with update and to follow up with FTA with questions. |
|                         |                                |                     |        |   |
|                         |                                |                     |        |   |
|                         |                                |                     |        |   |
|                         |                                |                     |        |   |

| Investigations               |                                |  |        |                         |
|------------------------------|--------------------------------|--|--------|-------------------------|
| Date Investigation Commenced | Type of Alleged Discrimination | Name of Target of Alleged Discrimination | Status | Resolution/Action Taken |
|                              |                                |  |        |                         |
|                              |                                |  |        |                         |
|                              |                                |  |        |                         |
|                              |                                |  |        |                         |
|                              |                                |  |        |                         |

| <b>Lawsuits</b>    |                                |                               |        |            |
|--------------------|--------------------------------|-------------------------------|--------|------------|
| Date Lawsuit Filed | Type of Alleged Discrimination | Name of Person who Filed Suit | Status | Resolution |
|                    |                                |                               |        |            |
|                    |                                |                               |        |            |
|                    |                                |                               |        |            |
|                    |                                |                               |        |            |
|                    |                                |                               |        |            |

## ATTACHMENT 5

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# ≡ PUBLIC PARTICIPATION PLAN ≡

**CITY OF DOWNEY  
PUBLIC PARTICIPATION PLAN  
May 2022**

**Introduction**

Downey Transit Services' Public Participation Plan has been designed to help ensure that no one is prevented from participating in key issues in Downey's transportation planning efforts, such as fare increases or service modifications. The goal is to bring all stakeholders into the decision-making process so the City Council can make an informed decision in regards to the City's transit services.

**Public Outreach Activities**

The City plans to continue to directly reach out to the community through the dissemination of flyers, advertisements in local newspapers, articles on the City's website, Instagram posts, and *The Orbit* community guide book and at local events. *COVID Note:* At the time of writing, some City in-person services and events remain suspended due to COVID. The following reflects both the outreach that has been undertaken as well as how outreach will resume once all COVID restrictions have been lifted.

Flyers, Brochures and Mailings

Brochures for both Downey LINK (English and Spanish) and Dial-A-Ride (English and Spanish) are distributed at various sites throughout the City including libraries, the senior center and the community center. Information on both services is also included in the Parks and Recreation catalog that is mailed to all Downey residents.

In addition, bi-annual mailings will be sent to community organizations that directly serve LEP, low income, and senior populations in Downey. These organizations will be asked to work with the City Manager's Office to ensure that their attendees are aware of and able to access all transportation and other services. Currently, the community outreach list includes:

- Food and nutrition programs including food pantries,
- Churches that offer services in languages other than English (including Spanish, Korean, Arabic, Armenian, Greek and Indonesian),
- Church programs that have special programs for the deaf and seniors,
- Medical programs including free/low cost clinics,
- Senior residences, and
- Other programs that serve low-income residents.

Public Information Meetings

The City periodically conducts public meetings to explain changes or proposed changes to Downey Transit prior to City Council consideration. These meetings serve as a means to engage the public and to provide input for future service changes and are conducted at public facilities, such as local community and senior centers. These public workshops are brainstorming sessions

and they provide vital information that can be used to assist in the improvement of the City's transit programs and in potential identification of LEP populations that may be in need of assistance.

These workshops will be held in buildings that meet Americans with Disability Act requirements for accessibility and at various times of the day and week to ensure that all community stakeholders are part of the decision-making process. When possible, bilingual Spanish-English staff will attend the event to facilitate participation by limited-English Spanish-speaking residents. Special effort will be made to hold workshops in at least one location (e.g. a church) that directly serves the Korean population in Downey. It is expected that staff from the community organization will be able to serve as translators for any LEP individuals who attend these meetings.

#### Participation in Community Events

The City participates in community events in order to promote its transit services. These activities include functions where a broad cross-section of the community can access available transit information, including schedules, brochures and flyers.

#### **Substantial Service Changes**

When the City is proposing a material change to the transportation services (including such changes as permanent route adjustments, fare increases, or substantial service modifications), staff will inform the public of the proposed changes with a minimum of 30 days and up to four months' notice, depending on the level of service change.

For any changes that require City Council approval, Downey will allow the public to comment on proposed changes during said period and during the scheduled public hearing with the City Council.

In accordance with the City's policies and procedures, the City will continue its current notification outreach efforts. In addition, specifically in the public comment window prior to any fare or substantial service changes to the transit programs, the City will continue to:

- Post English and Spanish notices on all vehicles for the impacted service
- Hand out notices to all riders (bilingual Spanish/English)
- Mail notices to the community outreach mailing list
- Post notices at the Transit Station

Whenever possible, when staff prepares a document or schedules a meeting for which the target audience is expected to include LEP individuals, the meeting notices, flyers, and agendas may be made available in Spanish (based on available resources). Every effort will be made to have Spanish and, upon request, Korean interpreters available as well for meetings that invite public comment on Transit issues.



### **Assurances**

The City of Downey and its transit provider will ensure that no person, on the grounds of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the City's transportation services (both contracted and otherwise). Further, the City will notify the public of protections against discrimination afforded them by Title VI Regulations and will take preventive corrective and disciplinary action necessary to stem behavior that violates the rights and privileges the regulations are designed to protect. The City will post this information on its web site and ensure that it reflects up to date information consistent with the requirements of Title VI.

### **Availability of Title VI Plans and Procedures**

The City's Title VI Plan and Procedures, as well as the Language Assistance Plan, are available on the City of Downey's website at [www.downeyca.org](http://www.downeyca.org). Any person or agency with internet access will be able to access and download the plan from the City's website. Alternatively, any person or agency may request a copy of the plan via telephone, email, standard mail, or in person and shall be provided a copy of the plan at no cost.

Questions or comments regarding the Title VI or Language Assistance Plan may be submitted to:

City Manager's Office  
City Hall – 3<sup>rd</sup> Floor  
11111 Brookshire Avenue  
Downey, CA 90241  
(562) 299-6619

## ATTACHMENT 6

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≡ LANGUAGE ASSISTANCE PLAN ≡

**CITY OF DOWNEY TRANSIT SERVICES  
TITLE VI LANGUAGE ASSISTANCE PLAN  
May 2022**

**Introduction**

The Language Assistance Plan has been prepared to address the City of Downey's responsibilities as a sub-recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964 and Federal Transit Circular 4702.1B, which state that no person shall be subjected to discrimination on the basis of color, race, and national origin. In addition, Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency", indicated that differing treatment based upon a person's inability to speak, read, write or understand English is a form of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all State and local agencies that receive federal funds.

**Background**

The City of Downey's Transit Service staff oversee Downey LINK and Dial-A-Ride; operations for both are contracted to MV Transportation. The Downey City Council is the policymaking body of the system. The Council makes decisions based on advice received from the public, the City's departments, advisory boards and commissions. Transit services in the City of Downey consist of a fixed-route service (Downey LINK) and a demand-responsive Dial-A-Ride service. The City of Downey has developed a city-wide Language Assistance Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency that wish to access services. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and understand English "less than very well."

This transit-specific plan addresses the specific needs of transit users and helps to clarify how the city-wide plan will be implemented for this department. This plan outlines ways to identify a person who may need language assistance, the ways in which assistance may be provided, and how to notify LEP persons that assistance is available. In order to prepare this plan, City of Downey Transit Services staff performed the U.S. Department of Transportation's four-factor LEP analysis, which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter the City of Downey's transportation programs, activities, or services.
2. The frequency with which LEP persons come in contact with City of Downey transportation programs, activities, or services.
3. The nature and importance of programs, activities or services provided by the City of Downey transportation services to the LEP population.

4. Resources available to the City of Downey Transit Services staff and overall cost to provide LEP assistance.

### **Summary: Four-Factor Analysis**

#### **Factor 1: The number or proportion of LEP persons in the service area who may be served or are likely to encounter transportation services, programs, or activities that are offered by the City of Downey.**

City of Downey staff reviewed ACS data from the 2019 United States Census Bureau and determined that 21% (21,821) of the City's population has limited English proficiency; that is, they speak English "less than very well." Of this LEP group, 83% (18,182) are Spanish speakers and 1.2% (1,217) speak Korean.

Based on the information mentioned above, it is clear that Spanish is the primary language spoken by LEP individuals in the City of Downey who may be served or are likely to encounter transportation services, programs, or activities that are offered by the City.

For the languages that fall below the 1,000 person threshold, the City will not be including them in this Language Assistance Plan. However, the City will monitor demographic trends using data from the US Census Bureau and will survey frontline staff on the language needs of the City's transportation program patrons. For all languages, the City will endeavor to identify and network with local and neighboring organizations and services to provide as much language assistance as possible.

#### **Factor 2: The frequency with which LEP persons come in contact with City of Downey transit programs, activities, or services.**

A high proportion of Spanish speakers come into contact with the various transit programs that are offered by the City. In the Transit division's recent survey, contract and City transit staff report frequently interacting with LEP Spanish-speakers.

#### **Factor 3: The nature and importance of programs, activities, or services provided by the City of Downey Transit to LEP populations.**

The City of Downey's transportation services and programs are essential to all City residents. In a pre-COVID-19 pandemic study, it was determined that over half of the Downey LINK riders are school-age children (12-18 years of age). For adult riders, many use Downey LINK to connect to other transportation providers for their work commute. In a review of pre-COVID-19 pandemic Dial-A-Ride data, the most common destinations are for medical appointments, the senior center (including congregate meal program), personal errands (banking, shopping), school or other educational sites, work, and religious sites. Given that these services are vital to the entire body of riders, it follows that the services are critical to the LEP community as well.

**Factor 4: The resources available to City of Downey’s Transit Services staff and overall cost to provide LEP assistance.**

A significant number of City staff are bilingual English/Spanish and provide a critical resource for serving LEP Spanish speakers. In addition, MV Transportation (the contract provider for both the demand-responsive and fixed-route contract provider) commonly serves Spanish-speaking clients in Downey and the surrounding Los Angeles area cities. Providing a bilingual interpreter at public hearings, transit focus groups, etc. might require a small amount of additional staff time. There are also a number of organizations and nonprofits in Downey that provide services in English and Spanish who could also assist with outreach and service access.

The resources to provide additional LEP assistance for Korean speakers are significantly less. We have been unable to identify any Korean assistance or social organizations in Downey. The closest Korean Social Service organization is in Buena Park. We have been able to identify two Korean churches or religious services. This seems to indicate that the Korean community’s focus for social and cultural activities is outside of Downey (possibly in cities like La Mirada or La Habra which have much larger Korean populations). As a result, it is expected that any translation activities will be through a private fee-for-service organization. Phone interpretation prices are expected to be \$3 per minute. Translation of written materials will depend on the final word count of each piece. And estimated price is \$0.18 - \$0.35 per word.

Based on the four-factor analysis, the City of Downey developed its Language Assistance Plan as outlined in the following section.

## **Language Assistance Plan**

### **Identification of LEP Population**

Downey Transit Services has developed several possible ways to assist in identifying LEP populations within the City, including:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Conduct annual Transit staff surveys to track LEP issues and needs.
3. Network with local nonprofit and social service agencies to assist in identifying LEP groups and individuals most in need of LEP assistance and to further facilitate dissemination of information about the City's transit services and programs. For example, staff have identified more than a dozen churches that provide services in Spanish. Staff have also found churches that offer services and ministries for Korean, Armenian, Eritrean, Greek, Indonesian, and Arabic speakers. Other public and nonprofit programs that serve low income residents (e.g. MAOF senior and childcare services, county housing offices, and free

and low-cost medical clinics) will also be important in identifying and linking LEP residents to transit services.

4. Have City staff greet participants as they arrive at events and meetings sponsored by the City's Transit Services. By informally engaging participants in conversation it is possible to identify LEP individuals who may need language services.

### **Language Assistance Measures**

The Spanish-speaking population has had a significant presence in the City's transportation program's service area for a long time; therefore it has been important to offer materials in formats that are easily understood by this population, including:

- Dial-A-Ride Applications and Service Brochures are available in English and Spanish
- The Downey LINK schedule and route map contains information in English and Spanish
- When possible, ensuring that at least one Dial-A-Ride reservationist on duty is bilingual Spanish/English. In the occasional instance that a bilingual reservationist is not available, the staff has sufficient Spanish and training to effectively handle the call. (Downey has had no reports of LEP Spanish speakers being unable to schedule the rides they need.)

In addition, the above community resources will be used on a regular basis to assist in identifying the needs of the City's LEP community. They will also serve as a means to widely disseminate bilingual transit information and announcements, and to notify the LEP population of planned meetings and outreach efforts.

There are plans for a number of language assistance options available to the LEP community, including both oral and written language services. There are also various ways in which the City's Transit Services staff can respond to LEP persons, whether in person, by telephone, or in writing. These options include:

- As resources allow, the City will have bilingual Spanish/English staff at Transit booths at community events and at Transit focus groups. The City will also make every effort to have bilingual staff made available to community nonprofit and social services groups for informational presentations.
- Vital printed documents, including fixed-route schedules, Dial-A-Ride service information brochures and applications, Title VI notification of Rights, and Title VI Complaint Forms, will be available in English and Spanish on the City Website. They will also be printed in Korean if requested and as resources allow. If not translated they will, at minimum, also carry a statement in Korean and English providing a contact number for LEP individuals to call to request information in a language other than English.
- Notices of substantial service changes, including fare increases and permanent route changes, will be posted in English and Spanish (on the schedule and in the locations indicated in the "Public Participation" section) and mailed to all identified community networking organizations (e.g. churches) who serve other LEP populations. Public hearings before the City Council will include bilingual Spanish/English staff who can

provide translation services for individuals wishing to comment. City will also make every effort to have Korean translators available if requested.

- Annual discussion/survey of drivers and other frontline staff, e.g. dispatchers and Dial-A-Ride schedulers, on their experience concerning any contacts with LEP persons during the previous year, to see if additional language assistance measures are needed.
- Posting of the City of Downey's Title VI Policy and Language Assistance Plan on the City's website [www.downeyca.org/titleVI](http://www.downeyca.org/titleVI).

### **Safe Harbor Provision**

City of Downey strives to adhere to the Safe Harbor Provision, the City's transportation department operates from a limited budget – making it financially prohibitive to translate all vital documents into every language of persons eligible to be served or likely to encounter our transportation services. However, the city-wide Language Access Plan clearly states that the City will respond to any specific request regardless of the size to the LEP population. To that end, the City is contracting with a telephonic translation service for all City programs and has created a “Point to your language” sign which will be available at public counters throughout the city.

For Transit programs, the demographic served by the City of Downey's transportation department falls primarily within the Spanish-speaking community. As a result, all vital documents are translated into Spanish and the contract provider is required within their contract to be able to serve LEP Spanish-speaking clients.

### **Monitoring and Updating the Language Assistance Plan**

The City of Downey will update the Language Assistance Plan as required by US DOT or when it is clear that higher concentrations of LEP individuals are present in the City's transit service area. Updates to the Language Assistance Plan will consider:

- How the needs of LEP persons have been addressed;
- The current LEP population in the service area;
- Determination as to whether the need for translation services has changed; and,
- Whether complaints have been received concerning the City's failure to meet the needs of LEP individuals.

## ATTACHMENT 7

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# ≡ SYSTEM-WIDE FIXED ROUTE STANDARDS AND POLICIES ≡



## **CITY OF DOWNEY**

### **SYSTEM-WIDE SERVICE STANDARDS AND POLICIES FIXED-ROUTE SYSTEM – Downey LINK**

#### **Background**

Downey LINK operates Monday through Friday from 6:30am to 6:30pm. Saturday service is available (with the same routes and schedules) during the holidays from the Saturday after Thanksgiving until the Saturday before Christmas. Downey LINK does not operate on the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day.

To accommodate higher demand, Downey LINK operates additional vehicles (referred to as “Tripper Service”) at selected times and stops.

Downey LINK is currently operated by MV Transportation.

#### **Service Standards**

##### **Vehicle Load for Downey LINK**

Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle. Based on vehicle characteristics, the City has established a maximum load factor of 1.25 to ensure the comfort and safety of passengers.

##### **Vehicle Headway for Downey LINK**

Downey Link fixed-route service operates weekdays from 6:30 a.m. to 6:30 p.m., with four separate routes: Southeast, Southwest, Northeast, and Northwest. Regular headways are approximately 50 minutes, with additional Tripper service scheduled to accommodate peak demands. From 9 a.m. to 2 p.m., routes are combined to form a South and a North route, which results in approximately 100-minute headways.

##### **On-Time Performance**

Among the most important service standard for customers is on-time performance or adherence to the published schedules.

Definition of “On Time” Performance. The City considers any run that is between 0-5 minutes after the scheduled departure time to be “on time.”

Early Departure. No bus shall depart a designated time point early.

Schedule Reliability. The contract with MV Transportation identifies the acceptable on-time performance as 90% of bus departures.

## **Service Availability**

The Downey LINK service comprises four one-directional loops that intersect with each other as well as with other fixed service providers (including the Metro Green Line and Metro buses). The four routes total 104 stops, some of which are used by more than one line. The average distance between stops is approximately ½ mile. Stops are distributed with the goal of ensuring that all Downey residents are within one mile (as measured by available walking paths, not straight line) of a stop. The majority of residences are within ½ mile of a stop.

Downey LINK stops are distributed across the city and provide access to major medical centers, social services, schools, cultural/historic sites and major transit corridors. Downey LINK also provides convenient access to the Metro Greenline station to encourage and support South Coast Air Quality Management District (SCAQMD) trip reduction efforts. All loops begin and end at the Downey Depot which is located in the heart of the city and a short walk from City offices and businesses. Nearly all primary and secondary schools, all hospitals, and all community/senior centers are located on – or within a short walk – of a Downey LINK stop. Transfers between Downey LINK routes are free.

## **Service Policies**

### **Distribution of Transit Amenities for Each Mode**

The City of Downey's policy related to transit amenities is to ensure equitable distribution of items that promote safety, comfort, and convenience across the entire fixed-route system without prejudice. As such, all riders have equal access to the amenities provided by the City for the Downey LINK fixed-route service.

Seating and Bus Shelters. Seating and shelters are installed at various high usage locations along the route where it is legal and permitted in consistency with the City's and ADA standards and regulations. Seating and shelters are installed in an equitable manner to serve all community members wishing to utilize them. Seating and shelter locations are identified by City staff working in the Parks and Recreation and Public Works departments. Requests from the public and comments received during public input process are considered in these determinations. All seating and shelters are installed in a manner that promotes safety, comfort and convenience.

Provision of Printed Signs, System Maps and Schedules. This information is distributed to the public with the intent to promote and explain the City's fixed-route system. The information is intended to educate the community as to the availability of the service and is made available in various formats. Electronic versions of the material are distributed via the City website. Printed versions of the information (in English and Spanish) are available to all members of the community and are distributed on buses, at the Downey Depot, at community events and, by request, at other community sites.

### **Vehicle Assignment**

Downey LINK vehicles are assigned each day at random to a route. The fleet of seven Downey LINK buses are all the same in age, size, and capacity.