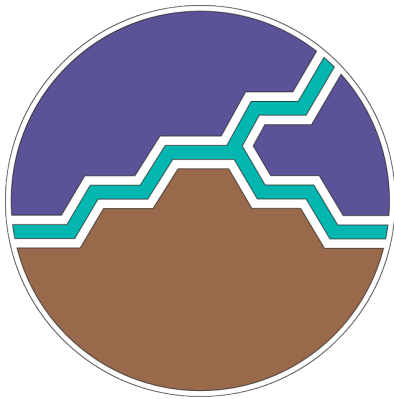


***CITY OF YUMA***

***Title VI Implementation  
Plan 2025-2028***



**CITY OF**  
***Yuma***

Approved  
September 4, 2024

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# Introduction

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Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

During the Obama Administration, the Federal Transit Administration (“FTA”) placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency (“LEP”).

Recipients of public transportation funding from FTA are required to develop policies, programs, and practices that ensure federal transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how the City of Yuma incorporates nondiscrimination policies and practices in providing services to the public.

## **Overview of Services**

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In addition to other future transportation projects, the City of Yuma is developing a new Multi-Modal Transportation Center in Yuma County serving a countywide population of over 220,000 citizens, including workers, college students, military personnel, and travelers in an area bordering the Quechan Reservation, the Cocopah Reservation, Mexico and California. The Multi-Modal Transit Center will be developed in Yuma's historic downtown and serve as the primary regional transfer hub for all arriving and departing Amtrak and Greyhound passengers in the Yuma Region, and as Yuma County Area Transit's (YCAT) Downtown Transit Center for public transportation.

# **Title VI Policy Statement And Authorities**

## **Title VI Policy Statement**

This City of Yuma policy assures full compliance with Title VI of the Civil Rights act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI states that “no person shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination” under any City of Yuma sponsored program or activity, whether those programs and activities are federally funded or not. There is no distinction between the sources of funding.

The City of Yuma also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. Furthermore, the City of Yuma will take reasonable steps to provide meaningful access to services for persons with limited English proficiency.

When the City of Yuma distributes Federal-aid funds to another entity/person, the City of Yuma will ensure all subrecipients fully comply with the City of Yuma’s Title VI Nondiscrimination Program requirements. The City Administrator has delegated the authority to Yuma’s Title VI Coordinators, Madeline Coil and Monica Welch, to oversee and implement FTA Title VI requirements.

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John D. Simonton  
City Administrator

## **Authorities**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied benefits of, or otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C Section 2000d); Federal Transit Laws as amended (49 U.S.C. Chapter 53 et seq.); uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

## **Nondiscrimination Assurances**

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations.

As part of the Certifications and Assurances submitted to COG at the time of grant application and award, the City of Yuma submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring ("EEO") and contracting ("DBE"), and nondiscrimination because of a disability ("ADA").

In signing and submitting this Title VI Implementation Plan, the City of Yuma confirms Yuma's governmental commitment to nondiscrimination and compliance with federal and state requirements including nondiscrimination in hiring, contracting and nondiscrimination because of a disability.

## **Certification**

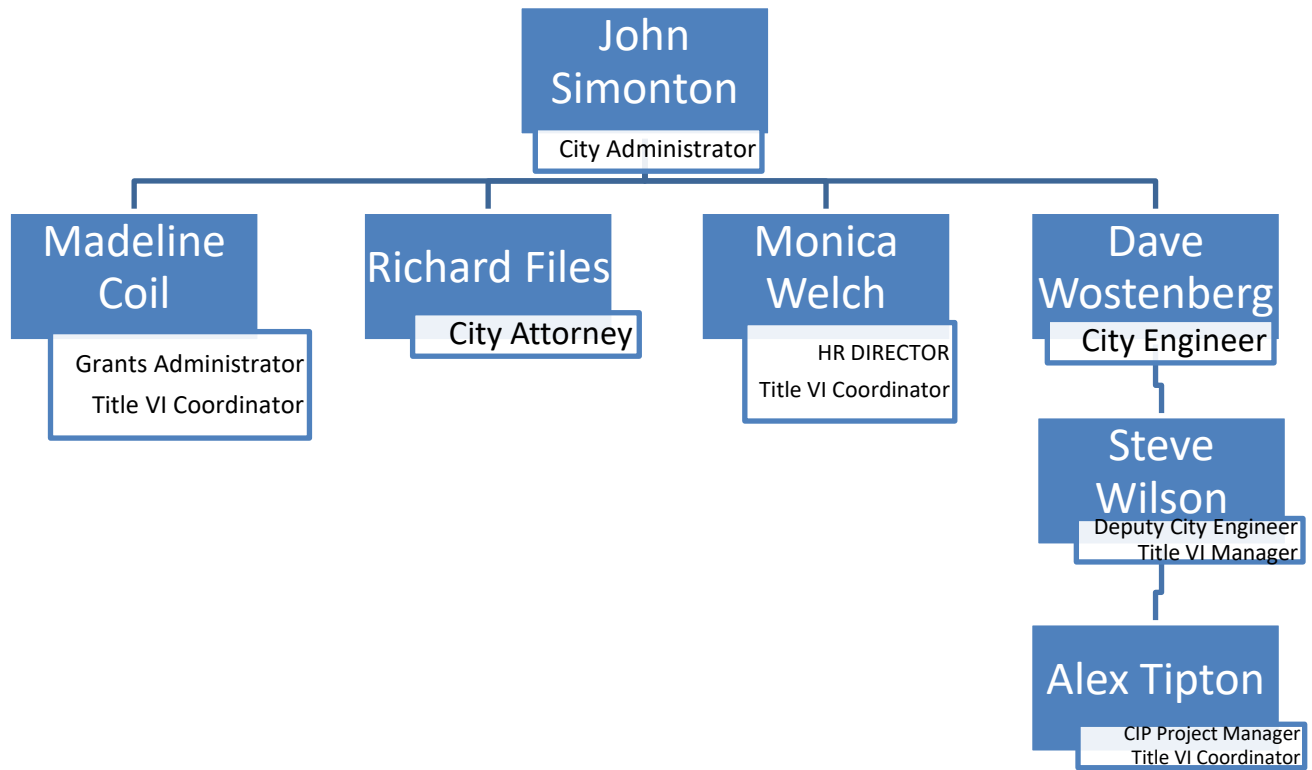
I hereby acknowledge the receipt of the City of Yuma Title VI Implementation Plan 2025-2028. I have reviewed the City Council approved Plan. The City of Yuma is committed to ensuring that no person is excluded from participation in or denied the benefits of City of Yuma transportation services on the basis of race, color, or national origin, as protected by Title VI according to FTA Circular 4702.1B, Title VI requirements and guidelines for Federal Transit Administration sub-recipients.

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John D. Simonton  
City Administrator  
City of Yuma

# Organization and Title VI Program Responsibilities

Under the authority of the City of Yuma, the Human Resources Director and the Grants Administrator will serve as the Title VI coordinators and be responsible for ensuring implementation of the City of Yuma's Title VI program. The specific areas of responsibility are described below.





## **Overall Organization for Title VI**

The Title VI Coordinators and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

## **Title VI Coordinators Responsibilities**

The Title VI Coordinators have authority for oversight of the Title VI program. This authority includes oversight in the development of plans, policies, procedures, and methods to promote equal opportunity for employees, the general public, and the community, and to eliminate discrimination by fostering a spirit of caring, collaboration and commitment through fair and transparent services. The Title VI Coordinators shall ensure that the City of Yuma remains in compliance with Title VI requirements.

The Title VI Coordinators are charged with implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of City programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the City.
5. Conduct training programs on Title VI and other related statutes for City of Yuma employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the public and, where appropriate, in

languages other than English.

8. Identify and eliminate discrimination.

9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

### **General Title VI Responsibilities of the City of Yuma**

The Title VI Coordinators are responsible for ensuring the elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

#### 1. Data Collection

To ensure that Title VI reporting requirements are met, the City of Yuma will maintain:

- A database or log of Title VI complaints received that tracks the investigation of and response to each complaint.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people have meaningful access to these activities.

#### 2. Annual Report and Updates

As a subrecipient of FTA funds, the City of Yuma is required to submit a log, as part of its Quarterly Report, that documents any Title VI complaints received during the preceding quarter and for each year. The City of Yuma will also maintain and provide, on an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income individuals have meaningful access to these activities.

The City of Yuma will also submit updates to any of the following items subsequent to its previous submission, or a statement to the effect that these items have not been changed since the previous submission:

- A copy of any compliance review report for reviews conducted in the last three

(3) years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations;

- Limited English Proficiency Plan (“LEP”) plan;
- Procedures for tracking and investigating Title VI complaints;
- A list of Title VI investigations, complaints or lawsuits filed with the City since the last submission; and
- A copy of the City’s notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint.

### 3. Annual Review of Title VI Program

Each year the Title VI Coordinators will review Yuma’s Title VI program to ensure implementation of the Title VI plan. In addition, the Title VI Coordinators will review the City’s operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

### 4. Dissemination of Information Related to the Title VI Program

Information on the City of Yuma’s Title VI program will be disseminated to employees, contractors, and beneficiaries, as well as to the public, as described in the “public outreach and involvement” section of this document and according to federal and state laws/regulations. The Title VI program will be available in other languages when needed according to the LEP plan.

### 5. Resolution of Complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services. The City of Yuma will report the complaint in accordance with requirements, and make a concerted effort to resolve complaints locally

using the City's Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described in Section 1, Data Collection, and reported in the Quarterly Report.

## 6. Written Policies and Procedures

The City of Yuma's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Coordinators will determine whether or not an update is needed.

## 7. Internal Education

The City of Yuma's employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, the City of Yuma's obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (City-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of the Human Resources Director.

## 8. Title VI Clauses in Contracts

In all federal procurements requiring a written contract or Purchase Order (PO), the City of Yuma's contract/PO will include appropriate non-discrimination clauses. The Title VI Coordinators will work with the Procurement Manager who is responsible for procurement contracts and PO's to ensure appropriate non-discrimination clauses are included

# General Reporting Requirements

## Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient'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. At a minimum, the City of Yuma shall disseminate this information to the public by:

- Posting a Title VI notice on the City of Yuma's website
- Posting a Title VI notice in public areas of the City of Yuma's Buildings and Offices

A copy of the City of Yuma's Title VI Notice to the Public in both English and Spanish and locations of postings is attached as **Appendix A**.

## Title VI Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) as they relate to any program or activity that is administered by the City of Yuma, including consultants, contractors, and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, national origin, or disability may file a Discrimination complaint by completing and submitting the City's Title VI Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest

instance of the conduct.

- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address, and phone number. The ADA/Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted the City of Yuma will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the City of Yuma or submitted to the State or Federal authority for guidance.
- (7) The City of Yuma will notify the ADOT Civil Rights Office of ALL Discrimination complaints within 72 hours via telephone at 602-712-8946; or email at [civilrightsoffice@azdot.gov](mailto:civilrightsoffice@azdot.gov).
- (8) The City of Yuma has 10 days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 10 business days from the date of the letter to send 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 10 business days, the Authority can administratively

close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

- (9) After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.
- (10) A copy of either the closure letter or LOF must also be submitted to ADOT within 72 hours of that decision. Letters may be submitted by hardcopy or email.
- (11) A complainant dissatisfied with the City of Yuma's decision may file a complaint with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) offices of Civil Rights: **ADOT**: ATTN ADA/Title VI Program Coordinator 206 S. 17<sup>TH</sup> Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: Attention Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590
- (12) A copy of these procedures can be found online at: [www.yumaaz.gov](http://www.yumaaz.gov)

A copy of the City of Yuma's **Title VI Complaint Form** is attached as **Appendix B**.

## **Título VI Procedimientos de Queja**

Estos procedimientos proporcionan orientación para todas las quejas presentadas bajo el Título VI de la Ley de Derechos Civiles de 1964, la Sección 504 de la Ley de Rehabilitación de 1973 y la Ley de Estadounidenses con Discapacidades de 1990 (ADA) en lo que se refiere a cualquier programa o actividad administrada por la Ciudad de Yuma, incluidos consultores, contratistas y proveedores. La intimidación o las represalias como resultado de una queja están prohibidas por la ley. Además de estos predementias, los demandantes reservan el

derecho de presentar una queja formal ante otras agencias estatales o federales o de buscar un abogado privado para las quejas que alegan discriminación. Se hará todo lo posible para resolver las quejas al nivel más bajo posible.

- (1) Cualquier persona que crea que ha sido discriminada por motivos de raza, color, origen nacional o discapacidad puede presentar una queja por discriminación completando y enviando la Forma de queja del Título VI de la agencia.
- (2) Las quejas formales deben presentarse dentro de los 180 días calendario posteriores a la última fecha del presunto acto de discriminación o la fecha en que el (los) denunciante(s) tuvo conocimiento de la supuesta discriminación, o cuando ha habido un curso continuo de conducta, la fecha en que se interrumpió la conducta o la última instancia de la conducta.
- (3) Las quejas deben ser por escrito y firmadas por el (los) demandante(s) y deben incluir el nombre, la dirección y el número de teléfono del (los) demandante(s). La persona de contacto de la ADA/Título VI ayudará al demandante a documentar los problemas si es necesario.
- (4) Las reclamaciones recibidas por fax o correo electrónico serán reconocidas y procesadas, una vez que se haya establecido la identidad del denunciante o denunciantes y la intención de proceder con la queja. Para ello, el reclamante debe enviar por correo una copia original y firmada de la transmisión por fax o correo electrónico para que se procese la queja.
- (5) Las alegaciones recibidas por teléfono se reducirán a escrito y se proporcionarán al demandante para su confirmación o revisión antes de su procesamiento. Se enviará al reclamante un formulario de reclamación para que lo rellene, lo firme y lo devuelva para su tramitación.
- (6) Una vez presentado, la Ciudad de Yuma revisará la forma de queja para determinar la jurisdicción. Todas las quejas recibirán una carta de reconocimiento



en la que se le informará si la queja será investigada por la Ciudad de Yuma o presentada a la autoridad estatal o federal para obtener orientación.

- (7) La Ciudad de Yuma notificará a la Oficina de Derechos Civiles de ADOT de TODAS las quejas de discriminación dentro de las 72 horas por teléfono al 602-712-8946; o por correo electrónico a [civilrightsoffice@azdot.gov](mailto:civilrightsoffice@azdot.gov).
- (8) La ciudad de Yuma tiene 10 días para investigar la queja. Si se necesita más información para resolver el caso, la Autoridad puede ponerse en contacto con el denunciante. El denunciante tiene 10 días hábiles a partir de la fecha de la carta para enviar la información solicitada al investigador asignado al caso. Si el denunciante no se pone en contacto con el investigador o no recibe la información adicional en un plazo de 10 días hábiles, la Autoridad puede cerrar administrativamente el caso. Un caso también puede cerrarse administrativamente si el demandante ya no desea continuar con su caso.
- (9) Después de que el investigador revise la queja, emitirá una de dos cartas al denunciante: una carta de cierre o una carta de determinación (LOF). Una carta de cierre resume las acusaciones y afirma que no hubo una violación de discriminación y que el caso se cerrará. Un LOF resume las acusaciones y las entrevistas con respecto al presunto incidente, y explica si se tomará alguna acción disciplinaria, capacitación adicional del miembro del personal u otra acción.
- (10) También se debe presentar una copia de la carta de cierre o de la LOF a ADOT dentro de las 72 horas posteriores a esa decisión. Las cartas pueden enviarse en papel o por correo electrónico.
- (11) Un demandante insatisfecho con la decisión de la Ciudad de Yuma puede presentar una queja ante el Departamento de Transporte de Arizona (ADOT) o las oficinas de Derechos Civiles de la Administración Federal de Tránsito (FTA): **ADOT**: ATTN ADA/Title VI Program Coordinator 206 S. 17<sup>TH</sup> Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: Attention Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

- (12) Una copia de estos procedimientos se puede encontrar en línea en:  
[www.yumaaz.gov](http://www.yumaaz.gov)

Una copia de la **Forma de Queja por Discriminación** del Título VI de la Ciudad de Yuma en Inglés y en Español, se adjuntan como **Apendice B**.

## **Public Outreach and Involvement**

Executive Order (E.O.) 12898 was issued to identify and address the effects of programs, policies and activities on minority and low-income populations. The City of Yuma is committed to fostering public participation in all aspects of planning and decision-making processes. The City of Yuma analyzes the effects of transportation and all its actions on minority and low-income populations with the goal of achieving environmental justice for all communities. The E.O identifies the federal agency and subrecipients responsibility to identify and address the impact of activities, programs, and policies on low-income and minority populations. The City of Yuma includes the public in developing transportation projects that fit the needs of their communities and doesn't sacrifice equity, safety, or environmental justice.

### **Steps for Public Inclusion**

The City of Yuma uses specific public involvement measures to ensure that the minority and low-income populations are involved in transportation decisions. Additionally, the Department's Title VI Notice to the Public, Title VI Assurances, Title VI Program and Annual Report, Complaint Form, Contact Information, and ADA policy statement are available on the city webpage, at [www.yumaaz.gov](http://www.yumaaz.gov)

- **Accessibility to Community:** The City of Yuma receives calls and utilize the "Click Fix" program on the city webpage from minority and low-income community residents requesting street, sidewalk, and streetlight maintenance information. Bilingual staff can respond to the questions in Spanish.
- **Outreach Techniques:** Information about all City of Yuma meetings will be added to the existing Public Meeting Calendar that is produced weekly and that is distributed to local newspapers as well as local radio stations in Yuma and is placed on City of Yuma's website. In addition, the agenda for the meetings will be

posted in on the website, [www.yumaaz.gov](http://www.yumaaz.gov), a minimum of twenty-four hours prior to the meetings.

A Copy of the Yuma Public Participation Plan is attached as **Appendix D**.

## **Limited English Proficiency Plan**

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program must meet the objectives set forth in the Title VI of the Civil Rights executive Order 13116, Improving Access to Services for Persons with Limited English Proficiency (LEP). This executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by the City of Yuma is based on FTA guidelines.

As required, the City of Yuma developed a written LEP Plan. Using 2010 and American Community Survey (ACS) Census data, The City of Yuma has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

A copy of the City of Yuma's **Limited English Proficiency Plan** is attached as **Appendix E**.

## **Appendix A – Notice to the Public**

# **Non Discrimination Notice to the Public**

## **Notifying the Public of Rights Under Title VI and ADA City of Yuma**

The City of Yuma operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Yuma.

For more information on the City of Yuma's civil rights program, and the procedures to file a complaint, contact Madeline Coil at (928)373-5000 ext 1011, email: or visit our administrative office at 1 City Plaza, Yuma, AZ 85364. For more information, visit [www.yumaaz.gov](http://www.yumaaz.gov).

A complainant may file a complaint directly with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: **ADOT**: ATTN: Title VI Program Manager 206 S. 17<sup>TH</sup> Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: ATTN: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

If information is needed in another language, contact the City of Yuma (928)373-5000. Para información en Español llame: City of Yuma (928)373-5000

# Non Discrimination Notice to the Public - Spanish

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## Aviso Público Sobre los Derechos Bajo el Título VI Y ADA City of Yuma

*The City of Yuma (y sus subcontratistas, si cualquiera) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán provehidos sin consideración a su raza, color, o pais de origen.*

Para obtener más información sobre la City of Yuma programa de derechos civiles, y los procedimientos para presentar una queja, contacte **Madeline Coil at (928)373-5000 ext 1011**; o visite nuestra oficina administrativa en 1 City Plaza, Yuma, Az 85364 . Para obtener más información, visite [www.yumaaz.gov](http://www.yumaaz.gov).

El puede presentar una queja directamente con Arizona Department of Transportation (ADOT) o Federal Transit Administration (FTA) mediante la presentación de una queja directamente con las oficinas correspondientes de Civil Rights: ADOT: ATTN Title VI Program Manager 206 S. 17th Ave MD 155A Phoenix AZ, 85007 FTA: ATTN Title VI Program Coordinator, East Building, 5th Floor –TCR 1200 New Jersey Ave., SE Washington DC 20590

*The above notices are posted in the following locations:*

*City Hall, 1 City Plaza., Yuma, AZ, 85364*

*Public Works Department, 155 W. 14<sup>th</sup> Street, Yuma, AZ  
85364*

*City of Yuma website [www.yumaaz.gov](http://www.yumaaz.gov).*

*At a minimum the notices must be posted online and in the public areas of the City's/transit provider's office(s). These notices should also be posted at stations, stops, and on transit vehicles*

# Appendix B – Discrimination Complaint Form

# Discrimination Complaint Form

<b>Section I:</b>		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
<b>Section II:</b>		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to <b>Section III</b>.</i>		
If not, please supply the name and relationship of the person for whom you are complaining.		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Section III:</b>		
I believe the discrimination I 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 use the back of this form.		
_____ _____ _____		
<b>Section VI:</b>		
Have you previously filed a Discrimination complaint with the City of Yuma?	<input type="checkbox"/> Yes	<input type="checkbox"/> No



If yes, please provide any reference information regarding your previous complaint.

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**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:

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

Federal Court: \_\_\_\_\_  State Agency: \_\_\_\_\_

State Court : \_\_\_\_\_  Local Agency: \_\_\_\_\_

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

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

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

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

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

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

**Section VI:**

Name of entity complaint is against: \_\_\_\_\_

Name of person complaint is against: \_\_\_\_\_

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

Location: \_\_\_\_\_

Telephone Number (if available): \_\_\_\_\_

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person at the address below, or mail this form to:

**Madeline Coil (Title VI Coordinator)**

**City of Yuma**

**One City Plaza**

**Yuma, AZ 85364**

**(928)373-5000 Ext. 1011**

[madeline.coil@yumaaz.gov](mailto:madeline.coil@yumaaz.gov)

A copy of this form can be found online at [www.yumaaz.gov](http://www.yumaaz.gov)

# Forma de Queja por Discriminación

<b>Sección I:</b>		
Nombre:		
Dirección:		
Teléfono (Hogar):		Teléfono (Trabajo):
Direcciones de correo electrónico:		
Requisitos de formato accesible?	<input type="checkbox"/> Letra Grande	<input type="checkbox"/> Audio
	<input type="checkbox"/> TDD	<input type="checkbox"/> Otro
<b>Sección II:</b>		
¿Está presentando esta queja en su propio nombre?	<input type="checkbox"/> Sí*	<input type="checkbox"/> No
<i>*Si respondió "sí" a esta pregunta, vaya a la Sección III.</i>		
De lo contrario, proporcione el nombre y la relación de la persona por la que esta reclamando.		
Por favor, explique por qué ha presentado la solicitud para una tercera parte:		
Por favor, confirme que ha obtenido el permiso de la parte agraviada si presenta la solicitud en nombre de una tercera parte.	<input type="checkbox"/> Sí	<input type="checkbox"/> No
<b>Sección III:</b>		
Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):		
<input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen Nacional <input type="checkbox"/> Discapacidad		
Fecha de la supuesta discriminación (mes, día, año): _____		
Explique lo más claramente 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 lo discriminó (si se conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, utilice el reverso de este formulario.		
_____ _____ _____		
<b>Sección VI:</b>		
¿Ha presentado previamente una queja por discriminación ante esta ¿agencia?	<input type="checkbox"/> Sí	<input type="checkbox"/> No

En caso afirmativo, proporcione cualquier información de referencia con respecto a su queja anterior.

**Sección V:**

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

Si             No

En caso afirmativo, marque todos los correspondientes

Agencia Federal: \_\_\_\_\_

Tribunal Federal: \_\_\_\_\_  Agencia Estatal: \_\_\_\_\_

Tribunal Estatal: \_\_\_\_\_  Local Agencia Local: \_\_\_\_\_

Sírvase proporcionar información sobre una persona de contacto en la agencia/tribunal donde se presentó la queja fue presentada.

Nombre:

Título:

Agencia:

Dirección:

Teléfono:

**Sección VI:**

Nombre de la agencia contra la que se presenta la queja:

Nombre de la persona contra la que se presenta la queja:

Título:

Lugar:

Teléfono (si está disponible):

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

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

Favor de entregar este formulario en persona a la dirección que se indica a continuación, o envíelo por correo a:

Madeline Coil (Coordinadora del Título VI) [madeline.coil@yumaaz.gov](mailto:madeline.coil@yumaaz.gov)

**City of Yuma**

**One City Plaza**

**Yuma, AZ 85364**

**(928)373-5000 Ext. 1011**

Una copia de este formulario se puede encontrar en línea en: [www.yumaaz.gov](http://www.yumaaz.gov)

# **Appendix C – Investigations, Lawsuits and Complaints Document**

# Discrimination Investigations, Complaints, and Lawsuits

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This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

Description/Name	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin or disability)	Status	Action(s) Taken (Final findings?)
<b>Investigations</b>				
1)				
2)				
<b>Lawsuits</b>				
1)				
2)				
<b>Complaints</b>				
1)				
2)				

**City of Yuma** has not had any ADA nor Title VI Discrimination complaints, investigations, or lawsuits.

# **Appendix D – Public Participation Plan**

## **Meeting Venue**

Ensure the selected meeting venue is ADA accessible. Considering most city facilities and public schools are ADA accessible, consider holding the meeting at one of these venues.

The department has a strong preference for holding meetings at venues that are free for us to use such as most schools, libraries, or community centers. The department will pay a nominal fee if no free venues are available or when the free location is distant from the project site and a low-cost alternative is closer.

If the meeting venue requires a self-insurance certificate, complete the following form: Liability Certificates of Insurance Request Form.

## **Meeting Format**

Public Meeting with presentation & Question and Answer Period

Public Meeting with Presentation & Moderated Question & Answer Period

Open House

Workshop, Charette or another Format

## **Meeting Duration and Time**

At a minimum, allow for a 60-minute window to ensure meeting attendees have adequate time to attend the meeting. Midweek evenings after 5:30 are generally best.

Meeting duration should be determined in consultation with the Project Manager.

## **Who to Notify**

The City of Yuma has identified the following groups and individuals as those having potential interest in public input and participation opportunities:

- Neighborhood organizations;
- Homeowner associations;
- Chamber of Commerce and other business groups;
- Groups representing travel modes - transit, bicycle, pedestrian, freight;
- Advocacy groups for the disadvantaged and/or minority groups;
- Media – newspapers, television, radio;
- Governmental agencies;
- Educational Institutions (school districts, community colleges, private schools, State universities;
- Organizations or individuals who have been notified of public hearings for major projects, or organizations and individuals who have submitted written comments relating to public hearings for major projects, service changes and plans. These individuals and organizations would remain on the mailing list as long as the major project is under development.

### **Information Access**

All planning and programming information of the City of Yuma is available for public review. The information can be viewed at City Hall, One City Plaza, Yuma, AZ 85364. Additional information will also be posted online at [www.yumaaz.gov](http://www.yumaaz.gov).

### **Outreach Techniques**

Information about all City of Yuma meetings will be added to the existing Public Meeting Calendar that is produced weekly and that is distributed to local newspapers, as well as local radio stations, and is placed on the City of Yuma's website. In addition, the agenda for the meetings will be posted on the website, [www.yumaaz.gov](http://www.yumaaz.gov), a minimum of twenty-four hours prior to the meetings.

Press releases to area newspapers, television stations, and radio stations will also be used to notify citizens of upcoming activities of the City of Yuma.

The City of Yuma's website, [www.yumaaz.gov](http://www.yumaaz.gov), will be used to provide information about City of Yuma activities including information about the Federal Transit Administration (FTA) civil rights documents such as Title VI and others. City of Yuma representatives will be listed along with contact information.



Formal notices for public input meetings are published in the Yuma Sun.

## **INPUT MECHANISMS**

City of Yuma accepts input and comments from the public through a variety of means:

a) City of Yuma's website at [www.yumaaz.gov](http://www.yumaaz.gov)

b) By mail to One City Plaza, Yuma, AZ 85364.

c) By emailing to [madeline.coil@yumaaz.gov](mailto:madeline.coil@yumaaz.gov).

Comment forms can also be obtained at [www.yumaaz.gov](http://www.yumaaz.gov), by calling 928- 373-5000 ext. 1011 to have one mailed, by emailing a request to [madeline.coil@yumaaz.gov](mailto:madeline.coil@yumaaz.gov)

The City of Yuma will consider and respond to all public input received during the planning and program development processes. If significant written or oral comments are received on FTA civil rights or plans, a summary, analysis, and report on the disposition of the comments will be made a part of the conclusion of the public participation process.

## **SCHEDULE**

Notification and announcement of all upcoming public input meetings are made approximately 30 days in advance of the scheduled meeting through the methods described in the Outreach Techniques section of this plan. Legal notice of a scheduled public input meeting is published in the Yuma Sun approximately 30 days prior to the meeting.

Regularly scheduled public input meetings occur on an as needed basis based on specific subject matter such as the development of the Program of Projects, the Five Year Short Range Transit Plan, the Transportation Improvement Program, review of transit services, fares and operating perimeters and Federal Transit Administration (FTA) civil rights issues such as Title VI, Disadvantage Business Enterprise (DBE), Equal Opportunity Program (EEO) and Americans With Disabilities Act (ADA). Other public input meetings are held throughout the year, as necessary.

## **EVALUATION**

The City of Yuma will review this Public Participation Plan periodically in order to monitor the effectiveness of the procedures outlined in this document. Following evaluation of the outputs and outcomes of the Public Participation Plan, the City of Yuma may revise these methods to incorporate new and innovative ways to involve the public in the transportation decision-making process.

### **Contact Information**

City of Yuma

One City Plaza

Yuma, AZ 85364

Phone: (928) 373-5000

Website: <http://www.yumaaz.gov>

# Appendix E – Limited English Proficiency Plan

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program must meet the objectives set forth in Title VI of the Civil Rights Act and Executive Order 13116, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by the City of Yuma is based on FTA guidelines.

As required, the City of Yuma developed a written LEP Plan (below). Using 2020 and American Community Survey (ACS) Census data, the City of Yuma has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market and reaching out to these individuals can help increase their utilization. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

### **Assessment of Needs and Resources**

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

### **Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population**

The City of Yuma has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

## **U.S. Census Data – American Community Survey (2022)**

Data from the U.S. Census Bureau’s American Community Survey (ACS) were obtained through [www.census.gov](http://www.census.gov) for City of Yuma’s service area. The City of Yuma’s service area includes a total of 56% persons with Limited English Proficiency (those persons who indicated that they spoke English “not well,” and “not at all” in the 2022 ACS Census).

Information from the 2022 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language are needed to meet the needs of LEP persons.

- Spanish 54%
- Other Indo-European Languages 0.7%
- Asian and Pacific Island Languages 0.9%
- All Other Languages 0.5%

The City of Yuma is committed to providing information of construction projects in Spanish and/or other languages as requested to assure enhanced communication between the monolingual populations of the City of Yuma.

### **Reporting**

At the end of every federal fiscal period, the City of Yuma will complete annual reports for submittal to the Federal Transit Authority. The reports will contain the following information

1. Major Changes to the Title VI program and Staffing
2. Current Organization Chart Containing the Title VI Manager and Coordinator
3. Listing of where the “Statement of Commitment” is displayed including

- public meetings
4. Complaint logs and investigation summaries, including sanctions posed against contractors and vendors
  5. Documentation of major program areas with which Title VI was evaluated and incorporated

### **Monitoring & Enforcement**

The City of Yuma will employ the following monitoring and enforcement mechanisms to ensure compliance with Title VI Program requirements:

1. The City reserves the right to inspect all records of the contractor and subcontractor concerning any USDOT-assisted contracts.
2. The City of Yuma will bring to the attention of the USDOT Office of the Inspector General any false, fraudulent, or dishonest conduct in connection with the Title VI Program. If a firm uses, or attempts to use, false, fraudulent, or deceitful statements or representations to meet the Title VI requirement of the contract, the City reserves the right, under the provisions of Title VI Assurances, to report such actions to the USDOT or its designee. The USDOT or its designee may, at its discretion, initiate suspension, or debarment proceedings against the firm. The City of Yuma may also pursue all means available to address such unprofessional and unethical behavior.
3. The City will consider similar action under their own legal authorities, including responsibility determinations in future contracts. A listing of regulations, provisions, and contract remedies available to us in the event of non-compliance with the Title VI Assurances by a participant in procurement activities as follows:

**Attempts to Evade Title VI Requirements** – Any individual(s) or firm found to have knowingly engaged or participated in any direct or indirect attempt to evade the Title VI requirements may be declared ineligible for future contracts with the City that contain federal assistance. The individual(s) or firm may be held liable to the City for any forfeiture of funds or damages caused by delay in the award or

performance of the contract resulting from the firm's non-compliance.

### **Safe Harbor Provision**

The City of Yuma complies with the Safe Harbor Provision, as evidenced by the number of documents available in the Spanish language. With respect to Title VI information, the following shall be made available in Spanish:

- (1) Title VI Notice
- (2) Complaint Procedures
- (3) Complaint Form

In addition, we will conduct our marketing (including using translated materials) in a manner that reaches each LEP group. Vital Documents include the following:

- (1) Notices of free language assistance for persons with LEP
- (2) Notice of Non-Discrimination and Reasonable Accommodation
- (3) Outreach Materials
- (4) Public Hearings