



**Office of the City Clerk**

990 Palm Street, San Luis Obispo, CA 93401-3218  
805.781.7100  
[slocity.org](http://slocity.org)

**CERTIFICATION**

**Summary of City Council Action Taken at the Regular Meeting of Tuesday, February 21, 2017.**

**5. ADOPTION OF SLO TRANSIT'S REVISED TITLE VI PLAN 2017-2020**

Recommendation:

Adopt SLO Transit's Title VI Plan for 2017-2020.

**ACTION:** MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY VICE MAYOR RIVOIRE, CARRIED 5-0 to approve Consent Calendar Items 2 thru 7

I, **Carrie Gallagher, City Clerk**, do hereby certify under penalty of perjury the foregoing document is a true and correct Summary of City Council Action Taken at the Regular Meeting of Tuesday, February 21, 2017.

**WITNESS MY HAND AND THE SEAL OF THE CITY OF SAN LUIS OBISPO.**

DATED: March 2, 2017

  
\_\_\_\_\_  
Carrie Gallagher, City Clerk  
City of San Luis Obispo



## Public Works

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# Title VI Plan

City of San Luis Obispo - San Luis Obispo Transit  
(SLO Transit)

Date Adopted: February 21, 2017

## I. Plan Statement

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 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. Section 2000d).

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

This plan was developed to guide SLO Transit in its administration and management of Title VI-related activities.

### Title VI Contact information:

**City of San Luis Obispo  
Transit Manager (Title VI Coordinator)  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805)781-7121  
[slotransit@slocity.org](mailto:slotransit@slocity.org)**



As of July 1, 2016, the City of San Luis Obispo contracts with First Transit Inc. for maintenance and operations of SLO Transit. The contractor(s), by extension, will also assist and comply with the adopted Title VI policy.



## II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the city owned SLO Transit facility and on their revenue vehicles. The plan information, along with contact information for the City's Title VI coordinator is available on the SLO Transit website ([slotransit.org](http://slotransit.org)). Additional information relating to nondiscrimination obligation can be obtained from the SLO Transit Title VI Coordinator.

Title VI information shall be disseminated to SLO Transit employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of SLO Transit's policy statement, and of their Title VI responsibilities in their daily work and duties. During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and SLO Transit's expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

Title VI information shall also be made available in non-English languages, consistent with the City's Limited English Proficiency (LEP) plan.

## III. Subcontractors and Vendors

All subcontractors and vendors who receive payments from SLO Transit where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

## IV. Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the SLO Transit Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

## V. Title VI Complaint Procedures

### How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to one hundred eighty (180) days from the date of the alleged discrimination.



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The complaint should include the following information:

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

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing with SLO Transit at the following address:

### **Title VI Contact information:**

**City of San Luis Obispo  
Transit Manager (Title VI Coordinator)  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805) 781-7121  
[slotransit@slocity.org](mailto:slotransit@slocity.org)**

NOTE: SLO Transit encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily, but is not required. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

### **What happens to the complaint after it is submitted?**

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by SLO Transit will be directly addressed by SLO Transit. SLO Transit shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, SLO Transit shall make every effort to address all complaints in an expeditious and thorough manner, as herein described.

A letter of acknowledging receipt of complaint will be mailed within thirty (30) days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.



### **How will the complainant be notified of the outcome of the complaint?**

SLO Transit will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from the SLO Transit, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590**

## **VI. Limited English Proficiency (LEP) Plan**

SLO Transit is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who are Limited English Proficient (LEP). SLO Transit consulted the United States Department of Transportation (U.S. DOT)'s LEP Guidance and performed a four factor analysis of our contact with the public to determine the appropriate mix of LEP services to offer.

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which states that no person shall be subjected to discrimination on the basis of race, color, or national origin.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the City utilized the U.S. DOT 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 a City Transit program's activity of service.



2. The frequency with which LEP persons come into contact with City Transit programs, activities or services.
3. The nature and importance of programs, activities or services provided by the City to the LEP population.
4. The resources available to City staff and overall costs of providing LEP assistance.

A summary of the results of the City four-factor analysis is in the following section.

#### Four Factor Analyses:

- 1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a City Transit program's activity of service.**

Data was gathered from the following sources to identify information on persons who do speak languages other than English at home and who speaks it less than well or not at all and would be classified as limited English proficient or "LEP":

- a. 2010 Census Data.
- b. Census Bureau's American Community Survey and Fact Finder Surveys.
- c. Department of Labor LEP Special Tabulation website.

A review of the census data on the numbers of limited English proficient or LEP persons revealed that in San Luis Obispo, CA the highest percentage of total population 5 years and over that spoke a language other than English at home were Spanish speakers. The total Spanish speaking population was 14.7% of the 45,119 total population of San Luis Obispo, CA (see U.S. Census Bureau Data). The number of Spanish speaking LEP individuals that spoke English "not well" or "not at all" in San Luis Obispo was 13.9%. Documents related to fares, transfers, passes, pass sale locations, days of service, and contact information are available in both English and Spanish translations.

- 2. The frequency with which LEP persons come into contact with City Transit programs, activities or services.**

We serve LEP persons daily via our fixed route transit system that operates 10 peak vehicles from Labor Day to mid-June and reduced service from mid-June-Labor day. Within the First Transit Inc. operations-maintenance staff located at 29 Prado Road, there are (2) bilingual employees available for Spanish translation, including (1) daytime road supervisor and (1) evening technician. Staff translated in person approximately 10-15 times a month and over the phone 5-10 times a month during the previous 12 months. Within the Public Works Department located



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at 919 Palm Street, there is (1) bilingual approved transit employee in addition to (3) bilingual approved employees available for Spanish translation. No calls or requests for translation were received by SLO City staff during the previous 12 months.

SLO Transit will continue to monitor the following key program areas such as:

- Use of bus;
- Participation in public meetings;
- Customer service interactions;
- Ridership surveys;
- Operator surveys;
- Purchase of passes and tickets through outlets, and the Rideshare website.

### **3. The nature and importance of programs, activities or services provided by the City to the LEP population.**

The City of San Luis Obispo is centrally located in California between San Francisco and Los Angeles. The City has an estimated population of 45,119 (2010 Census Bureau estimate). San Luis Obispo is also home to the California Polytechnic State University (Cal Poly), a major source of population, employment, and other overall economic and social impacts. SLO Transit, a program operated out of the Department of Public Works, is the City of San Luis Obispo's transit provider and operates fixed route service throughout the City and trolley service downtown. Other regional and paratransit service providers also offer service to the City.

SLO Transit, a City entity with service operation contracted to First Transit Inc., provides fixed-route bus service throughout the City of San Luis Obispo. SLO Transit operates a total of seven regular bus routes on weekdays, six routes on Saturdays, and four routes on Sundays, as well as a San Luis Drive Tripper (SLD Tripper) and Kennedy Library Tripper (KLT Tripper) on weekdays and a Downtown Trolley Thursday through Saturday. Five routes operate Monday through Friday evenings during the school year.

### **4. The resources available to City staff and overall costs of providing LEP assistance.**

SLO Transit currently provides some information in Spanish such as surveys, bus routes and fares, public service announcements and information on the buses. Documents related to fares, transfers, passes, pass sale locations, days of service, and contact information are available in both English and Spanish translation. Within the First Transit Inc. operations-maintenance staff located at 29 Prado Road, there are two (2) bilingual employees available for Spanish translation, including one (1) daytime road supervisor and one (1) evening technician. Within the Public Works Department located at 919 Palm, there is one (1) bilingual approved transit employee in



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addition to three (3) bilingual approved employees available for Spanish translation. About \$2,500/year could be allocated in FY 2016-17 for additional language services.

### Implementation Plan:

Based on the four factor analysis, SLO Transit recognizes the need to continue providing language services in the region. A review of SLO Transit relevant programs, activities and services that are being offered or will be offered by the City as of December 2016 include:

- Spanish speaking translators are available upon request during normal business hours
- Route and schedule brochures are available in both English and Spanish
- Route and schedule information available in Spanish on the SLO Transit website ([slotransit.org](http://slotransit.org))
- Transit surveys to be conducted by SLO Transit will be available in Spanish
- Public meetings will include outreach to the Spanish speaking community in San Luis Obispo. Information will be provided in Spanish and a translator will be on site to help with questions or concerns
- Meetings to be scheduled at times and locations that are convenient and accessible for minority and LEP communities
- Different meeting sizes and formats to be employed
- Radio, television, or newspaper ads on stations and in publications that serve LEP populations to be considered by SLO Transit
- Public participation opportunities through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments will be considered by SLO Transit

SLO Transit will perform a four factor analysis every three years to identify what, if any, additional information or activities might better improve SLO Transit's services to assure non-discriminatory service to LEP persons. SLO Transit will then evaluate the projected financial and personnel needed to provide the requested services and assess which of these can be provided cost-effectively.

## VII. Community Outreach

As an agency receiving federal financial assistance, SLO Transit has made the following community outreach efforts:

The City of San Luis Obispo Mass Transportation Committee (MTC) Advisory Body holds public meetings bi-monthly to review SLO Transit service and performance. All meetings are compliant with the Brown Act of California which guarantees the public's right to attend and participate in



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meetings of local legislative bodies. Agendas and minutes are available at <http://www.slocity.org/advisorybodies.asp>. At these meetings the public is welcome to attend and share in discussion with a variety of Community Outreach discussions. Additionally, SLO Transit works with the other transit agencies in the service area and other stakeholder organizations to review and discuss the planning and have involvement in the decision making process. SLO Transit from time to time will provide on-board survey hand-outs to customers for their feedback about a variety of issues.

SLO Transit held public meetings for public review and comment regarding the Title VI Program. Public meetings are held in convenient, accessible, and diverse locations along bus routes whenever possible. Public meetings are held under the supervision of the SLO Transit Manager. Public comments are recorded and filed. Public meetings may be held at regular MTC meetings. Spanish speaking assistance will be available.

SLO Transit submits to the California Department of Transportation and Federal Transit Administration annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

## VIII. Mass Transportation Committee

The City of San Luis Obispo Mass Transportation Committee (MTC) Advisory Body has nine (9) members:

- (1) Cal Poly designated employee
- (1) Cal Poly student representative designated by Associated Students, Inc. (ASI)
- (1) senior citizen (62 years of age or older)
- (1) person from the business community
- (1) person with technical transportation planning experience
- (1) disabled person
- (1) member at-large
- (2) alternate members

Amongst these volunteer members, there are currently three (3) Non-White members.

Committee vacancies are listed on the City of San Luis Obispo website ([slocity.org](http://slocity.org)), as well as on the SLO Transit website ([slotransit.org](http://slotransit.org)) and SLO Transit social media. The City Clerk's Office and City Council review the submitted applications in fairness and equity, evaluating the necessary qualifications for the vacant position.



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**APPENDIX A      Employee Annual Education Form**

**Title VI Policy**

No person 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.

All employees of San Luis Obispo Transit (currently contracted by First Transit Inc.) are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the City of San Luis Obispo Transit Manager who is the Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color, or national origin.



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**APPENDIX B Acknowledgement of Receipt of Title VI Plan**

I hereby acknowledge the receipt of the San Luis Obispo Transit’s Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print your name

\_\_\_\_\_  
Date



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**APPENDIX C Title VI Complaint Form**

**City of San Luis Obispo Transit – SLO Transit**

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Home Telephone No: ( ) \_\_\_\_\_

Work Telephone No: ( ) \_\_\_\_\_

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

What do you believe is the reason for your discrimination?:

Race  Color  National Origin  Other (specify) \_\_\_\_\_

Date of Alleged Incident: \_\_\_\_\_

Explain as clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include the names and contact information of any witnesses. If more space is needed please use the back of the form.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes  No



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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: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

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

**Please mail this form to:**

City of San Luis Obispo  
Transit Manager  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805)781-7121

Title VI of the Civil Rights Act of 1964 states: *“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.”*

The City of San Luis Obispo Transit (SLO Transit) respects civil rights and operates its programs and services without regard to race, color or national origin. SLO Transit is committed to complying with Title VI requirements in all of its programs and services.

Any person who believes he/she has been subjected to discrimination in the delivery of or access to public transportation origin, may file a complaint with SLO Transit. Such complaint must be filed in writing with SLO Transit no later than 180 days after the alleged discrimination. A letter of acknowledging receipt of complaint will be mailed within 30 days.

For more information on the Title VI transit obligations and how to file a complaint, please contact SLO Transit: City of San Luis Obispo Transit Manager, Public Works Department, 919 Palm Street, San Luis Obispo, CA 93401



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**APPENDIX D      Sample Letter Acknowledging Receipt of Complaint**

Today's Date

Ms. Jo Doe  
1234 Main St.  
San Luis Obispo, California 93401

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against San Luis Obispo Transit alleging \_\_\_\_\_.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning \_\_\_\_\_, or write to me at this address.

Sincerely,

**Title VI Coordinator  
City of San Luis Obispo  
Transit Manager  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805)781-7121**



## APPENDIX E      Sample Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe  
1234 Main St.  
San Luis Obispo, California 93401

Dear Ms. Doe:

The matter referenced in your letter of \_\_\_\_\_ (date) against San Luis Obispo Transit (SLO Transit) alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

**City of San Luis Obispo  
Transit Manager (Title VI Coordinator)  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805)781-7121**



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**APPENDIX F            Sample Letter Notifying Complainant that the Complaint Is Not Substantiated**

Today's Date

Ms. Jo Doe  
1234 Main St.  
San Luis Obispo, California 93401

Dear Ms. Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date) against San Luis Obispo Transit (SLO Transit) alleging \_\_\_\_\_ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

San Luis Obispo Transit has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from San Luis Obispo Transit, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor - TCR 1200 New Jersey Ave., SE Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

**City of San Luis Obispo  
Transit Manager (Title VI Coordinator)  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805)781-7121**



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### **APPENDIX G Samples of Narrative to be included in Posters to be displayed in Revenue Vehicles and Facilities**

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 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. Section 2000d).

The City of San Luis Obispo-San Luis Obispo Transit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by San Luis Obispo Transit, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at:**

**City of San Luis Obispo  
Transit Manager (Title VI Coordinator)  
Public Works Department  
919 Palm Street  
San Luis Obispo, CA 93401  
(805)781-7121  
[slotransit@slocity.org](mailto:slotransit@slocity.org)**

**For more information, visit our website at [slotransit.org](http://slotransit.org).**