

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 2022-07

RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION ADOPTING THE TITLE VI POLICY STATEMENT AND COMPLAINT PROCEDURES

WHEREAS, the River to Sea Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and portions of Flagler County inclusive of the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

WHEREAS, Florida Statutes 339.175; 23 U.S.C. 134; and 49 U.S.C. 5303 require that the urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the River to Sea TPO has developed the Title VI Policy Statement and Complaint Procedures, whose purpose is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), and other related federal and state statutes and regulations, and

WHEREAS, the River to Sea TPO will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status; and

WHEREAS, the Title VI Policy Statement and Complaint Procedures have been provided for review by the general public, the River to Sea TPO's advisory committees and the River to Sea TPO Board.

NOW, THEREFORE, BE IT RESOLVED, by the River to Sea TPO that the:

1. River to Sea TPO Board and advisory committees have reviewed and adopted the River to Sea TPO's Title VI Policy Statement and Complaint Procedures; and the
2. River to Sea Transportation Planning Organization's Title VI Policy Statement and Complaint Procedures are attached hereto as Attachment "A"; and the
3. Chairperson of the TPO (or his/her designee) is hereby authorized and directed to provide a copy of this resolution along with the adopted Title VI Policy Statement and Complaint Procedures to the:
 - a. Florida Department of Transportation; and
 - b. Federal Highway Administration (FHWA) (through the Florida

- Department of Transportation); and the
- c. Federal Transit Administration (FTA) (through the Florida Department of Transportation).

DONE AND RESOLVED at the regularly convened meeting of the River to Sea TPO held on the 27th day of April 2022.

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION



VOLUSIA COUNTY COUNCIL Member BILLIE WHEELER
CHAIRPERSON, RIVER TO SEA TPO

CERTIFICATE:

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on April 27, 2022.

ATTEST:



DEBBIE STEWART, RECORDING SECRETARY
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION



RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

TITLE VI POLICY STATEMENT AND DISCRIMINATION COMPLAINT PROCEDURES

TITLE VI POLICY STATEMENT

The River to Sea Transportation Planning Organization (R2CTPO) values diversity and both welcomes and actively seeks input from all interested parties, regardless of cultural identity, background or income level. Moreover, the River to Sea TPO does not tolerate discrimination in any of its programs, services or activities. The River to Sea TPO will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status. The River to Sea TPO will actively work to ensure the inclusion of everyone in our community so that the River to Sea TPO's programs, services and activities represent the diversity we enjoy.

The purpose of the River to Sea TPO Title VI program is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), and other related federal and state statutes and regulations. These procedures have been adopted to conform to Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) regulations, as well as to the Florida Department of Transportation (FDOT) guidelines.

COMPLAINT PROCEDURES

Filing of Title VI Complaints of Discrimination

Any person who feels that he/she has been subjected to race, color or national origin discrimination under Title VI of the Civil Rights Act of 1964, or other forms of discrimination based upon sex, age, disability, religion, family or income status discrimination under related nondiscrimination laws and regulations, may file a complaint with the River to Sea TPO.

A complaint must be filed within one hundred eighty (180) days after the date of the alleged

discrimination, unless the time for filing is extended by the FTA, FHWA or other federal authorities.

If possible, complaints should be submitted in writing, signed by the complainant or his/her representative(s), and must include the following information:

1. Complainant(s) name, address and telephone number
2. Basis of the complaint (i.e. race, color, national origin, sex, age, disability, religion, family or income discrimination)
3. Date of the alleged discrimination
4. Statement of the complaint
5. Other agencies (state, local or federal) where the complaint has been filed
6. Explanation of the actions the complainant has taken or proposed to resolve the allegation in the complaint

Allegations of discrimination received via facsimile, mail or e-mail will be acknowledged and processed within five (5) business days. Allegations received by telephone will be documented in writing and provided to the complainant(s) for review before processing. If the complainant is hearing or speech-impaired, call the Florida Relay Service (FRS) by dialing 711 or 1-800-955-8771 (TTY) or email the Title VI Coordinator for assistance.

Complaints should be submitted to:

River to Sea Transportation Planning Organization
ATTN: Pamela Blankenship, Title VI Coordinator
2570 W. International Speedway Boulevard, Suite 100
Daytona Beach, FL 32114
Phone: 386.226.0422, ext. 20416
Fax: 386.226.0428
pblankenship@r2ctpo.org

Complaint Investigation

Upon receipt of a signed complaint, the River to Sea TPO Title VI Coordinator will, within five (5) business days, provide the complainant or his/her representative with a written acknowledgement of the complaint.

The Title VI Coordinator will take reasonable steps to resolve the matter and respond to the complaint within thirty (30) business days of receipt. The Title VI Coordinator will notify the complainant in writing of the final decision and/or action recommended to be taken. The River to

Sea TPO's Title VI Coordinator has 'easy access' to the TPO Executive Director and will immediately report allegations of discrimination to the Executive Director.

If the TPO is unable to informally resolve the complaint, the River to Sea Title VI Coordinator will forward the complaint, along with a record of its disposition, to the Florida Department of Transportation (FDOT) Title VI Coordinator for further processing.

Should the complainant be unable or unwilling to complain to the River to Sea TPO, or if the complainant is dissatisfied with the River to Sea TPO's handling of a complaint, a written complaint may be submitted directly to the Florida Department of Transportation (FDOT) Title VI Coordinator.

The Florida Department of Transportation (FDOT) Title VI Coordinator can be contacted at:

Jacqueline E. Paramore
Florida Department of Transportation (FDOT) Title VI Coordinator
605 Suwannee Street
Tallahassee, FL 32399-0450
850-414-4753
Jacqueline.Paramore@dot.state.fl.us

Complaints may also be submitted directly to the U.S. Department of Justice (DOJ). The DOJ will ensure that the matter is assigned to the correct federal or state authority for processing.

The U.S. Department of Justice may be contacted at:

U.S. Department of Justice
Civil Rights Division
Federal Coordination and Compliance Section, NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Title VI Hotline: 1-888-TITLE-06 (1-888-848-5306) (Voice /TTY)
<https://www.justice.gov/crt/fcs/TitleVI-Overview>

RETALIATION

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the River to Sea TPO that persons filing a complaint of discrimination should have the right to do so without interference, intimidation, coercion or fear of reprisal. Anyone who feels he/she has been subjected to retaliation should report such incident to the River to Sea TPO's Title VI Coordinator.

The TPO Title VI Coordinator will maintain a log of all verbal and written complaints received by the TPO. The log will include:

1. Name of Complainant
2. Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status, income discrimination or retaliation)
3. Date of verbal or written complaint
4. Explanation of the actions the TPO has taken or proposed to resolve the issue raised in the complaint

ADA/504 STATEMENT

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in the transportation planning process.

The River to Sea TPO will make every effort to ensure that its facilities, programs, services and activities are accessible to those with disabilities. The River to Sea TPO will also make every effort to ensure that its advisory committees and public involvement activities include representation of the disabled community and disability service groups.

The River to Sea TPO encourages the public to report any facility, program, service or activity that appears inaccessible to the disabled. Furthermore, the River to Sea TPO will provide reasonable accommodations to disabled individuals who wish to participate in public involvement events or who require special assistance to access River to Sea TPO facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the River to Sea TPO asks that requests be made at least five (5) calendar days prior to the need for accommodations.

The following notice is provided on all meeting agendas and notices:

Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the River to Sea TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 20416, at least

five (5) working days prior to the meeting date.

Questions, concerns, comments or requests for accommodations should be made to:

River to Sea Transportation Planning Organization
ATTN: Pamela Blankenship, Title VI Coordinator
2570 W. International Speedway Boulevard, Suite 100
Daytona Beach, FL 32114
386.226.0422, ext. 20416
Fax: 386.226.0428
pblankenship@r2ctpo.org

PUBLIC INVOLVEMENT

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the River to Sea TPO must solicit the input of the public. The TPO expends extensive staff and financial resources in the furtherance of this goal and strongly encourages the participation of the entire community. The TPO offers a number of volunteer roles for those wishing to become more involved in the planning process. The TPO also holds a number of transportation meetings, workshops and other events designed to gather public input on planning activities. In addition, the TPO attends and participates in other community events to promote its services and improve its name recognition among the public. The TPO is constantly seeking ways of measuring the effectiveness of its public involvement.

For more information on the TPO's public involvement and measures of effectiveness, the public may view the TPO Public Participation Plan (PPP), on the River to Sea TPO's website (<https://www.r2ctpo.org/public-involvement/public-participation-documents/>) and at the TPO office. Persons wishing to request special presentations by the TPO, volunteer for any of its activities or offer suggestions for the improvement of TPO public involvement activities may contact:

River to Sea Transportation Planning Organization
ATTN: Pamela Blankenship, Title VI Coordinator
2570 W. International Speedway Boulevard, Suite 100
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DATA COLLECTION

Federal Highway Administration (FHWA) regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of those affected by TPO programs, services and activities. The TPO accomplishes this through the use of Census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys as well as other methods. From time to time, the TPO may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the TPO with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the TPO will always be voluntary and anonymous. Moreover, the TPO will not release or otherwise use this data in any manner inconsistent with the federal regulations.

ASSURANCES

Each year, the TPO must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed ‘assurances’ and serve two important purposes. First, they document the TPO’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the TPO may be held liable for breach. The public may view the annual assurances on the TPO website (www.r2ctpo.org) or by visiting the TPO offices.

TITLE VI PROGRAM REVIEW AND TRAINING

The TPO's Title VI Program will be reviewed on an annual basis by the Title VI Coordinator to ensure compliance with Title VI (policies, regulations, procedures, etc.). Updates to the Title VI Plan will be made as needed. Revisions to the Title VI Plan that include only minor changes and do not affect policy or specific details may be made as an “administrative modification.” An administrative modification does not require public review and comment.

The TPO's Title VI Coordinator will provide comprehensive staff training on Title VI and Limited English Proficiency (LEP) on an annual basis.

River to Sea to Sea Transportation Planning Organization
Title VI / Nondiscrimination Program
Complaint of Discrimination

Complainant(s) Name:

Complainant(s) Address:

Complainant(s) Phone Number:

E-mail Address:

Complainant's Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc.):

Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You:

Names of the Individual(s) Whom You Allege Discriminated Against You (If Known):

Discrimination
Because of:

- | | | |
|--|--------------------------------------|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Age | <input type="checkbox"/> Handicap/Disability |
| <input type="checkbox"/> Income Status | <input type="checkbox"/> Retaliation | <input type="checkbox"/> Other |

Date of Alleged Discrimination:

Please list the name(s) and phone number(s) of any person, if known, that the River to Sea Transportation Planning Organization could contact for additional information to support or clarify your allegation(s).

Please explain as clearly as possible **how, why, when** and **where** you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Complainant(s) or Complainant(s) Representative(s) Signature:

Date of Signature:

Título VI / Programa Antidiscriminatorio

Querella de Discriminación

Nombre del querellante:	Dirección:
Número de teléfono:	Dirección de correo electrónico:

Nombre, dirección, teléfono y relación (ej. amigo, abogado, pariente, etc.) del Representante del querellante:

Nombre y dirección de la Agencia, Institución, o Departamento que usted alega discrimino en su contra:

Nombre(s) del Individuo(s) Quien(es) Usted Alega Discrimino Contra Usted Si lo(s) Conoce:

Razón de la discriminación:	<input type="checkbox"/> Raza	<input type="checkbox"/> Color	<input type="checkbox"/> Origen Nacional	Fecha de la alegada discriminación:
	<input type="checkbox"/> Incapacidad/Impedimento Físico	<input type="checkbox"/> Edad		
	<input type="checkbox"/> Sexo	<input type="checkbox"/> Represalia	<input type="checkbox"/> Status de Ingreso	
	<input type="checkbox"/> Otro			

Favor de indicar el nombre (s) y número(s) de teléfono(s) de alguna persona(s) que el Río al Mar Organización de Planificación Transporte puede comunicarse para información adicional que clarifique o respalde su alegación o alegaciones.

Favor de explicar tan claro como sea posible, **como, porque, cuando y donde** usted cree que fue discriminado. Incluya suficiente información acerca de los antecedentes según le sea posible, de los alegados actos de discrimen. Puede añadir paginas adicionales, si es necesario.

Firma del Querellante(s) o su Representante:	Fecha:
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