

Fresno County Rural Transit Agency's

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# **Title VI Program**

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**UPDATE 2020-2023**

This document was prepared by the Fresno County Rural Transit Agency (FCRTA) and approved by its Board of Directors to further comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in United States Department of Transportation's Federal Transit Administration Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients".

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(Resolution No. 2020-15)

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## Fresno County Rural Transit Agency's

# Title VI Program

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### Staff:

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Janelle Del Campo, Operations Manager  
Bryan Rome, Deputy Fresno County Legal Counsel

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## SECTION 1:

# PROGRAM POLICY AND COMPLAINT PROCEDURES

## POLICY

The Fresno County Rural Transit Agency (FCRTA) is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its programs, activities, or services on the basis of race, color or national origin. All persons, regardless of their citizenship, are covered under this regulation. In addition, Fresno County Rural Transit Agency prohibits discrimination on the basis of race, color or national origin in its employment and business opportunities.

Fresno County Rural Transit Agency will continue to not condone retaliation against an individual for his/her involvement in asserting his/her rights pursuant to Title VI or because he/she filed a complaint or participated in an investigation under Title VI, and /or this regulation.

As a Federal Transit Administration (FTA) fund recipient, Fresno County Rural Transit Agency will continue to ensure that its programs, policies and activities comply with the Department of Transportation (DOT) Title VI Regulations of the Civil Rights Act of 1964.

Fresno County Rural Transit Agency will continue to ensure that the level and quality of its transportation service is provided without regard to race, color or national origin.

Fresno County Rural Transit Agency will continue to promote the full and fair participation of all affected populations in the transportation decision-making process.

Fresno County Rural Transit Agency will continue to make good faith efforts to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, activities, and services on minority populations and low-income populations within Fresno County Rural Transit Agency's service area as provided herein.

Fresno County Rural Transit Agency will continue to ensure that Limited English Proficient (LEP) individuals have access to Fresno County Rural Transit Agency's programs, activities, and services.

The Fresno County Rural Transit Agency's Title VI Policy will continue to be posted on the agency website, within the administrative offices, within vehicles and at high demand stops throughout the system.

This Regulation shall be maintained in English and Spanish.

## POLICY DISTRIBUTION

FCRTA's Title VI Policy is distributed in a variety of ways and as by proscribed by Title VI Regulations. The following is a list of locations where the Title VI public notice is posted:

- a. FCRTA's website at [www.ruraltransit.org](http://www.ruraltransit.org)
- b. Public areas including the FCRTA administrative office reception desk and meeting rooms; the Fresno Economic Opportunities Commission office reception desk and conference room; and City Hall offices reception desk in the Cities of Firebaugh, Mendota, San Joaquin, Kerman, Huron, Coalinga, Fowler, Selma, Kingsburg, Sanger, Parlier, Reedley, and Orange Cove.
- c. FCRTA bus stops located in the Cities of Fresno, Firebaugh, Mendota, Kerman, Fowler, Selma, Kingsburg, Sanger, Parlier, Reedley, Orange Cove, Huron, and Coalinga.
- d. On all FCRTA transit vehicles.

## APPLICABILITY

This policy is applicable to all Fresno County Rural Transit Agency employees, members of the public and all contractors hired by Fresno County Rural Transit Agency.

Failure of an Fresno County Rural Transit Agency employee to follow this policy and procedure may subject such employee to disciplinary action up to and including employment termination.

## DEFINITIONS

**Adverse Effect** means having a harmful or undesired effect.

**Discrimination** refers to any act or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color, or national origin.

**Limited English Proficient (LEP) Persons** are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

**Low-Income Population** means any readily identifiable groups of low-income individuals who live in geographic proximity, and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will continue to be similarly affected by a proposed DOT program, policy, or activity.

### **Minority Individuals**

1. *American Indian and Alaska Native*, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. *Asian*, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.



3. *Black or African American*, which refers to people having origins in any of the Black racial groups of Africa
4. *Hispanic or Latino*, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. *Native Hawaiian and Other Pacific Islanders*, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands.

**National Origin** means the particular nation in which a person was born, or where the person's parents or ancestors were born.

**Race** means a group of people united or classified together on the basis of common history, nationality, or geographic distribution.

**Recipient** means one that has received or is receiving Federal financial assistance. The term includes subrecipients of a recipient and subrecipients in FTA State administered programs.

**Retaliation** Any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or State law.

**Vital Documents** are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, and notices informing customers of the availability of free language assistance).

## GENERAL REQUIREMENTS AND GUIDELINES

Fresno County Rural Transit Agency will continue to carry out its programs, activities, and services in compliance with Title VI of the Civil Rights Act of 1964. Fresno County Rural Transit Agency or any of its employees will continue to not, on the grounds of race, color, national origin, age, sex, sexual orientation, or gender identity, exclude any person from participating in, deny the benefits of, or subject him/her to discrimination under any Fresno County Rural Transit Agency programs, services, or activities.

Fresno County Rural Transit Agency nor any of its employees will continue to not, on the grounds of race, color or national origin:

1. Provide any service, financial aid, or benefit that is different from that provided to other;
2. Subject an individual to segregation or separate treatments;
3. Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others;
4. Deny any individual service, financial aid, or benefits under any Fresno County Rural Transit Agency programs, services, or activities;
5. Treat individuals differently in terms of whether they satisfy admission or eligibility requirements; and

6. Deny an individual the opportunity to participate as a member of a planning or advisory body.

Fresno County Rural Transit Agency shall evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether these changes have a discriminatory impact on low-income and Limited English Proficiency individuals. This applies to major service changes that affect 25% of service hours of a route.

Fresno County Rural Transit Agency schedules at least one Board Meeting every month to ensure that all individuals are afforded an opportunity to participate in transportation decisions.

Fresno County Rural Transit Agency's legal counsel will continue to maintain a list (a minimum of four years in active status) of any Title VI investigations, complaints, or lawsuits filed which allege Fresno County Rural Transit Agency discriminated against a person or group on the basis of race, color, or national origin. This list continues to include:

1. The date the complaint, investigation, or lawsuit was filed;
2. A summary of the allegation(s);
3. The status of the complaint, investigation, or lawsuit; and
4. Any actions, or corrective actions, taken by Fresno County Rural Transit Agency in response to the complaint, investigation, or lawsuit.

Fresno County Rural Transit Agency will continue to keep the public informed of the protections against discrimination afforded to them by Title VI and Fresno County Rural Transit Agency's obligations under Title VI by posting a *Title VI Policy Statement* (Attachment A) and associated English and Spanish *Complaint Forms*, on Fresno County Rural Transit Agency's website at [www.ruraltransit.com](http://www.ruraltransit.com), at the Fresno County Rural Transit Agency administrative offices, at FCRTA-member agency City Halls, at high-use FCRTA bus stop shelters, and on FCRTA vehicles.

Fresno County Rural Transit Agency will continue to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs, activities and services for individuals who are Limited English Proficient (LEP).

Fresno County Rural Transit Agency will continue to provide information, upon request from FTA, in order to investigate complaints of discrimination, or to resolve concerns about possible noncompliance with Title VI.

Fresno County Rural Transit Agency will continue to submit its Title VI Program to the PTA's regional civil rights officer once every three (3) years to ensure compliance with Title VI Requirements.

Fresno County Rural Transit Agency will continue to ensure that minority and low-income individuals have meaningful access to Fresno County Rural Transit Agency programs, activities and services.

## ENVIRONMENTAL JUSTICE REQUIREMENTS

Fresno County Rural Transit Agency will continue to integrate an environmental justice analysis into its



National Environmental Protection Act (NEPA) documentation of construction projects. Fresno County Rural Transit Agency is not required to conduct environmental justice analyses of projects where NEPA documentation is not required. Fresno County Rural Transit Agency will continue to consider preparing an environmental assessment (EA) or environmental impact Statement (EIS) to integrate into its documents the following components:

1. A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population (e.g., analysis of Census data, direct observation, or a public involvement process);
2. A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations;
3. A discussion of all positive effects of the project that would affect the identified minority and low-income populations, such as improvements in transit service, mobility, or accessibility;
4. A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues; and the replacement of the community resources destroyed by the project;
5. A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
6. For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas.

## LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS

Fresno County Rural Transit Agency will continue to seek out and consider the viewpoints of minority, low-income and Limited English Proficient (LEP) populations in the course of conducting public outreach and involvement activities. Fresno County Rural Transit Agency's public participation strategy will continue to offer early and continuous opportunities for the public to be involved in the identification of social, economic and environmental impacts of proposed transportation decisions.

Fresno County Rural Transit Agency will continue to ensure that individuals have access to its programs, activities and services by developing and carrying out the language plan herein. Fresno County Rural Transit Agency will continue to continually assess the language assistance needs of the population to be served.

Fresno County Rural Transit Agency will continue to use the following four (4) factors to determine what

measures must be undertaken to provide reasonable and meaningful access to LEP individuals.

1. Languages likely to be encountered and the number or proportion of LEP persons in the eligible service population likely to be affected by the program, activity, or service.
2. Frequency with which LEP individuals come into contact with Fresno County Rural Transit Agency programs, activities, and services.
3. Importance of the program, activity, or service provided by Fresno County Rural Transit Agency to LEP individual's lives.
4. Resources needed to provide effective language assistance and costs.

## ORAL LANGUAGE ASSISTANCE

Fresno County Rural Transit Agency will continue to make every effort to employ bilingual staff to provide Spanish-speaking interpretation at its Administrative office and within its Customer Service for basis transit questions and trip planning assistance.

## OUTREACH PLAN

**Outreach Plan to Engage Minority, Low-Income, and LEP Populations:** Fresno County Rural Transit Agency will provide for a public participation process in its planning and decision-making processes. The public participation process will be considered at the earliest stages of any FCRTA transit project or decision that may impact the surrounding community, FCRTA riders, or potential riders. Project specific outreach efforts will be tailored to the populations affected and the type of plan, project, or service under consideration.

FCRTA maintains contacts with local social service providers, non-profit organizations, advocacy groups, and public agencies that provide assistance to minority, low-income, and LEP clients. Such non-profits, social service providers, advocacy groups, and agencies have insight into the transportation needs of their clients and prove invaluable in overcoming barriers to public participation.

### Public Outreach Strategies

The following strategies will ensure that public input is invited and all foreseeable impacts to the community are considered for all transit projects. FCRTA may elect to use all or some of these outreach strategies as deemed appropriate to the specific project.

FCRTA staff will implement the following outreach strategies:

- Public meetings will typically be held in locations that are accessible to transit riders and people with disabilities, and are scheduled at times that are convenient for members of the public to attend.
- Public meetings and hearings are broadly advertised in the community in both English and Spanish through notices at the meeting site, onboard FCRTA buses, on FCRTA's website, and in the local newspaper.
- Notification will be provided regarding the availability of language assistance at public meetings and hearings. Spanish interpretation or translation at public meetings will be provided by FCRTA,



or an outside interpreter, as is appropriate and necessary.

- Transit information is available at various FCRTA events and community events. All FCRTA events are advertised on the FCRTA website and various community news outlets.
- Transit staff is present at various community events throughout the year. FCRTA partners with local Senior Centers, and various Social Service agencies to distribute transit information and do public outreach.
- FCRTA Transit staff set up booths at various transportation forums, conferences and summits, health fairs, and community events and festivals.
- FCRTA places the Fresno Council of Governments (FCOG) Unmet Needs hearing notices on its buses, at Senior Centers throughout Fresno County, and at the Unmet Needs meeting venues. The notices contain comment forms that the public can submit to inform public officials about any unmet transit needs that may exist. The notices are written in English and Spanish as are the comment forms. FCRTA also conducts a Ridership Survey on the Dinuba Connection buses that operate between Fresno and Tulare County.

## Summary of Outreach Efforts

FCRTA currently conducts the following public outreach for FCRTA services and activities:

### **Published Timetables**

The FCRTA system schedule is distributed on FCRTA buses, Senior Centers and Social service agencies throughout Fresno County. This schedule includes English and Spanish sections, and is available on FCRTA's website at [www.ruraltransit.org](http://www.ruraltransit.org).

### **Bilingual Outreach**

Most of the FCRTA and transit operations staff (MV Transit) speaks Spanish. All staff that provides customer service to transit users speaks fluent Spanish. All FCRTA dispatchers are bilingual as are the vast majority of FCRTA drivers. Bilingual assistance is utilized at public meetings/hearings when needed and appropriate.

### **Short Range Transportation Plan (SRTP)**

FCRTA, in conjunction with FCOG, completes a SRTP for FCRTA and rural Fresno County every two years. A new SRTP was prepared in 2019. The SRTP helps FCRTA and FCOG to assess transit and related transportation issues in rural Fresno County and provides them with a "road map" for improvements to their transit system for a five year period. As part of the SRTP preparation process FCRTA was involved in a Public Engagement Plan (PEP) to help solicit public input for the SRTP and an associated Long Range Transportation Plan. The aim of the PEP was to connect with stakeholders including community members, schools, public agencies, underserved populations, businesses, and community-based organizations, youth, seniors, and elected officials. PEP reached out to bus riders, businesses, and property owners, particularly those near transit routes. PEP staged workshops, events, and surveys during FY 17-18 and FCRTA participated in some of these activities including the noticing process. Workshop noticing was completed in both English and Spanish and was posted online and in targeted newspapers at least one week prior to scheduled workshops. Bilingual noticing strategies included: A regional workshop notice was placed in the Vida En El Valle (Spanish version of the Fresno Bee newspaper) in advance of workshops; Notices were created and distributed to FCRTA for placement on transit buses; All information was provided in English and Spanish.

Two workshops were held as part of these outreach efforts, one for covering the rural areas and one covering urban areas. The rural workshop was held in the City of Selma and discussed transit issues facing rural communities in Fresno County. At the Selma workshop the FCRTA Services Map was available to attendees so that they could post comments regarding a specific route or issues using markers

or Post It Notes. This helped identify attendee's issues with specific routes and other characteristics. Comment cards were available for comments and feedback at each workshop. Comments regarding FCRTA included: Increased weekend and evening service for farmworker communities; Adding bus stops that will connect with future High-Speed Rail services. The PEP process also involved interviews and surveys of many transit stakeholders and riders. Several major issues and trends were identified that the FCRTA SRTP should address:

- Lack of "Access to opportunity" (e.g., jobs and education) for residents in rural communities.
- There is significant appreciation for FCRTA services, but these services are fiscally constrained.
- Multimodal options including community-based options such as Van y Vienen, Green Raiteros, vanpools, and micro-transit need to be considered.

The public input from the PEP process was extensively incorporated into the resulting 2020-2024 SRTP that was completed in 2019.

### **Annual Unmet Transit Needs Process**

FCOG, as the regional transportation planning agency for Fresno County, is required under the California Transportation Development Act (TDA) to conduct an annual formal hearing process that solicits information about transit needs within Fresno County. Public participation is a key component of the TDA. Prior to making any allocation to member agencies (such as FCRTA) not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, FCOG must annually identify the unmet transit needs of all residents in the County and those needs that are reasonable to meet. This process involves public outreach and a public hearing before the FCOG Board to solicit comments on unmet needs that might be reasonable to meet by establishing or expanding public transportation services, and the adoption by resolution of findings related to public comments. The FCRTA is responsible for implementing service changes to accommodate any unmet needs within its jurisdiction that are found to be "reasonable to meet", prior to receiving TDA funding for that year.

Public comments are invited through a wide array of mailing lists and agency contacts, by surface mail or email, and through testimony received in-person, by phone, or at the hearing. Bilingual posters and comment forms are posted at key stakeholder agencies and community organizations, as well as onboard all buses that operate within Fresno County. The hearing is conducted in both English and Spanish. FCRTA advertises the meeting on their website and onboard their buses. The Spanish language version of the Unmet Needs meeting notice is shown below.





En asociación con las siguientes agencias de transporte público:

Clovis Transit  
Fresno Area Express  
Fresno County Rural Transit Agency  
Fresno Economic Opportunities Commission

*¿Usted o alguien que conoce tiene una necesidad de transporte público que no se está cumpliendo?*

**2018 NECESIDADES DE TRÁNSITO NO CUMPLIDAS -  
-PROCESO DE COMENTARIOS PÚBLICOS**

¡El Consejo Consultivo de Transporte de Servicios Sociales  
del Consejo de Gobiernos de Fresno (FCOG) desea escucharlo a usted!

Si desea proporcionar comentarios sobre las necesidades de transporte público en el condado de Fresno,  
por favor asista a una de las ocho reuniones públicas más cercanas a su residencia, o presente por escrito

**FECHAS Y LUGARES DE LAS REUNIONES:**

Martes, 13 de Marzo, 5:30pm  
lado oeste del Condado de Fresno  
Mendota City Hall  
643 Quince Street Mendota, CA 93640

Martes, 20 de Marzo, 5:30pm  
área metropolitana de Clovis  
Clovis Senior Center  
850 Fourth Street, Clovis, CA 93612

Miércoles, 28 de Marzo, 5:30pm  
área metropolitana de Fresno  
Central Valley Regional Center  
4615 N Marty, Fresno, CA 93722

Jueves, 5 de Abril, 5:30pm  
área metropolitana de Fresno  
Mosqueda Center (Room 8)  
4670 E. Butler Ave., Fresno, CA 93702

Lunes, 19 de Marzo, 5:30pm  
lado este del Condado de Fresno  
Selma City Hall  
1710 Tucker Street, Selma, CA 93662

Miércoles, 21 de Marzo, 5:30 pm  
lado oeste del Condado de Fresno  
Kerman City Hall  
850 S. Madera Avenue, Kerman, CA 93630

Miércoles, 4 de Abril, 10:00am  
área metropolitana de Fresno  
Ted C. Wills Senior Center  
770 N San Pablo, Fresno, CA 93728

Jueves, 19 de Abril, 6:00pm  
lado este del Condado de Fresno  
Parlier City Hall  
1100 E. Parlier Ave, Parlier, CA 93648

Si no puede asistir a una reunión pero desea enviarnos sus comentarios, consulte la sección titulada  
"Cómo Participar" en la parte posterior de este folleto.

Todas las salas de reuniones y los baños tienen acceso ADA. Los representantes o individuos con dis-  
capacidades deben comunicarse con Fresno COG al 559-233-4148, al menos 3 días antes de una re-



## COMPLAINTS/LAWSUITS AND APPEALS

*How to File a Title VI Complaint with Fresno County Rural Transit Agency:* Any person who believes that he/she, or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age sex, sexual orientation, or gender identity with respect to Fresno County Rural Transit Agency programs, activities, services, or other transit related benefits, may file a written Complaint with Fresno County Rural Transit Agency. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within one hundred and eighty (180) days after the date of the alleged discrimination, but complainants are encouraged to submit complaints as soon as possible. Fresno County Rural Transit Agency will continue to promptly investigate all Complaints filed under Title VI, pursuant to this Regulation.

*Complaint must include the following information:*

1. A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken.
2. A Complaint shall State, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

*A Complaint Form* (Attachment B) can continue to be used to file a Title VI complaint with Fresno County Rural Transit Agency. A Complaint Form will continue to be made in an accessible format, upon request. A Complaint Form can be obtained at:

1. Fresno County Rural Transit Agency's website [www.ruraltransit.org](http://www.ruraltransit.org)
2. By calling Fresno County Rural Transit Agency at (559) 233-6789 a complaint form can be mailed.
3. By picking up a complaint form at 2035 Tulare Street, Suite 201, Fresno, CA 93721

If the Complaint is received by anyone besides Fresno County Rural Transit Agency's General Manager, the individual in receipt of the Complaint shall forward it to the General Manager or his/her designee as soon as practicable but no later than two (2) business days of receipt. The General Manager shall immediately provide a copy of the Complaint to the Chair of the Board of Directors regarding the program, activity or service that is identified as being out of compliance.

### Procedures for Investigating Complaints

The General Manager or his/her designee shall promptly investigate the alleged complaint and shall prepare a written response as soon as practicable, but no later than ten (10) business days of his/her receipt of the complaint. The General Manager or his/her designee may consult with appropriate staff in the preparation of his/her response to the complaint.

## Efforts to Contact Complainant

The General Manager or his/her designee shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated. The General Manager or his/her designee shall review and consider the response prepared by the General Manager or his/her designee, all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. The General Manager or his/her designee shall prepare a written report of his/her findings and if corrective action is required, a timetable for the completion of such action.

## Completion of Investigation

As soon as it is practicable, but no later than twenty (20) business days following receipt of the initial complaint, the General Manager or his/her designee shall inform the complainant of his/her findings and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.

## Appeal to Chairman of the Fresno County Rural Transit Agency's Board of Directors

If the complainant is not satisfied with the findings and/or action of Fresno County Rural Transit Agency's General Manager or his/her designee, then the complainant may file his/her Complaint with the Chair of the Board of Directors or with the FTA's Office of Civil Rights.

## Appeal Process

If the complainant chooses to file his/her Complaint with the Chair of the Board of Directors, then the complaint and any supporting documentation should be submitted within five (5) business days of his/her receipt of the results of the General Manager's investigation, with the Chair of the Board of Directors by providing it to General Manager at Fresno County Rural Transit Agency facility. Upon review of the file, the Chair of the Board of Directors shall notify the complainant of what actions, if any, will continue to be taken as a result of the review by the Chair within ten (10) business days of the Chair's notification that the complainant is not satisfied with the results of the General Manager's investigation. The decision of the Chair of Fresno County Rural Transit Agency Board of Directors shall be final.

## Timeline Waiver

Any timeline set forth herein may be extended by the General Manager upon a showing of good cause.

## How to File a Title VI Complaint with the FTA Office of Civil Rights

Any person who believes that he/she or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age, sex, sexual orientation, or gender identity, with respect to Fresno County Rural Transit Agency's programs, activities, or services, or other transit related benefits, may file a written Complaint with FTA. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within one hundred and eighty (180) days after the date of the alleged discrimination. FTA will continue to promptly investigate all Complaints filed under Title VI in accordance with the United States Department of Transportation (USDOT) regulations 49 CFR 21.11(b) and 21.11(c).



1. *A Complaint must include the following information:* A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken. In cases where a Complainant is unable or incapable of providing a written Statement, but wishes FTA or DOT to investigate alleged discrimination, a verbal Complaint of discrimination may be made to the FTA Director, Office of Civil Rights. If necessary, the Civil Rights Official will continue to assist the person in converting the verbal Complaint into writing. All Complaints must, however, be signed by the Complainant or his/her representative.

FTA Civil Rights Office Address:  
Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590  
TTY: 1-800-877-8339  
Voice: 1-866-377-8642  
(E) [www.FTA.ADAAssistance @dot.gov](http://www.FTA.ADAAssistance@dot.gov)

2. A Complaint shall State, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which discrimination occurred.

## Complaint Acceptance

Once a Complaint has been accepted, FTA will continue to notify Fresno County Rural Transit Agency that it has been subject to a Title VI Complaint and ask Fresno County Rural Transit Agency to respond in writing to the Complainant's allegations. Once the Complainant agrees to release the Complaint to Fresno County Rural Transit Agency, FTA will provide the Fresno County Rural Transit Agency with the Complaint. FTA may choose to close a Complaint if the Complainant does not agree to release the Complaint to the Fresno County Rural Transit Agency. FTA strives to complete a Title VI Complaint investigation within one hundred and eighty (180) days of the acceptance date of a Complaint.

## Investigations

FTA will continue to make a prompt investigation whenever a compliance review, report, Complaint or any other information indicates a possible failure to comply with Title VI Regulations. FTA's investigation will continue to include a review of the pertinent practices and policies of Fresno County Rural Transit Agency, the circumstances under which the possible noncompliance occurred, and other factors relevant to a determination as to whether Fresno County Rural Transit Agency has failed to comply with Title VI regulations.

Following the investigation, FTA's Office of Civil Rights will continue to transmit to the Complainant and Fresno County Rural Transit Agency one of the following three (3) letters based on its finding:

1. *Letter of Resolution:* which explains the steps that Fresno County Rural Transit Agency has taken or promises to take to come into compliance with Title VI.

2. *Letter of Finding (Compliance)*: which explains that Fresno County Rural Transit Agency is found to be in compliance with Title VI. This letter will continue to include an explanation of why Fresno County Rural Transit Agency was found to be in compliance, and provide notification of the Complainant's appeal rights.
3. *Letter of Finding (Noncompliance)*: which explains that Fresno County Rural Transit Agency is found to be in noncompliance. This letter will continue to include each violation referenced, the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, the consequences for failure to achieve voluntary compliance, and an offer of assistance to Fresno County Rural Transit Agency in devising a remedial plan for compliance.

## Appeals Process

The letters of finding and resolution will continue to offer the Complainant and Fresno County Rural Transit Agency the opportunity to provide additional information that would lead FTA to reconsider its conclusions. FTA requests that the parties in the Complaint provide this additional information within sixty (60) days of the date of the FTA letter of finding. PTA's Office of Civil Rights will continue to respond to an appeal either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force.

## DEFICIENCIES WITH TITLE VI COMPLIANCE

Compliance Reviews will continue to be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under 49 CFR 21.11(a).

If FTA determines that Fresno County Rural Transit Agency is in noncompliance with Title VI, it will continue to transit a Letter of Finding that describes FTA's determination and requests that Fresno County Rural Transit Agency voluntarily take corrective action(s) which FTA deems necessary and appropriate.

Fresno County Rural Transit Agency will continue to submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within thirty (30) days of receipt of FTA's Letter of Finding.

## ADMINISTRATION OF REGULATION

Fresno County Rural Transit Agency will continue to integrate the provisions within its Title VI Program into all programs, activities, and services provided by Fresno County Rural Transit Agency.

Fresno County Rural Transit Agency will continue to integrate the Title VI Program into its policies and procedures.



## SECTION 2:

### LIMITED ENGLISH PROFICIENCY (LEP) PLAN

#### INTRODUCTION

This Limited English Proficiency (LEP) Plan has been prepared to address the Fresno County Rural Transit Agency responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1A dated May 13, 2007, which States that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all State and local agencies which receive federal funds.

#### PLAN SUMMARY

Fresno County Rural Transit Agency is the public transit operator for the Fresno County and has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Fresno County Rural Transit Agency. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

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, Fresno County Rural Transit Agency undertook the U.S. Department of Transportation (U.S. DOT) four (4) 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 Fresno County Rural Transit Agency program, activity or service.
2. The frequency with which LEP persons come in contact with Fresno County Rural Transit Agency programs, activities or services.
3. The nature and importance of programs, activities or services provided by Fresno County Rural Transit Agency to the LEP population.
4. The resources available to Fresno County Rural Transit Agency and overall costs to provide LEP assistance.

A summary of the results of the Fresno County Rural Transit Agency four-factor analysis is in the following section.

## Four-Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Fresno County Rural Transit Agency program, activity or service.

Fresno County Rural Transit Agency staff reviewed the 2010 U.S. Census Language Survey Report and determined that 387,335 persons in Fresno County [44.6 % of the population] speak a language other than English. In Fresno County, 245,209 persons [28.3%] indicate having limited English proficiency; that is, they speak English "not very well".

In Fresno County, of those persons with limited English proficiency, 299,620 (34.5% of the total population) speak Spanish; the remaining 4,076 respondents speak approximately 66 different languages, each accounting for less than 9.4% of the population.

2. The frequency with which LEP persons come in contact with Fresno County Rural Transit Agency programs, activities or services.

Fresno County Rural Transit Agency assessed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators for requests for interpreters and translated documents. To date, the most frequent contact between LEP persons is with bus drivers and dispatchers. Dispatchers take approximately 400 calls per day, with typical calls being;

- Requests for service to local community lunch providers
- Deviated service stop requests
- General services calls
- Questions about the FCRTA transit system

Based on this information, Fresno County Rural Transit requires the hiring of bilingual staff and works with local community service agencies identified as having high LEP person traffic and will ensure that language assistance information is posted in high volume areas, such as; buses, website and dispatch centers.

3. The nature and importance of programs, activities or services provided by Fresno County Rural Transit Agency to the LEP population.

The largest geographic concentration of LEP individuals in the Fresno County Rural Transit Agency service area is Spanish. 13 Concentrated areas have been identified as having very significant percentages of the population identified as *Hispanic*, they are; Coalinga (53.5%), Firebaugh (91.2%), Fowler (66.2%), Huron (96.6%), Kerman (71.7%), Kingsburg (42.9%), Mendota (96.6%), Orange Cove (92.7%), Parlier (97.5%), Reedley (76.3%), Sanger (80.5%), San Joaquin (95.6%), Selma (77.6%). Services provided by Fresno County Rural Transit Agency that are most likely to encounter LEP individuals are the fixed route system which serves the general public and the demand-response (Dial-A-Ride) system which serves primarily senior and disabled persons.



It is also likely that Fresno County Rural Transit Agency will continue to encounter LEP individuals at the Fresno County Rural Transit Agency offices where passes and taxi script are sold, community outreach events and posters are displayed relating to transit events.

4. The resources available to Fresno County Rural Transit Agency and overall costs to provide LEP assistance.

Fresno County Rural Transit Agency assessed its available resources that could be used for providing LEP assistance, including determining the cost of a professional interpreter and translation service on an as-needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that Fresno County Rural Transit Agency could partner with for outreach and translation efforts. The amount of staff and vehicle operating training that might be needed was also considered. Based on the four-factor analysis, Fresno County Rural Transit Agency developed its LEP Plan as outlined in the following section.

## SAFE HARBOR

The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. The Spanish language is the only language spoken in rural Fresno County that meets the 5% or 1,000 people criteria. FCRTA will continue to translate and distribute written vital documents in Spanish in order to satisfy the Safe Harbor provision and ensure FCRTA's services are accessible.

Below is a list of vital written documents that are in translated into Spanish:

1. Bus Schedules
2. Title VI Notice
3. Title VI Complaint Instructions & Form
4. Interior bus signs and/or flyers regarding transit fares and passenger rules

## LIMITED ENGLISH PROFICIENCY (LEP) PLAN OUTLINE

How Fresno County Rural Transit Agency and staff may identify an LEP person who needs language assistance:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a bilingual staff person greet participants as they arrive to Fresno County Rural Transit Agency sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
3. Have Census Bureau Language Identification Flashcards available at Fresno



County Rural Transit Agency meetings. This will continue to assist Fresno County Rural Transit Agency in identifying language assistance needs for future events and meetings.

4. Fresno County Rural Transit Agency I Title VI Program Section 2: Limited English  
4. Have Census Bureau Language Identification Flashcards on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will continue to be instructed to try to obtain contact information to give to Fresno County Rural Transit Agency staff and management for follow-up.
5. Vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, will continue to be surveyed on their experience concerning any contacts with LEP persons during the previous year.

## LANGUAGE ASSISTANCE MEASURES

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which Fresno County Rural Transit Agency staff responds to LEP persons, whether in person, by telephone or in writing.

- Provide bilingual staffing to provide Spanish-speaking interpretation at its Administrative offices and within its Customer Service transit questions and trip planning.
- Network with local human service organizations that provide services to LEP individuals and seek opportunities to provide information on Fresno County Rural Transit Agency programs and services.
- Placement of Statements in notices and publications that interpreter services are available for these meetings, with seven (7) day advance notice.
- Survey bus drivers and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, annually on their experience concerning any contacts with LEP persons during the previous year.
- Provide Language Identification Flashcards at the Transit Center, onboard the Fresno Transit fleet, in Road Supervisor vehicles and at transit systems administrative offices.
- Post the Fresno County Rural Transit Agency Title VI Program and LEP Plan on the agency website, [www.ruraltransit.org](http://www.ruraltransit.org) and at the administrative offices.

- Provide travel training to LEP persons with the assistance of bilingual staff.
- Include language "Spanish a plus" on bus driver recruitment flyers and onboard recruitment posters.
- When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will continue to utilize a professional interpreter services.

## STAFF TRAINING

The following training will continue to be provided to Fresno County Rural Transit Agency staff:

1. Information on the Fresno County Rural Transit Agency Title VI Procedures and LEP responsibilities.
2. Description of language assistance services offered to the public.
3. Use of Language Identification Flashcards (used to identify language preference).
4. Documentation of language assistance requests.
5. Use of professional interpreter services (over the phone interpretation provider).
6. How to handle a potential Title VI / LEP complaint.

## OUTREACH TECHNIQUES

In order to ensure that LEP individuals are aware of Fresno County Rural Transit Agency's language assistance measures, Fresno County Rural Transit Agency provides the following:

- Local schedules include Spanish translation
- Spanish language contact information, phone and email, is posted on the Fresno Transit website home page.
- Bilingual staff are present most service hours for in-person or phone customer service at the administrative offices
- Most bus drivers are bilingual and assist LEP passengers if needed when driving
- All dispatchers are bilingual

Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will continue to be printed and posted in an alternative language based on the known LEP population. These notices will continue to be posted in the following locations:

- Fresno County Rural Transit Agency Administrative offices.
- Fresno County Rural Transit Agency buses.
- Fresno County Rural Transit Agency website.

Such notices may also be posted or announced with local stakeholders, community centers and effected route major transfer points. Interpreters will continue to be available as needed.

## MONITORING AND UPDATING THE LEP PLAN

Fresno County Rural Transit Agency will continue to update the LEP plan as required by U.S. DOT. At a minimum, the plan will continue to be reviewed and updated every three (3) years in conjunction with the Title VI submission, or when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Fresno County Rural Transit Agency service area. Updates will continue to include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether Fresno County Rural Transit Agency's financial resources are sufficient to fund language assistance resources needed.
- Determine whether Fresno County Rural Transit Agency has fully complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning Fresno County Rural Transit Agency's failure to meet the needs of LEP individuals.

## DISSEMINATION OF THE FRESNO COUNTY RURAL TRANSIT AGENCY LEP PLAN

A link to the Fresno County Rural Transit Agency LEP Plan and the Title VI Program is included on the Fresno County Rural Transit Agency website at: [www.ruraltransit.org](http://www.ruraltransit.org).

Any person or agency with internet access will continue to be able to access and download the plan from the Fresno County Rural Transit Agency website. Alternatively, any person or agency may request a copy of the plan via telephone, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which Fresno County Rural Transit Agency will continue to provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to the Fresno County Rural Transit Agency, General Manager:

Moses Stites  
General Manager  
Fresno County Rural Transit Agency  
2035 Tulare Street, Suite 201  
Fresno, CA 93721  
(O) 559-233-6789  
(F) 599-233-9645  
(E) [mstites@fresnocog.org](mailto:mstites@fresnocog.org)  
(W) [www.ruraltransit.org](http://www.ruraltransit.org)



# NOTICE

## Notifying the Public of Rights Under Title VI

Fresno County Rural Transit Agency operates its public transit assistance programs and services in the rural areas of Fresno County, without regard to *race, color or national origin* in accordance with Title VI of the Civil Rights Act of 1964. Any person who believes they has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Fresno County Rural Transit Agency.

For more information about the Fresno County Rural Transit Agency's Title IV Program and procedures to file a complaint, may contact the Agency's Administrative Offices at 2035 Tulare Street, Suite 201; Fresno, CA 93721; or by phone at (559) 233-6789; or by Fax at 559-233-9645; or by website at [www.ruraltransit.org](http://www.ruraltransit.org).

A complainant or their designated representative may file a complaint directly with the 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. If information is needed in another language, contact (559) 233-6789 for assistance. Si requiere información en otro idioma, llame al (559) 233-6789.

## Attachment A

### POLICY STATEMENT

The Fresno County Rural Transit Agency is committed to providing public transportation in an environment that is free from discrimination on the basis of race, color or national origin. Fresno County Rural Transit Agency operates its programs, activities and services without regard to race, color or national origin.

As a Federal Transit Administration (FTA) fund recipient, Fresno County Rural Transit Agency will continue to ensure that its programs, policies and activities comply with Title VI of the Civil Rights Act of 1964, as amended, and United States Department of Transportation regulations.

The Fresno County Rural Transit Agency has prepared and adopted a comprehensive Title VI Program, in compliance with Federal regulations. It is available for public awareness.

Any person, who believes that they, has been subjected to discrimination on the basis of race, color or national origin, with respect to Fresno County Rural Transit Agency's programs, activities, services, or other transit related benefits, may file a Title VI complaint, utilizing an available Form. Complaints must be filed in writing and signed by the complainant, or their designated representative, and should include the complainants name, address, and telephone number or other means by which the complainant can be contacted. Complaints should be filed as soon as possible to address and investigate and resolve the alleged Complaint in a timely manner. Otherwise a Complaints must be filed within one hundred and eighty 180 days of the date of the alleged discriminatory act.

To request additional information on Fresno County Rural Transit Agency's non-discrimination obligations or to file a Title VI Complaint Form, please submit your request or complaint in writing to:

**Fresno County Rural Transit Agency**

Moses Stites

General Manager

2035 Tulare Street, Suite 201

Fresno, CA 93721

(O) 559-233-6789

(F) 559-233-9645

(E) [mstites@fresnocog.org](mailto:mstites@fresnocog.org)

(W) [www.ruraltransit.org](http://www.ruraltransit.org)

**Complaint Forms can also be obtained at:** [www.ruraltransit.org](http://www.ruraltransit.org)

**Federal Transit Administration (FTA) Title VI Complaints may be filed directly to:**

Federal Transit Administration Office of Civil Rights

Title VI Program Coordinator

East Building, 5<sup>th</sup> Floor – TCR

1200 New Jersey Avenue, SE

Washington, DC 20590

## Attachment B

### Fresno County Rural Transit Agency TITLE VI DISCRIMINATION COMPLAINT FORM

2035 Tulare Street, Suite 201, Fresno, CA 93721

Complainant's Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_  
Date of Violation: \_\_\_\_\_ Time of Violation: \_\_\_\_\_  
Date of Complaint: \_\_\_\_\_ Place of Violation: \_\_\_\_\_  
Bus Number: \_\_\_\_\_ Bus Route: \_\_\_\_\_

Discrimination because of: ☐ Race ☐ Color ☐ National Origin

☐ Age ☐ Sex ☐ Sexual Orientation ☐ Gender Identity

Please provide the name(s) of the Fresno County Rural Transit Agency employees who allegedly discriminated against you, including their job titles (if known).

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

Identify what Fresno County Rural Transit Agency service, program, or activity did not comply with Title VI of the Civil Rights Act of 1964.

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

Identify individuals by name, address and phone number that has information relating to the violation.

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

Explain as clearly as possible what happened, how you feel you were discriminated against and who was involved. Please include how other individuals were treated differently from you.

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

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

## Attachment B (Spanish)

Fresno County Rural Transit Agency  
(Autoridad de Transporte del Condado Fresno )  
FORMULARIO DE QUEJA POR DISCRIMINACION CONFORME AL  
TITULO VI  
2035 Tulare Street, Suite 201, Fresno, CA 93721

Nombre del que presenta la queja: \_\_\_\_\_  
Dirección (calle): \_\_\_\_\_  
Ciudad/Estado/Código postal: \_\_\_\_\_  
Teléfono: \_\_\_\_\_ Correo electrónico: \_\_\_\_\_

Fecha del incidente: \_\_\_\_\_ Hora del incidente: \_\_\_\_\_  
Fecha de la queja: \_\_\_\_\_ Lugar del incidente: \_\_\_\_\_  
Número del bus: \_\_\_\_\_ Ruta del bus: \_\_\_\_\_

Causa de la discriminación: ☐ Raza ☐ Color ☐ Origen nacional  
☐ Edad ☐ Sexo ☐ Orientación sexual ☐ Identidad de género

Sírvase suministrar el/los nombre(s) de los empleados de Fresno County Rural Transit Agency que supuestamente le discriminaron, inclusive los cargos que ocupan (si se saben).

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

Identifique cual servicio, programa o actividad de Fresno County Rural Transit Agency no cumplió con el Título VI del Acta de Derechos Civiles de 1964.

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

Proporcione los nombres, direcciones y números de teléfono de los individuos que poseen información relacionada con el incidente.

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

Explique lo más claramente posible lo que ocurrió, como usted siente que le discriminaron y quién estuvo involucrado. Por favor incluya como otras personas fueron tratadas de manera diferente a usted.

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

Firma del que presenta la queja: \_\_\_\_\_ Fecha: \_\_\_\_\_



## **Attachment C**

### **FRESNO COUNTY RURAL TRANSIT AGENCY**

#### **LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS (GENERAL REQUIREMENT)**

Fresno County Rural Transit Agency (FCRTA) does not have any past, current or pending Title VI complaints.

Below is the Title VI Complaint Log that FCRTA utilizes to record Title VI complaints if any are received.

<b>FCRTA Title VI Complaint Log</b>				
<b>Complaint Number</b>	<b>Date</b>	<b>Nature of Complaint</b>	<b>Status</b>	<b>Disposition</b>

## Attachment D

### FRESNO COUNTY RURAL TRANSIT AGENCY

#### FRESNO COUNTY RURAL TRANSIT AGENCY FARE AND SERVICE CHANGE PUBLIC NOTIFICATION

##### POLICY

Fresno County Rural Transit Agency (FCRTA) shall maintain an open and participative process including the consideration of public comment before a fare increase or major service reduction. Public input is solicited while proposals are under consideration. Customers are notified before the implementation of any major service changes or fare increases.

It is the intent of Fresno County Rural Transit Agency to comply with the Federal Public Comment on Service Change and Fare Change policy cited in Federal Transit Administration Section C.9030.1C.

##### DEFINITION

For the purpose of the FTA C.9030.1C comment requirement, Fresno County Rural Transit Agency's definition of a service change is as follows:

Service Change: A change in service area equal to more than 25% total system square mile service area.

Fare Change: A change of any amount compared to existing fare.

##### PROCEDURES

In order to insure maximum opportunity for community input and involvement in the decision making process, Fresno County Rural Transit Agency adheres to the following

1. Provide a thirty (30) day advance notice of a public hearing to consider the proposal in appropriate local and/regional publications as appropriate.
2. Provide customer information regarding the fare change and service reduction proposal and process for public comment on board service vehicles.
3. Before finalizing recommendations, Fresno County Rural Transit Agency staff will continue to review proposed fare changes and reductions in service and the merits of such proposals with the Fresno County Rural Transit Agency Transit Advisory Committee (TAC). The Fresno County Rural Transit Agency TAC includes consumers, consumer advocates and members of the public with interest in public transportation.
4. Conduct at least one (1) formal public hearing to solicit public input and consider recommendations to the proposed service changes. The hearing includes a staff

presentation of proposed service changes and the opportunity for testimony from any interested individual in attendance. Minutes of the hearing are recorded.

5. Following the conclusion of the Public Hearing, the Fresno County Rural Transit Agency Board of Directors will continue to consider both the staff recommendations and the public comment, and make the final decision regarding the service change by a simple majority vote. The effective date of any fare or service change shall be least sixty (60) days after the date noticing the public hearing.

## Attachment E

TABLE DEPICTING MINORITY REPRESENTATION ON NON-ELECTED TRANSIT  
ADVISORY COMMITTEE

Body	Caucasian	Latino	African American	Asian American	Native American
Population	32.7%	50.3%	4.8%	9.3%	.06%
Social Service Transportation Advisory Committee (SSTAC)	46.1%	38.5%	7.7%	7.7%	0%

Fresno County Rural Transit Agency encourages participation on non-elected committees via requests for participation or the nomination of persons involved with local human services agencies, non-profit community based organizations and other local stakeholders.

## Attachment F

FRESNO COUNTY RURAL TRANSIT AUTHORITY (FCRTA)

### 2-Requirements to Set System-wide Service Standards

1. Vehicle Load
2. Vehicle Headway
3. On-Time Performance
4. Service Availability

Fresno County Rural Transit Agency currently reports the following Transit Development Act (TDA) mandated Key Performance Measures:

Passenger Fares

Operating Expenses

Farebox Recovery Ratio (FBR)

Operating Cost/Passenger

Operating Cost/Revenue Hour

Operating Cost/Revenue Mile

Passenger Trips/Revenue Hour

### VEHICLE LOAD STANDARDS BY MODE

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 6 passengers for a 17' minivan, 22 passengers for a 25-foot cut-away bus, 37 passengers for 35-foot buses, 9 passengers for a 19' Electric van, 30 passengers for a 40' Electric bus, 33 passengers for a 35' Electric bus, and 4 passengers for a 13' Electric sedan.

#### VEHICLE LOAD STANDARDS BY MODE

	Average Passenger Capacities			
Vehicle Type	Seated	Standing	Total	
25' Cut-away	22	0	22	
35' Transit Bus	37	0	37	
17' Mini Vans	6	0	6	
19' Electric Van	9	0	9	
40' Electric Bus	30	0	30	
35' Electric Bus	33	0	33	
13' Electric Sedan	4	0	4	

## HEADWAYS AND PERIODS OF OPERATION

Fresno County Rural Transit Agency (FCRTA) – Currently, the FCRTA has 24 transit subsystems that are generally available Monday through Friday from 7:00 a.m. to 5:30 p.m. FCRTA's transit services continue to be available to those within each of the thirteen rural incorporated cities of Fresno County – Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, San Joaquin, and Selma. Many unincorporated rural communities are also being served, including the following: Alder Springs, Auberry, Burrough Valley, Cantua Creek, Caruthers, Del Rey, Easton, El Porvenir, Five Points, Friant, Halfway, Jose Basin, Lanare, Laton, Marshall Station, Meadow Lakes, Mile High, New Auberry, O'Neill's, Prather, Raisin City, Riverdale, Sycamore, Three Rocks, Tollhouse, Tranquillity, and the American Indian Rancherias of Big Sandy, Cold Springs and Table Mountain. Limited service to neighboring counties Avenal, Grangeville, Hanford and Hardwick in Kings County.

Using scheduled, fixed route services: With scheduled, fixed route services, a patron may also call a local phone number to determine the nearest designated bus stop to their location, and the scheduled time to board the transit vehicle for a trip to the desired location along the route.

Service between rural cities and the Fresno-Clovis Metropolitan Area are provided on a scheduled, fixed route basis. The inter-city and regional common carrier services of Greyhound and Orange Belt Stages have been reduced or eliminated to a number of rural cities in recent years.

### FCRTA Subsystems (In-City and Inter-City)

- Auberry Transit – 1-855-612-5184 – Call for reservations  
Local service between foothill communities and the Indian Rancherias of Big Sandy and Cold Springs, 8:00 a.m – 2:30 p.m. , Mon-Fri. Inter-City services to the Fresno-Clovis Area  
8 am – 5 pm on Tuesdays
- Coalinga Transit – 935-1511 – Call for reservations  
Local service Mon-Fri 8:30 a.m – 4:15 p.m.
- Coalinga Transit Intercity Service – 935-1511  
Service to the Fresno-Clovis Area, Mon – Sat 8:00 a.m – 5:45 pm.
- Del Rey Transit – 1-855-612-5184 – Call for reservations  
Local service from 8:00 a.m – 5:00 p.m. Mon. – Fri.
- Dinuba Transit Intercity Service - 591-3278  
Local service from 8:00 a.m – 5:00 p.m. Mon. – Fri.
- Firebaugh Transit – 1-855-612-5184 – Call for reservations  
Local service from 7:00 a.m – 5:30 p.m. Mon-Fri.
- Firebaugh-Mendota Transit - 1-855-612-5184 – Call for reservations  
Service between Firebaugh and Mendota 7:00 a.m – 5:00 p.m. Mon-Fri.
- Fowler Transit – 1-855-612-5184 – Call for reservations  
Local service from 7:00 a.m – 5:30 p.m. Mon-Fri.
- Huron Transit – 1-855-612-5184 – Call for reservations  
Local service from 7:00 a.m – 5:45 p.m. Mon-Fri.
- Huron Inter-City Transit – 1-855-612-5184 – Call for reservations but not required  
Service between Coalinga and Huron 9:00 a.m – 5:04 p.m. Mon-Fri.
- Kerman Transit – 1-855-612-5184 – Call for reservations  
Local service from 7:00 a.m – 4:00 p.m. Mon-Fri.

- Kingsburg Transit – 1-855-612-5184 – Call for reservations  
Local service from 7:00 a.m – 5:30 p.m. Mon-Fri., 8:00 a.m -5:00 p.m on Sat.
- Laton Transit – 584-0101 – Call for reservations  
Service between Laton and Kings County Communities of Hardwich, Grangeville and Hanford.  
8:55 a.m. – 3:00 p.m. Mon-Fri.
- Hanford-Fresno Transit – 584-0101 or 1-800-675-8881 – Reservations required one week prior.  
Service provided by Kings Area Rural Transit from Hanford to Fresno for medical appointments only. Mon., Wed., Fri. for \$3.00, senior tokens not accepted.
- Mendota Transit – 1-855-612-5184 – Call for reservations  
Local service provided from 7:00 a.m – 5:30 p.m. Mon-Fri.
- Orange Cove Transit – 1-855-612-5184 – Call for reservations  
Local service provided from 7:00 a.m – 5:30 p.m. Mon-Fri.
- Orange Cove Express – 1-855-612-5184 – Call for reservations but not required  
Service between Orange Cove and Fresno from 6:35 a.m – 6:37 p.m. Mon-Fri
- Orange Cove Inter-City – 1-855-612-5184 – Call for reservation but not required  
Service between Orange Cove, Reedley, Parlier, Sanger & Fresno 7:00 a.m-5:28 pm on a fixed route, Mon-Fri.
- Parlier Transit – 1-855-612-5184 – Call for reservations  
Local service provided from 7:00 a.m – 4:00 p.m. Mon-Fri.
- Reedley Transit – 1-855-612-5184– Call for reservations  
Local service provided from 7:00 a.m – 4:30 p.m. Mon-Fri. and 8:00 am – 4:30 p.m. on Sat
- Rural Transit – 1-855-612-5184 – Call for reservations  
Demand Response Service in unincorporated rural areas 8:00 a.m. – 4:00 p.m. Mon-Fri.
- Sanger Transit – 1-855-612-5184 – Call for reservations  
Local service provided from 7:00 a.m – 5:30 p.m. Mon-Fri., 8:00 am -5:00 p.m on Sat
- Sanger Express – 1-855-612-5184 – Call for reservations but not required  
Service from Sanger to Reedley 6:45 a.m – 4:05 p.m. Mon-Fri.
- San Joaquin Transit – 1-855-612-5184 – Call for reservations but not required  
Service from San Joaquin to Tranquillity, Cantua Creek, Halfway, El Porvenir, and Three Rocks provided from 6:30 a.m – 5:30 p.m. Mon-Fri.,
- Selma Transit – 1-855-612-5184 – Call for reservations  
Local service provided from 7:00 a.m – 5:30 p.m. Mon-Fri., 8:00 am -5:00 p.m on Sat
- Shuttle Transit – 1-855-612-5184 – Call for reservations  
Demand Response Service coordinated with bus routes 8:00 a.m. – 5:00 p.m. Mon-Fri.
- Southeast Transit – 1-855-612-5184 – Call for reservation but not required  
Service from Kingsburg to Selma, Fowler and Fresno between 7:00 a.m-5:30 pm, Mon-Fri.
- Westside Transit – 1-855-612-5184 – Call in for reservation if possible but not required  
Service from Firebaugh to Mendota, Kerman and Fresno between 7:00 a.m-5:30 pm, Mon-Fri.
- Kingsburg - Reedley College Transit – 1-855-612-5184 – Call in for reservation if possible but not required. Service from Kingsburg to Reedley 7:00 a.m-4:35 p.m. Mon-Fri.

## ON-TIME PERFORMANCE STANDARDS

*Local:* Ninety (90%) percent of all fixed-route trips and eighty (80%) percent of all deviated fixed-route trips should be operated "on-time," defined as not early, and no more than five (5) minutes late in comparison to the established time points.

*Inter-City:* Ninety (90%) percent of all trips should be operated "on-time," defined as not early, and no more than five (5) minutes late in comparison to the established time points.

The above On-time Performance definitions are based upon those definitions as found in the Fresno County 2008 Short Range Transit Plan, June 18, 2008.

Local Fixed Route: 90%  
Local Fixed Route (Deviated): 80%  
Rural Fixed Route: 90%  
Demand Response: 95%  
Inter-City: 90%

## **SERVICE AVAILABILITY**

It is the goal to provide transit service to residential areas, major medical, shopping, government, employment centers, and activity centers that can support those route services. The local route system will continue to be designed such that 85 percent of the population cluster areas is within one-fourth (1/4) mile of a fixed route or within the service area of a deviated fixed route or general public Dial-A-Ride service.

For Intra-county transit services, the goal is to provide transit service to those employment centers that can support commuter service consistent with the service efficiency and effectiveness goals of Fresno County Rural Transit Agency.

### **Vehicle Assignment**

All vehicles within the Fresno County Rural Transit Agency fleet are lift-equipped, have bicycle racks and heat/air conditioning. Vehicles are assigned based on operating characteristics of the routes. Bus assignments take into account the operating characteristics of the bus and route. In-City routes typically operate smaller more maneuverable cut-away type buses while Inter-City routes typically operate 22-40 foot transit buses to accommodate long distance travel and larger passenger loads. Typically newer buses are assigned to Inter-City routes due to the distance traveled and response time to resolve mechanical issues.

## **FIXED ROUTE TRANSIT REQUIREMENTS**

In accordance with 49 CFR 21.9 and guidance provided in FTA Circular 4702.1B Chapter IV, service standards and policies are required for fixed route services, and are optional for demand response services. Transit providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population are required to provide additional demographic and service data; however, FCRTA does not meet this threshold as it does not operate 50 or more fixed route vehicles in peak service.



## **Attachment G**

### **FRESNO COUNTY RURAL TRANSIT AUTHORITY (FCRTA)**

### **3-Requirements to Set System-wide Service Policies**

#### **1. Distribution of Transit Amenities**

- A. Seating**
- B. Bus Shelters**
- C. Waste receptacles**
- D. Passenger Information (Printed Signs, system maps, route maps, and schedules)**

FCRTA does not possess any transit amenities related to rail service (rail stations, rail shelters, rail platform canopies, digital equipment/signs, escalators, or elevators) as FCRTA does not operate or provide any rail service nor does FCRTA own, operate or provide any rail facilities. FCRTA also does not own/operate any park and ride lots or similar amenities. As such, FCRTA does not have a policy for the distribution of such amenities.

#### **DISTRIBUTION OF TRANSIT AMENITIES**

FCRTA strives to provide transit amenities where needed. Amenities may include seating such as benches, covered bus stop shelters, waste receptacles, and passenger information (printed signs, route maps, schedules).

Installation of transit amenities are based primarily on passenger boarding's along the routes. Typically for local or Inter-City routes; amenities should be installed where passenger boarding's number 5 or more persons (benches) and 10 or more persons (shelters).

Selection of bus stops to receive amenities is also be based on reports from drivers, call from riders, comments received in the Unmet Transit Needs process, and review of the FCRTA transit system by FCRTA staff. The determination of how bus stops are improved is limited by financial resources, cost effectiveness, site specific considerations, and accessibility to persons with disabilities, vehicle operating safety, and passenger volume.

#### **SEATING**

FCRTA prefers to use bus shelters as the primary form of seating at bus stops, benches are used infrequently. FCRTA will only place a bench at low passenger demand bus stops where adjacent seating is not available or in bus stop locations that would normally justify a bus shelter but the bus shelter cannot be installed due to accessibility or safety reasons. In most cases where a bench is installed at a bus stop, the City in which the bus stop is located typically provides the bench instead of FCRTA.

#### **BUS SHELTERS**

It is the policy of FCRTA to place bus shelters at high demand bus stops. FCRTA uses historic bus stop passenger count data to determine the most used bus stops. FCRTA has plans to have bus shelters installed at all of its high demand bus stops, a process that is still ongoing.

## **WASTE RECEPTACLES**

FCRTA only places waste receptacles at bus stops that have bus shelters and are adjacent to commercial areas that have high pedestrian volumes throughout the day. However, in most cases, the City in which the bus stop is located typically provides the waste receptacles instead of FCRTA.

## **PASSENGER INFORMATION**

FCRTA strives to provide passenger information (printed Signs, system maps, route maps, and schedules) where needed and in a variety of ways. FCRTA general transit information, regional transportation information, transit guides, a system map, transit fares information, and bus schedules are available on the FCRTA website at [www.ruraltransit.org](http://www.ruraltransit.org)

During FY 2017-18 FCRTA significantly updated its website but still adds passenger information content to the FCRTA website frequently. FCRTA's plans for new passenger information to be added its website include bus route maps, and more Spanish language translations of bus schedules, bus route maps, transit fares information, and passenger rules.

FCRTA also provides transit information on all of its vehicles in the form of printed signs, informational flyers, announcements, and schedules. All FCRTA bus shelters have attached metal signs that show the bus schedule for that bus route. At bus stops where there is no shelter FCRTA provides metal bus stop signs that show the bus schedule for that bus route. When and where needed, depending upon the circumstances, FCRTA will also mail pertinent transit information to the various communities where FCRTA transit service operates.

## APPENDIX A

### FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The Fresno County Rural Transit Agency HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The Fresno County Rural Transit Agency will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The Fresno County Rural Transit Agency will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

Moses Stites, General Manager  
(NAME AND TITLE OF AUTHORIZED OFFICER)

DATE: 07/30/2020

\_\_\_\_\_  
(SIGNATURE OF AUTHORIZED OFFICER)

Date: July 30, 2020

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## APPENDIX B

### DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The Fresno County Rural Transit Agency (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including Federal Transit Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs: and, in adapted form in all proposals for negotiated agreements:

The Fresno County Rural Transit Agency, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to this Act and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements enter into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom they delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.

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THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: 07/30/2020

by

Fresno County Rural Transit Agency  
(Name of Recipient)

Moses Stites, General Manager  
(Name and Title of Authorized Officer)

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(Signature of Authorized Officer)

Attachments:  
Appendices A, B, and C

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## **(APPENDIX A TO TITLE VI ASSURANCE)**

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the or the Fresno County Rural Transit Agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Fresno County Rural Transit Agency, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the Fresno County Rural Transit Agency shall impose contract sanctions as it or they Federal Transit Administration may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the contractor under the contract until the contractor complies; and/or
  - b. cancellation, termination, or suspension of the contract, in whole or in part
6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall

take such action with respect to any subcontract or procurement as the Fresno County Rural Transit Agency or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Fresno County Rural Transit Agency to enter into such litigation to protect the interests of the Fresno County Rural Transit Agency, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

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**(APPENDIX B TO TITLE VI ASSURANCE)**

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

**(GRANTING CLAUSE)**

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Fresno County Rural Transit Agency will accept title to the lands and maintain the project constructed thereon, in accordance with Urban Mass Transit Act of 1964, the Regulations for the Administration of FTA Section 5307, 5309, 5310, 5311, 5316, 5337 and 5339 Programs and the policies and procedures prescribed by Federal Transit Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Fresno County Rural Transit Agency all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

**(HABENDUM CLAUSE)**

TO HAVE AND TO HOLD said lands and interests therein unto Fresno County Rural Transit Agency and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Fresno County Rural Transit Agency, its successors and assigns.

The Fresno County Rural Transit Agency, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be

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denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed (,) (and)\* (2) that the Fresno County Rural Transit Agency shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.\*

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

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**(APPENDIX C TO TITLE VI ASSURANCE)**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the **Fresno County Rural Transit Agency** pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, Fresno County Rural Transit Agency shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (licenses, lease, permit, etc.) had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, Fresno County Rural Transit Agency shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Fresno County Rural Transit Agency and its assigns.

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The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Fresno County Rural Transit Agency pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, Fresno County Rural Transit Agency shall have the right to terminate the (license, lease, permit, etc.) and to reenter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, Fresno County Rural Transit Agency shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Fresno County Rural Transit Agency and its assigns.

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

## APPENDIX C

### DIRECTORY DEPARTMENT OF TRANSPORTATION AND FEDERAL TRANSIT ADMINISTRATION OFFICES

#### Headquarters

Departmental Director of Civil Rights  
Office of the Secretary  
Department of Transportation  
400 Seventh Street, SW., Room 10215  
Washington, D.C. 20590

Director, Office of Civil Rights  
Federal Transit Administration  
400 Seventh Street, SW., Room 7412  
Washington, D.C. 20590

#### AREA CIVIL RIGHTS OFFICES EASTERN AREA (Regions 1 and 2)

Federal Transit Administration  
Transportation Systems Center, Suite 920  
Kendall Square, 55 Broadway  
Cambridge, MA 02142-1093

Federal Transit Administration  
One Bowling Green, Room 429  
New York, NY 10004-1415

#### SOUTHEASTER AREA (Regions 3 and 4)

Federal Transit Administration  
1760 Market Street, Suite 500  
Philadelphia, PA 19103-4124

Federal Transit Administration  
Atlanta Federal Center, Suite 17T50  
61 Forsyth Street, SW  
Atlanta, GA 30303

#### CENTRAL/MID-WESTERN AREA (Regions 5, 6, and 7)

Federal Transit Administration  
200 W. Adams, Suite 320  
Chicago, IL 60606

Federal Transit Administration  
819 Taylor Street, Room 8A36  
Fort Worth, TX 76102

Federal Transit Administration  
901 Locust Street, Room 404  
Kansas, MO 64106

#### WESTERN AREA (Regions 8, 9, and 10)

Federal Transit Administration  
12300 W. Dakota Ave., Suite 310  
Lakewood, CO 80228-2583

Federal Transit Administration  
201 Mission Street, Suite 2210  
San Francisco, CA 94105-1926

Federal Transit Administration  
915 Second Ave, Suite 33412  
Seattle, WA 98174-1002

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## **APPENDIX D**

### **APPLICATION OF TITLE VI REQUIREMENTS TO FEDERAL FINANCIAL ASSISTANCE OF THE FEDERAL TRANSIT ADMINISTRATION**

#### **Examples: Nondiscrimination on FTA Projects**

The following examples, without being exhaustive, illustrate the application of the nondiscrimination provisions of this part to projects receiving Federal financial assistance under the programs of certain Department of Transportation operating administrations.

1. Any person who is, or seeks to be, a patron of any public vehicle which is operated as a part of, or in conjunction with, a project shall be given the same access, seating, and other treatment with regard to the use of such vehicle as other persons without regard to their race, color, or national origin.
2. No person who is, or seeks, to be an employee of the project sponsor or lessees, concessionaires, contractors, licensees, or any organization furnishing public transportation service as a part of, or in conjunction with, the project shall be treated less favorably than any other employee or applicant with regard to hiring, dismissal, advancement, wages, or any other conditions and benefits of employment, on the basis of race, color, or national origin.
3. No person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.
4. The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.