

# Agenda Report

August 1, 2022

**TO:** Honorable Mayor and City Council

**FROM:** Department of Transportation

**SUBJECT:** **APPROVAL OF THE 2022 UPDATE TO THE CITY OF PASADENA TRANSIT DIVISION TITLE VI PROGRAM IN ACCORDANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b) (3); and
2. Approve the 2022 update to the City of Pasadena Transit Division Title VI Program.

## **BACKGROUND:**

As a sub-recipient of grant funds from the Federal Transit Administration (FTA), the City of Pasadena Transit Division, responsible for the planning and operations of the Pasadena Transit and Pasadena Dial-A-Ride, is required to comply with Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." In addition to Title VI of the Civil Rights Act of 1964, the City of Pasadena also prohibits discrimination based on sex, age, disability, religion, medical condition, marital status, or sexual orientation.

Pursuant to FTA Circular 4702.1A – Title VI Guidelines for FTA Recipients, the Transit Division must prepare, and have approved every three years, a Title VI Program which is to be submitted to the Los Angeles County Metropolitan Transportation Authority (Metro). The last report submission approved by City Council was for the three year period from July 2019 to July 2022. The City Council Agenda Report and the subsequent meeting minutes documenting approval will become part

of the final document that will be filed with Metro for potential FTA review to verify compliance with the Title VI requirements.

As required, the Title VI Program includes documents that are posted and/or available on the Transit Division webpage, on all transit vehicles operated by the City of Pasadena, at the Transit Division public counter, and on Pasadena Transit and Pasadena Dial-A-Ride documents and brochures as necessary. These documents include, but are not limited, to a Title VI Notice to Beneficiaries, Title VI Complaint Procedures, and the Title VI Complaint Form. In addition, the Title VI Plan includes a Limited English Proficiency (LEP) and Language Assistance Plan as well as a Public Participation Plan.

Per the Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation (DOT) implementing regulations, and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency (65 FR 50121, Aug. 11, 2000)", the City of Pasadena Transit Division is federally mandated to develop and implement a Language Assistance Plan by which Limited English Proficiency (LEP) persons can meaningfully access translations of written and oral information. As such, the Transit Division must take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for LEP persons.

For purposes of determining the number of LEP persons eligible to be served by Transit Division services, analysis of American Community Survey data was conducted that focused on those who speak English "less than very well," as defined by the FTA. The analysis results showed that of the various languages spoken in Pasadena, five languages had over 1,000 speakers who could speak English "less than very well," thereby falling under the FTA's "Safe Harbor Provision" threshold. These languages are Spanish, Armenian, Korean, Vietnamese, and Chinese. The Title VI Notice to Beneficiaries is translated into all five languages. In addition, all instructional and informational rider materials and passenger notices are available in English and Spanish on vehicles and various locations throughout the City. All documents are available for translation into other languages covered by the Safe Harbor provision by request. The Title VI Program document provides further detail on the LEP analysis and procedures followed to ensure meaningful access translations of written and oral information

Title VI guidelines also state that transit providers must approve a Public Participation Plan. Therefore, Transit Division staff prepared a Public Participation Plan as part of its Title VI Program document to promote public involvement in transit planning decision making activities. This Plan establishes formal procedures that allow for, encourage, and monitor public participation within the City including, but not limited to, minority individuals, persons with Limited English Proficiency (LEP), and low-income populations. The Title VI Program document describes proactive public outreach strategies and procedures. The Title IV policies and procedures are posted and/or available on the Pasadena Transit Division website and at the Transit Division offices. In addition, the Notice to Beneficiaries is posted on all transit vehicles operated by the City of Pasadena and on other brochures and documents as necessary or required.

**COUNCIL POLICY CONSIDERATION:**

City of Pasadena Transit Division Title VI Program supports the City Council strategic planning goals to improve mobility and accessibility throughout the City by ensuring no person is excluded from participation in, or denied the benefits of the City's transit services on the basis of race, color, or national origin. In addition to Title VI of the Civil Rights Act of 1964, the City of Pasadena also prohibits discrimination based on sex, age, disability, religion, medical condition, marital status, or sexual orientation.


**ENVIRONMENTAL ANALYSIS:**

The approval of the City of Pasadena Transit Division Title VI Program is exempt from CEQA per section 15061 (b)(3), the General Rule. The General Rule can be applied when it can be seen with certainty that the activity will not have a significant effect on the environment. The proposed action will not result in any new development or physical changes as it is a required filing of a report only.


**FISCAL IMPACT:**

Compliance with the Title VI requirements to submit a Title VI program document is required every three years in order for the City of Pasadena Transit Division to remain eligible to receive various federal capital and operating grants to help support the ongoing transit operations. Failure to comply would preclude the Transit Division from being eligible for federal funds.

Respectfully submitted,

  
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LAURA RUBIO-CORNEJO  
Director  
Department of Transportation

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Approved by:

  
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Interim City Manager

Attachment:

Attachment A – City of Pasadena Transit Division Title VI Program