



# **TITLE VI PROGRAM**

**October 9, 2014**

# BROWARD METROPOLITAN PLANNING ORGANIZATION

## TITLE VI PROGRAM

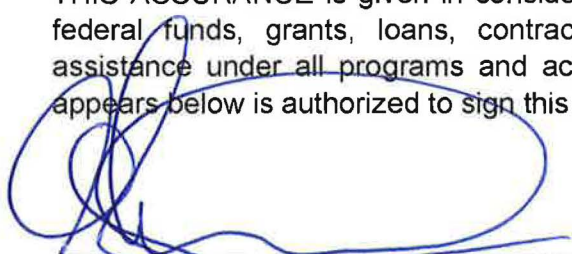
### POLICY STATEMENT

The Broward Metropolitan Planning Organization (Broward MPO) assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Broward MPO further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Attachment A* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the Florida Department of Transportation (FDOT) District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or the U.S. Department of Transportation (USDOT), take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.



Gregory Stuart

Executive Director

10-9-14

Date

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For complaints, questions or concerns about civil rights or nondiscrimination; or for special requests under the American with Disabilities Act, please contact: Christopher Ryan, Public Information Officer/Title VI Coordinator at (954) 876-0036 or ryanc@browardmpo.org.



## PURPOSE

Title VI of the Civil Rights Act of 1964 (42 United States Code (U.S.C) §2000d) 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 subject to discrimination under any program or activity receiving federal financial assistance.” To fulfill this basic civil rights mandate, each federal agency that provides financial assistance for any program is authorized and directed by the United States Department of Justice to apply provisions of Title VI to each program by issuing applicable rules, regulations, or requirements. As federal agencies, the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) require that funding recipients have Title VI programs and to document their programs and activities. The purpose of this Title VI and Limited English Proficiency Plan (LEP) is to describe the measures taken by the Broward Metropolitan Planning Organization to assure compliance with the rules and regulations associated with Title VI, subsequent nondiscrimination laws, and the LEP, while also examining several peer metropolitan planning organizations in order to identify potential opportunities to improve the process at the Broward Metropolitan Planning Organization (Broward MPO). This document provides the foundation for documenting the Broward MPO's compliance with Title VI and offers ideas for future improvements to the process.

## BROWARD METROPOLITAN PLANNING ORGANIZATION

The Broward MPO - is a transportation policy-making board comprised of 19 voting members including representatives from the South Florida Regional Transportation Authority/Tri-Rail (SFRTA), the Broward County School Board, and three Broward County Commissioners. There are an additional 18 Alternate members of the board, who have voting rights when others are absent. The Broward MPO is responsible for transportation planning and funding allocation in Broward County. The Broward MPO works with the public, planning organizations, government agencies, elected officials, and community groups to develop transportation plans. The Broward MPO Board is responsible for ensuring that transportation projects and programs utilizing federal funds are distributed in a continuing, comprehensive, and coordinated process.

The Broward MPO established the Technical Coordinating Committee (TCC) to advise and provide expertise for the MPO's decision making process and to provide valuable assessment for MPO plans and programs. The TCC is comprised of 30 technical staff voting members and 32 alternate voting members. This membership consists primarily of engineers, planners, and other professionals who represent Broward County local governments and transportation agencies. The TCC serves the Broward MPO in an advisory capacity. They provide recommendations to the MPO based on current scientific information, technical sufficiency, accuracy and completeness of studies, plans, and programs.

The Community Involvement Roundtable (CIR) is a committee comprised of representatives and members of the public who are interested in participating in the transportation planning process in Broward County. The members of the CIR represent a broad cross section of Broward's population including members from various cities, towns, and community organizations. The CIR provides the Broward MPO with valuable insight into local communities and they help to form the urban landscape by acting as a voice for public opinion relating to general transportation issues. The committee reviews and provides recommendations on



transportation plans and programs, taking into consideration the impacts of these plans and programs on their local communities. The CIR is continually looking for individuals or organizations interested in either serving on the committee or attending regularly scheduled meetings.

The Broward MPO, in coordination with the Local Coordinating Board (LCB) for Transportation Disadvantaged Services, is committed to assisting the transportation disadvantaged persons of Broward County with their transportation needs.

The Broward MPO Board has adopted as the mission of the MPO, to influence the expenditure of federal and state funds to provide a regional transportation system that ensures the safe and efficient mobility of all people and goods; optimizes transit opportunities; and enhances our communities' environmental and economic well-being. To achieve this mission the Broward MPO works closely with the following governmental entities:

- Florida Department of Transportation (FDOT)
- Southeast Florida Regional Planning Council (SFRPC)
- Federal Transit Administration (FTA)
- Federal Highway Administration (FHWA)
- Municipalities
- Broward County
- Transit Operators
  - Broward County Transit (BCT)
  - South Florida Regional Transit Authority/Tri-Rail (SFRTA)

For more information on the boards and committees of the Broward MPO, visit the MPO website at <http://www.browardmpo.org/about-us/board-committees>.

## **POLICY STATEMENT AND RESPONSIBILITIES**

The Broward MPO assures that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity. The Broward MPO further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event the Broward MPO distributes federal-aid funds to another governmental entity, the MPO will include Title VI language in all written agreements and will monitor for compliance. The Executive Director is responsible for ensuring implementation of the organization's Title VI Plan and provides direction to the Title VI Coordinator. The authorities that provide guidance on Title VI and related nondiscrimination laws, regulations, and executive orders can be found in the "Title VI and Other Nondiscrimination Laws" section of this document.

### **Executive Director**

The Broward MPO Executive Director is responsible for ensuring implementation of the MPO's Title VI program. The MPO Title VI Coordinator, under supervision of the Executive Director, is responsible for coordinating the overall administration of the Title VI program, plan, and

assurances. The Executive Director is responsible for ensuring that his/her staff understand and adheres to the various Title VI requirements and produce a report documenting compliance annually to the federal agencies, from which the MPO receives financial assistance.

## **Title VI Coordinator**

The Broward MPO Title VI Coordinator is responsible for overseeing compliance with applicable nondiscrimination authorities in each of the metropolitan transportation planning and programming areas. Other staff members are expected to provide information and support to assist the Title VI Coordinator member perform his or her tasks pertaining to nondiscrimination regulations and procedures set forth in federal guidance and in accordance with the Broward MPO Title VI/LEP Plan. In support of this, the Title VI Coordinator will:

- Identify, investigate, and work to eliminate discrimination when found to exist.
- Process discrimination complaints received by the Broward MPO. Any individual may exercise his or her right to file a complaint with the Broward MPO, if that person believes that he or she or any other program beneficiaries have been subjected to discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, sex, handicap, age, or income status.
- Make a concerted effort to resolve complaints in accordance with Discrimination Complaint Procedures.
- Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to the Broward MPO Title VI/LEP Plan.
- Keep current with the Title VI requirements, attend training when needed and provide training to the MPO staff, board, committees and the public if they have questions.
- Periodically review the Broward MPO Title VI/LEP Plan to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with staff involved with Consultant Contracts and the sub-recipient found to not be noncompliant, to resolve the deficiency status and write a remedial action if necessary, as described in the Consultant Contracts section of this document.
- Review important issues related to nondiscrimination with the Executive Director, as needed.
- Maintain a list of Interpretation Service Providers.
- Assess communication strategies and address additional language needs when needed.
- Disseminate information related to the nondiscrimination authorities. The Broward MPO Title VI/LEP Plan is to be disseminated to MPO employees, contractors, the general public, and any of the MPO sub-recipients.
- Coordinate with appropriate federal, state, and regional entities to periodically provide MPO employees with training opportunities regarding nondiscrimination.

The Title VI Coordinator, with involvement and assistance from other members of the MPO staff, is responsible for ensuring these elements of the plan are appropriately implemented and maintained. If information produced by the Broward MPO is needed in another language or if there are questions about the information contained within this document, please contact Christopher Ryan, Public Information Officer/Title VI Coordinator at (954) 876-0036 or e-mail at [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org)



## **MPO Staff**

Broward MPO staff members involved in public involvement are responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the Broward MPO's public involvement process. These staff members will:

1. Ensure that all communications and public involvement efforts comply with Title VI/LEP and Environmental Justice requirements;
2. Develop and distribute information on Title VI programs to the general public and provide information in languages other than English, as needed;
3. Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in Broward County are represented in the planning process;
4. Include the Title VI Notice to the Public, full or abbreviated versions in relevant press releases and on the Broward MPO website;
5. Notify affected, protected groups of public meetings regarding proposed actions, and make the meetings accessible to all residents, including the use of interpreters when requested, or when a strong need for their use has been identified;
6. Collect statistical information voluntarily from attendees of public meetings using zip codes if possible to track how well different segments of the population are represented; and
7. Encourage Broward MPO's committees to include representation from Title VI relevant populations.

## **PROGRAM AREAS AND RESPONSIBILITIES**

Five areas of the Broward MPO's work program have been identified as applicable to Title VI regulations - referred to as the five Title VI Program Areas:

1. Communications & Public Involvement
2. Planning & Programming
3. Environmental Affairs
4. Consultant Contracts
5. Education and Training

The Broward MPO's Title VI-related responsibilities fall into two main categories - "General Responsibilities," applicable to all five Title VI Program Areas which were described in the preceding section, and "Program Area Responsibilities" that are specific to each Title VI Program Area. It is important to note that the first three (3) Title VI Program Areas noted above are interrelated - each area has been treated separately for purposes of clarity. For example, the Communications & Public Involvement program area applies to and affects the Broward MPO's work program as a whole, particularly its efforts and responsibilities related to planning and programming.

### **Communications & Public Involvement**

The Communications and Public Involvement Program Area applies to and affects the Broward MPO's work program as a whole, particularly efforts and responsibilities related to Planning &



Programming and Environmental Affairs Program Areas. It has been treated as a separate program area for purposes of clarity, and corresponding to the Broward MPO's organization. The Broward MPO strives to have significant and ongoing public involvement in the transportation planning process and to empower the public to voice their ideas and values regarding transportation issues to ensure open and effective communication with citizens in Broward County.

### **Opportunities for Public Comments**

The Broward MPO routinely offers three different ways for people to comment on activities, programs, and decisions made at the Broward MPO, including:

- Comments are accepted at any time - Comments are accepted via an online comment form, by phone, fax, email, U.S. mail, and in person at any board or committee meeting. Contact information for all Broward MPO staff is provided on the website, and contact information for the Broward MPO is included in all publications produced for the Broward MPO. The Broward MPO makes every effort to respond to all comments received.
- Citizen comments are requested at agency meetings- All board and committee meetings are open to the public. Meeting dates are posted well in advance on the Broward MPO website, and in the quarterly newsletter. Public comments and responses made during these meetings are kept on record in the official meeting summaries. The MPO maintains mailing lists, to which anyone can request to be added.
- Formal public comment periods for major activities - Formal public comment and review periods are used to solicit comments on major planning and programming activities, for example, the proposed distribution of funds, major amendments to the Transportation Improvement Program (TIP), changes to Broward MPO policies, and updates to the Long-Range Transportation Plan (LRTP). Comment periods are highlighted in advertisements in local newspapers, the MPO's newsletter when timing allows, other Broward MPO publications, on the website, and in various press releases. Comments can be made in person, by email, by U.S. mail, fax, or telephone. The Broward MPO will make every effort to respond to any comments received and will forward comments to other agencies when appropriate.

### **Strategies for Engaging Title VI Protected Groups**

The Broward MPO realizes that there are large segments of the population from whom input is rarely, if ever, received. In an effort to hear a truly representative voice of the public, the MPO will take the approach of "going to the public," in addition to receiving public comment from and educating those already interested and involved. As part of this effort, the MPO will take the following steps:

- Plan meeting locations carefully - Public meetings should be held in locations that are accessible by public transit. Also, facilities should be compliant with the Americans with Disabilities Act (ADA). If a targeted population is located in a certain geographic area, then the meeting location should be in that area for their convenience.
- Seek help from community leaders and organizations - To facilitate involvement of traditionally underserved populations, community leaders and organizations that represent these groups should be consulted about how to most effectively reach their members. Relationships with these groups should be maintained for future partnerships in the planning process.

- Use alternative news organizations - In addition to mainstream media organizations, advertisements and news releases announcing public participation opportunities should be targeted to media that reaches minority and ethnic populations.
- The Broward MPO is working on providing services for the disabled if needed - Upon advance notice, deaf interpreters, translators, and Braille documents can be provided for public meetings. Notifications of opportunities for public involvement will include contact information for people needing these or other special accommodations.
- Be sensitive to diverse audiences - At public meetings, MPO staff should attempt to communicate as effectively as possible. Technical jargon should be avoided and appropriate dress and conduct are important. For some meetings, it may be best to use trained facilitators or language translators to better communicate with the audience.

### **Strategies for Engaging Individuals with Limited English Proficiency**

The Broward MPO will periodically examine the socio-economic characteristics of the region in order to understand the ethnicities, income levels, and languages that are used in this region and develop strategies to communicate with these population segments. The MPO will endeavor to ensure that public notices and advertisements are advertised in Spanish in minority newspapers, and will maintain a list of those MPO staff members who speak a language other than English to provide points of contact for persons needing information.

Eight years ago the Miami-Dade MPO developed a web-based program initially called the Community Characteristics Program to complement FDOT's Efficient Transportation Decision Making (ETDM) process. Now, it is a regional program between the Miami-Dade, Broward, and Palm Beach MPOs, and a new name the Transportation Outreach Planner [MPOtransportationoutreachplanner.org](http://MPOtransportationoutreachplanner.org) has been selected to better describe its purpose. The program assists Transportation Planners and Public Involvement/Information Officers (PIO) in the creation of effective public involvement programs and to accomplish Title VI goals by identifying the demographics of a community, selecting appropriate public outreach strategies based on that information, and learning about the area's history and any challenges they may face.

### **Planning and Programming**

The Broward MPO is responsible for developing long- and short-range transportation plans to provide efficient transportation services to Broward County. A comprehensive transportation planning process is used, which entails the monitoring and collection carried data pertaining to transportation issues. Refer to the "Communications & Public Involvement" section for a description of how interaction with the public is handled in regards to this program area and the Broward MPO in general.

Primary guidance is provided by:

- The Metropolitan Planning Organization (MPO) Regulations 23 CFR 450;
- Moving Ahead for Progress in the 21st Century (MAP-21), reauthorizing surface transportation programs through fiscal year 2014. Each reauthorization amends the Federal Transit Laws codified in 49 USC Chapter 53. MAP-21 took effect on October 1, 2012.; and
- State and federal Clean Air Acts (CAA) and amendments.

As the designated MPO for Broward County, The Broward MPO receives federal funds to develop regional transportation plans and programs and to coordinate technical and policy studies on a wide range of transportation and other programs. The primary products of the transportation planning process include:

- Long-range Transportation Plan (LRTP);
- Transportation Improvement Program (TIP);
- Unified Planning Work Program (UPWP); and
- Disadvantaged Business Enterprise (DBE) Program.

The Broward MPO also provides forecasts of population, housing, economic, and transportation trends that form a base for addressing current needs and identifying and preparing for future needs. Considerations of Title VI legislation are made throughout the Broward MPO's planning and programming activities, for example:

- Data collection - Parts of the Broward MPO's work program involves collecting, analyzing, and reporting on data for Broward County. This task includes information on population, housing, employment, poverty, income, wages, transportation, traffic, and growth. Member agencies and other groups use this data for activities such as planning and the distribution of funds. Information is gathered from a variety of sources, including the U.S. Census, and each reference source is noted on each data set.
- LRTP - The development of the Broward MPO's LRTP includes an environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. Broward MPO staff reviews the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit.
- TIP - The BMPO's five-year TIP includes an analysis of effects of planned transportation investments on disadvantaged residents similar to that of LRTP.

Broward MPO staff members and/or its consultants involved in planning and programming are responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the Broward MPO's planning and programming processes. These staff members will:

1. Ensure that all aspects of the planning and programming process operation comply with Title VI;
2. Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data;
3. Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents; and
4. Continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process

## **Environmental Affairs**

The concept of environmental justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies, or activities on minority and low-income population groups. Within the context of regional transportation planning, environmental justice considers the relative distribution of costs and benefits from transportation



investment strategies and policies among different segments of society. If a disproportionate impact is identified, a mitigation strategy needs to be developed and implemented based on feedback from the affected population.

Broward MPO staff members are responsible for evaluating and monitoring environmental justice compliance with Title VI. Staff members will:

- Ensure Title VI environmental justice compliance;
- Analyze and make findings regarding the population affected by the action;
- Analyze and make findings regarding the impacts of planned projects on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups; and
- Disseminate information to the public on the processes used and findings of any analysis, in accordance with all agency public involvement procedures, including the dissemination of information to groups representing minority media and ethnic/gender related organizations, and the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

## **Consultant Contracts**

The BMPO is responsible for selection, negotiation, and administration of its consultant contracts. The BMPO operates under its internal contract procedures and all relevant federal and state laws.

Broward MPO procurement procedures are available on the BMPO website. The Broward MPO verifies Title VI compliance by consultants (sub-recipients of Federal funds) in the contracting process. Signature of the terms of the contract is used to verify compliance on the part of the consultant. In addition, Title VI text is included in all Broward MPO Requests for Proposals (RFPs).

## **Disadvantaged Business Enterprise (DBE) Program**

It is Broward MPO's policy to encourage all qualified businesses to actively participate in the procurement of all Broward MPO-sponsored contracts. The Broward MPO does not discriminate based on race, color, sex, national origin, age, military status or disability. The Broward MPO has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR, Part 26 (as it may be amended from time to time). You are encouraged to comment on the current DBE Program.

### DBE Program Description

It is the Broward MPO's policy to ensure that disadvantaged (DBE) and small (SBE) businesses, as defined in Part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. It is also the Broward MPO's policy to:

- Ensure nondiscrimination in the award and administration of USDOT-assisted contracts;
- Create a level playing field on which DBE/SBEs can compete fairly for USDOT-assisted contracts;
- Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs;

- Help remove barriers to the participation of DBE/SBEs in USDOT-assisted contracts; and
- Assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Broward MPO's current DBE participation goal is for **8.0% of federal funds for FTA projects (As of October 2014)** and **9.91% for FHWA projects** allocated through USDOT-assisted contracts in the region to be expended with DBEs.

The current DBE Program document can be downloaded using the following link.

<http://www.browardmpo.org/userfiles/files/SignedDBE7-10-14.pdf>

## Education and Training

Minorities, women, veterans, individuals with a disability, and other individuals are protected by Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.

### Operational Guidelines

- In an effort to continuously improve the Broward MPO's overall compliance posture, nondiscrimination training will be coordinated with FDOT, SFRPC, FTA, FHWA, BCT, and SFRTA and made available to MPO staff on an ongoing basis to ensure up-to-date knowledge of Title VI and other nondiscrimination statutes.
- All MPO employees are encouraged to participate in professional development and training.
- All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and National Transit Institute (NTI).

Under the category of education and training, Title VI responsibilities include:

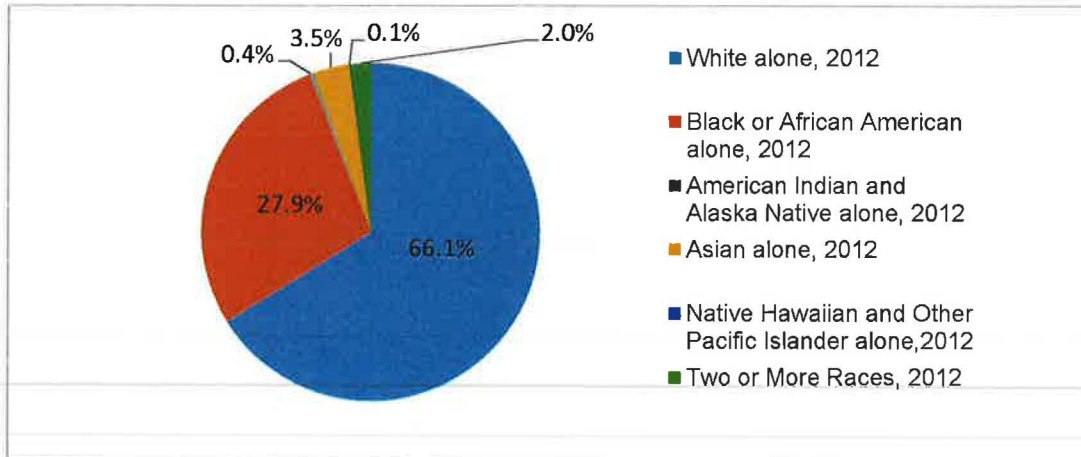
- assisting in the distribution of information to Broward MPO staff on training programs regarding Title VI and related statutes;
- ensure equal access to, and participation in, applicable courses for qualified Broward MPO staff;
- track staff participation in Title VI and Environmental Justice courses; and
- establish, maintain, and update a Title VI procedures manual containing general information pertaining to the administration of the Broward MPO's Title VI program, as well as related documents (such as a complaint form).

## SOCIO-ECONOMIC PROFILE OF THE BROWARD MPO

A review of the 2012 U.S. Census data for Broward County was conducted to evaluate representation of minority populations and low-income households. The representation for each of these groups as a percent of the total population was used to compare with the extent of benefits received from improvements prioritized in the plan. Minority populations and low-income households (defined as living below poverty level) represent 27.9% and 13.5% of Broward County, respectively.

Since the 2000 census the percent of minority population living in Broward County has declined slightly, while the number of persons living below the poverty level has increased. Approximately 7.1% of the households in Broward County have no car and 14.7% of the residents are 65 or older. The percent of 0-vehicle households has declined since 2000, but since the population has increased by over 5%, the absolute number of households without a vehicle has almost doubled. Minority populations include persons of Latino descent, African-American, American Indian, Asian, and Pacific Islanders and the percentages are shown in Figure 1.

**Figure 1 Ethnic Makeup of Broward County - 2012**



Some neighborhoods that are characterized by high populations of low-income households include the urban core of Fort Lauderdale and Pompano Beach located generally west of US 1 and east of the Florida's Turnpike. Dania Beach near Port Everglades and Hallandale Beach Boulevard also show higher concentrations of low-income residents. Minority populations occur in some of these same low-income areas, but are more widespread extending much further south and west. While the highest concentrations of both minority and low-income populations occur in the older urbanized areas of Broward County, distribution occurs throughout Broward County attesting to the diverse nature of our population.

A high concentration for elderly population exists along the coastal areas owing to the attractiveness of ocean views for retired residents in dense areas that offer urban lifestyles in walkable communities; however, a number of senior communities and populations exist though Broward County Transit dependent households (determined as those with no car) were also considered an important factor in planning for transportation improvements, particularly the addition or expansion of transit.

A comparison of the American Community Survey (ACS) data from 2000 and 2010, presented in Table 1, shows the racial make-up of the MPO is changing. The total population has increased by 125,048 in that ten year span, while minorities increased by 299,943. The percent of minorities in the Broward MPO rose from 42.0% in 2000 to 56.1% in 2010. White population declined by 7.5%. Black/African American population increased the most, 6.2% in 10 years.



**Table 1 Ethnic Breakdown and Changes over Time for Broward County**

| <b>Race</b>                                 | <b>2000<br/>Population</b> | <b>2010<br/>Population</b> | <b>Change<br/>2000-10</b> | <b>2000<br/>Percent</b> | <b>2010<br/>Percent</b> | <b>Change<br/>2000-10</b> |
|---|----------------------------|----------------------------|---------------------------|-------------------------|-------------------------|---------------------------|
| White                                       | 1,145,287                  | 1,102,231                  | -43,056                   | 70.6%                   | 63.1%                   | -7.5%                     |
| Black/African American                      | 333,304                    | 467,519                    | 134,215                   | 20.5%                   | 26.7%                   | 6.2%                      |
| American Indian/Alaska Native               | 3,867                      | 5,065                      | 1,198                     | 0.2%                    | 0.3%                    | 0.1%                      |
| Asian                                       | 36,581                     | 56,795                     | 20,214                    | 2.3%                    | 3.2%                    | 1.0%                      |
| Native Hawaiian and other Pacific Islanders | 916                        | 911                        | -5                        | 0.1%                    | 0.1%                    | 0.0%                      |
| Other                                       | 48,642                     | 64,694                     | 16,052                    | 3.0%                    | 3.7%                    | 0.7%                      |
| Two or more races                           | 54,421                     | 50,851                     | -3,570                    | 3.4%                    | 2.9%                    | -0.4%                     |
| Total                                       | 1,623,018                  | 1,748,066                  | 125,048                   | 100.0%                  | 100.0%                  | na                        |
| Hispanic                                    | 271,652                    | 417,721                    | 146,069                   | 16.7%                   | 23.9%                   | 7.2%                      |
| Minority                                    | 681,344                    | 981,287                    | 299,943                   | 42.0%                   | 56.1%                   | 14.2%                     |

Source: ACS 2012 5Yr

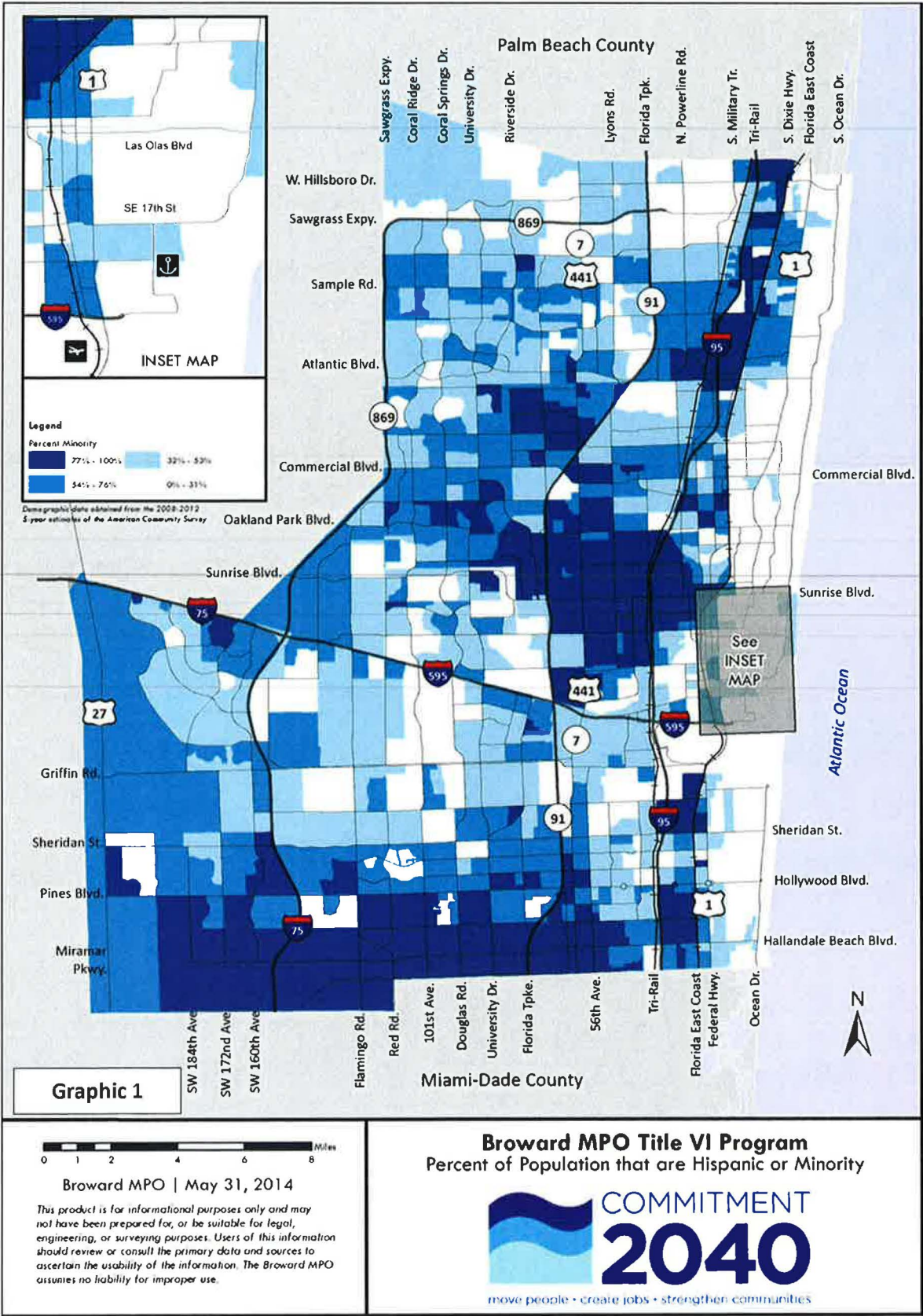
The 2012 ACS 5-year estimate identified over 37.5% of the counties households as speaking a language other than English at home, 14.9% of them spoke English less than very well. Table 2 identifies the primary languages spoken at homes where English is not spoken well in Broward County, Spanish (8.9%), French Creole (2.7%), Portuguese (0.7%), and French (0.6%) being the most used non-English languages. The MPO will endeavor to ensure that public notices and advertisements are advertised in Spanish in minority newspapers, and will maintain a list of those Broward MPO staff members who speak a language other than English to provide points of contact for persons needing information. The Spanish language represents the majority of the languages of populations that do not speak English very well and producing them for all languages would not be cost-effective Requests for translation services of other languages would be handled on a case by case basis.

A series of maps have been produced to help us understand the spatial distribution of the populations considered under Title VI and environmental justice requirements. Figure 3 shows how the percent of the population that is Hispanic or minority. Figure 4 presents the percentage of the county's median income by quintiles. Figure 5 identifies the location of the population living in poverty. Figure 6 maps out where people with limited English proficiency are located.

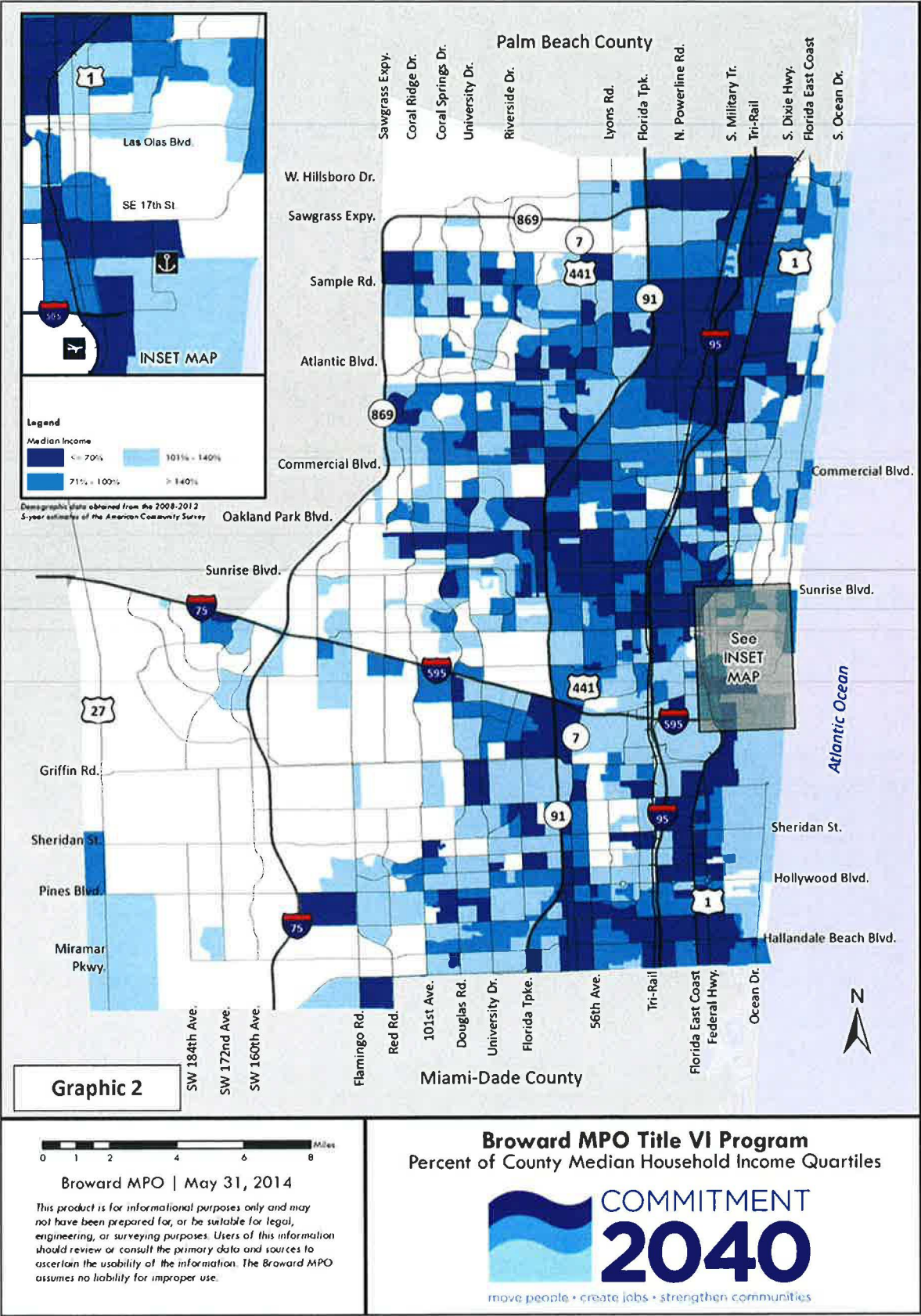
**Table 2 English Language Proficiency for Broward County**

| <b>Language Spoken</b> | <b>Speaks English Less<br/>than Very Well</b> | <b>%LEP Population</b> | <b>% MPO Population</b> |
|------------------------|---|------------------------|-------------------------|
| Spanish                | 146,941                                       | 59.6%                  | 8.9%                    |
| French Creole          | 45,395  | 18.4%                  | 2.7%                    |
| Portuguese             | 11,299  | 4.6%                   | 0.7%                    |
| French                 | 9,380   | 3.8%                   | 0.6%                    |
| Total                  | 246,456                                       | 100.0%                 | 14.9%                   |

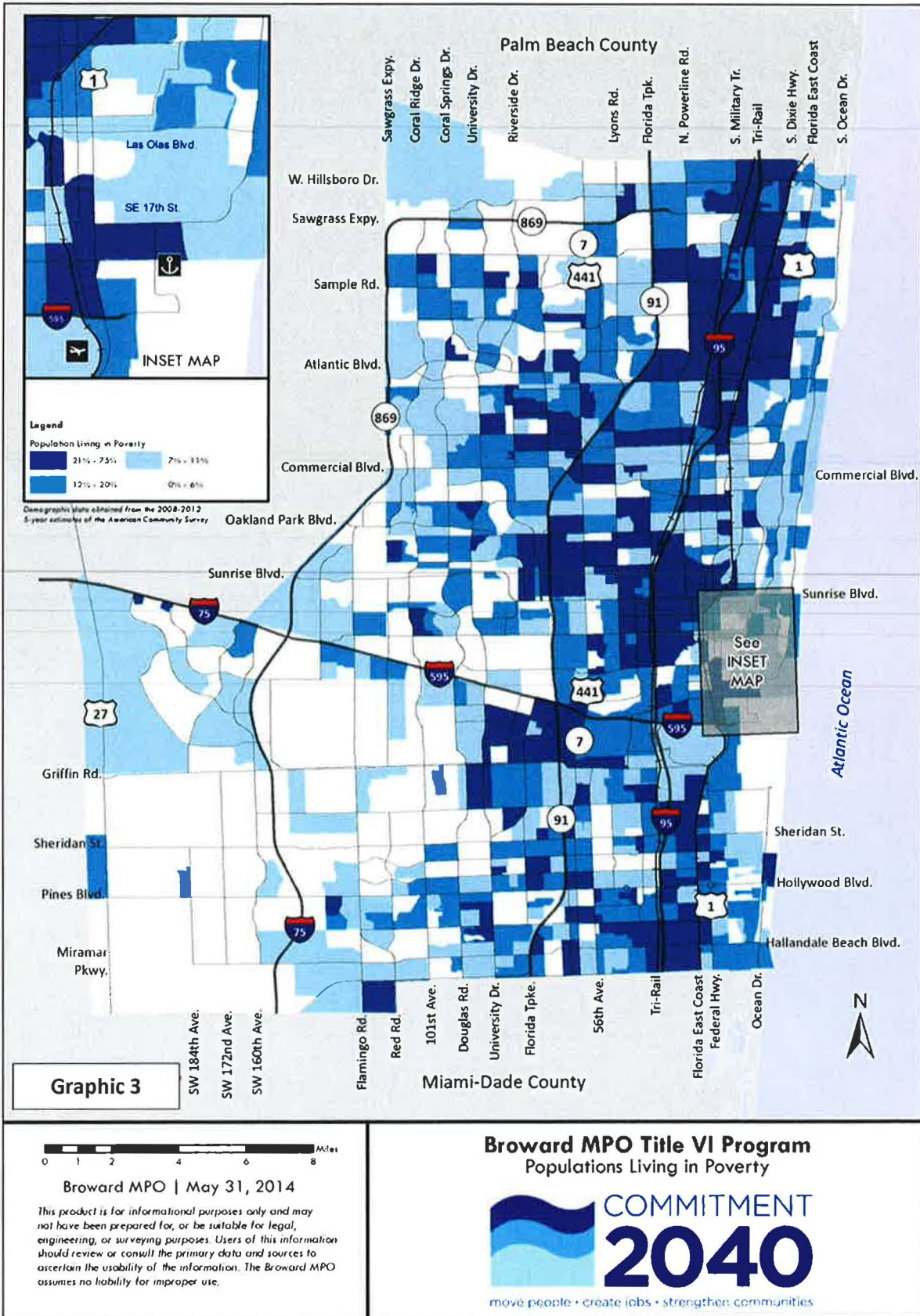
Source: ACS 2012 5Yr, Table 16001

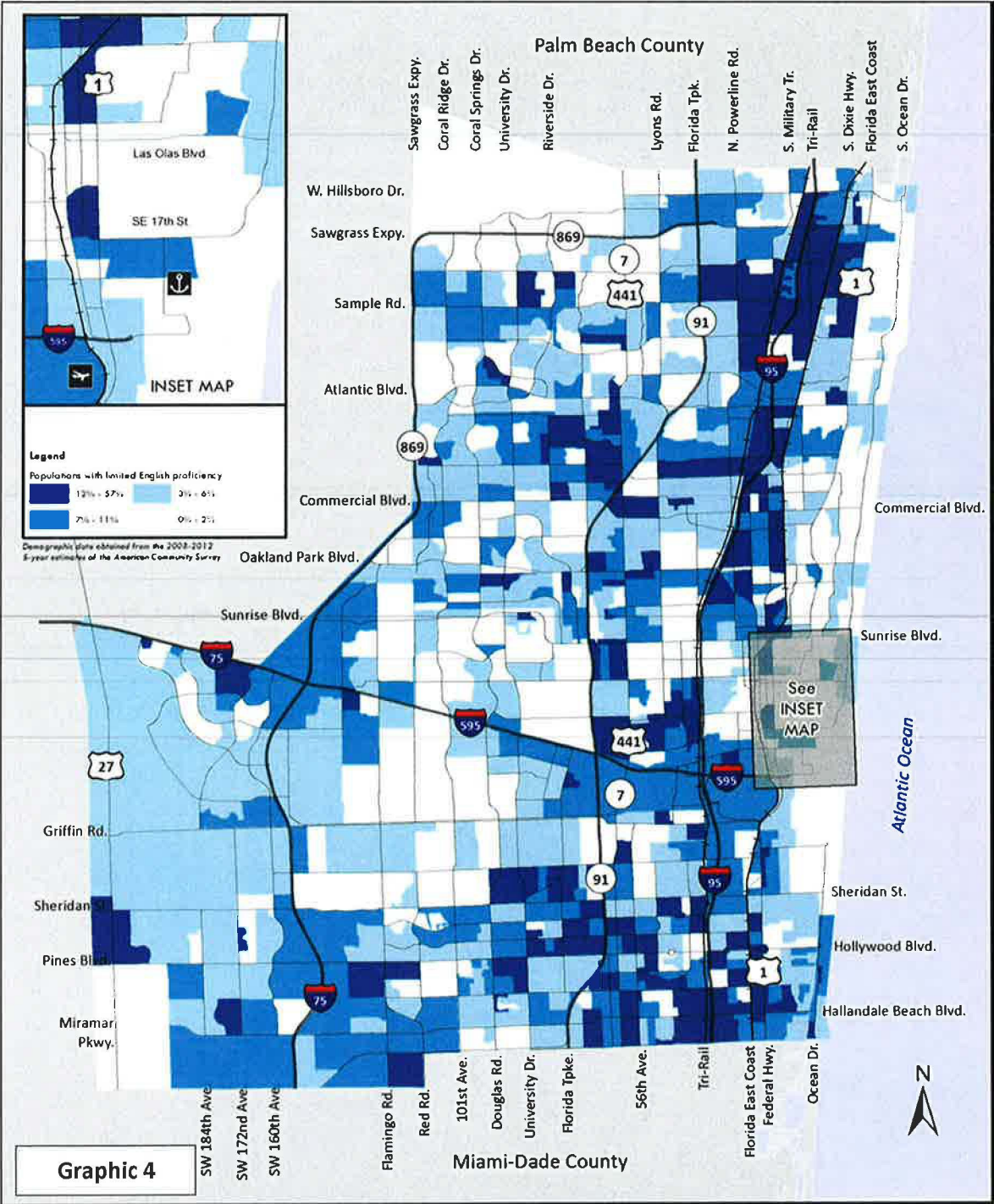












Broward MPO | May 31, 2014

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**Broward MPO Title VI Program**  
Populations with Limited English Proficiency





## OVERVIEW OF THE CIVIL RIGHTS ACT

Title VI of the Civil Rights Act of 1964 prohibits federal agencies and sub-recipients of federal funds from discriminating, on the basis of race, color or national origin, against participants or clients of programs that receive Federal funding. Subsequent laws and Presidential Executive Orders added handicap, sex, age, or income status to the criteria for which discrimination is prohibited. This document addresses prohibition of discrimination as mandated by Title VI as well as by the authorities listed in the following section. In addition to nondiscrimination, this document provides information regarding two Presidential Executive Orders pertaining to fairness and inclusiveness.

Executive Order 12898 mandates that federal agencies address equity and fairness, or Environmental Justice, toward low-income and minority persons and populations. Executive Order 13166 mandates that federal agencies ensure that people who have LEP have meaningful access to federally-conducted and/or funded programs and activities. Detailed Environmental Justice guidelines and outreach strategies for minority, low-income, and LEP populations to comply with Executive Order 12898 and Executive Order 13166 have been provided by the various the two primary United States Department of Transportation agencies that provide money to Broward MPO, the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA).

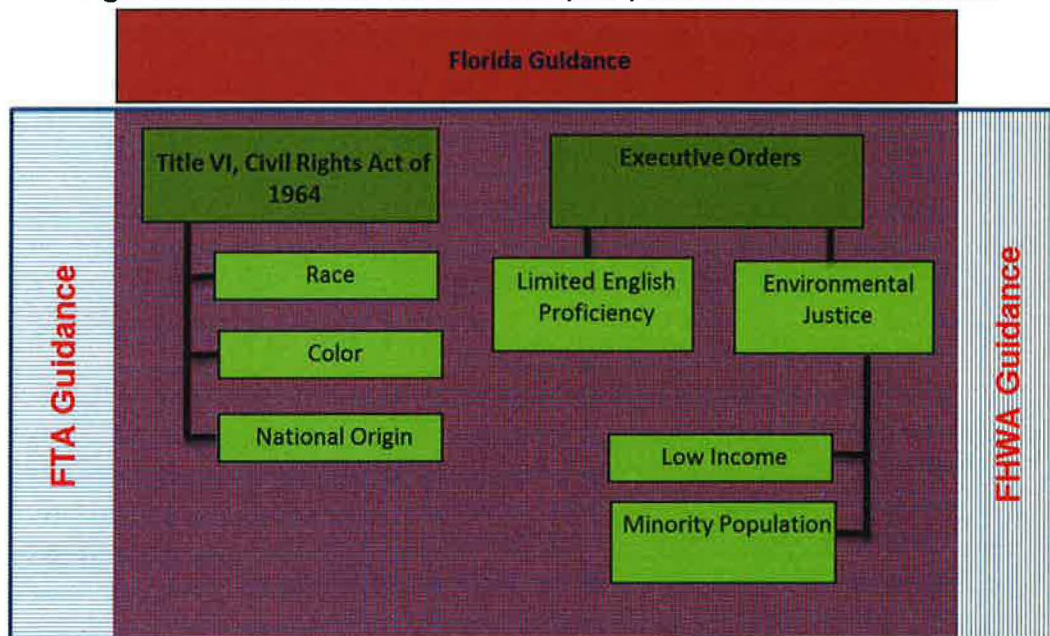
The FTA issued guidelines, FTA C 4702.1, on May 26, 1988 describing the contents of Title VI and LEP compliance programs to be adopted and maintained by recipients of FTA administered funds for transit programs. The latest FTA guidance, FTA C 4702.1B, was issued on October 1, 2012.

The FHWA issued guidance in U. S. Code Title 23, Section 200 on April 1, 2011 and updated on April 1, 2013, titled "The guidance Implementing a Title VI compliance program in 23 CFR 200 and in Title VI Nondiscrimination in the Federal Aid Highway Program Desk Reference and Handbook". Although Title VI is the focal point of nondiscrimination law in this country, FHWA incorporates a broader application of nondiscrimination statutes, regulations, and Executive Orders into its Title VI program requirements for states and their sub-recipients.

Environmental justice is also an important requirement of executive orders and federal guidance and this document tries to put this topic into context the Title VI and LEP requirements, but this document does not present an environmental justice analysis of the MPO programs. This will be covered in a separate document. Figure 2 below depicts the relationships between Title VI, LEP, and Environmental Justice.



Figure 2 Federal Guidance on Title VI, LEP, and Environmental Justice



## Title VI

Title VI is one of eleven titles included in the Civil Rights Act of 1964. The following is a list of all of the Civil Rights Act titles:

- Voting Rights
- Public Accommodation
- Desegregation of Public Facilities
- Desegregation of Public Education
- Commission on Civil Rights
- Nondiscrimination in Federally Assisted Programs and Activities
- Equal Employment Opportunity
- Registration and Voting Statistics
- Intervention and Procedure after Removal in Civil Rights Cases
- Establishment of Community Relations Service
- Miscellaneous

Title VI states 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” and is usually referred to in the context of federal nondiscrimination laws. Title VI “declares it to be the policy of the United States that discrimination on the ground of race, color, or national origin shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy.” Any organization that receives Federal funds is bound to comply with Title VI. Since the Civil Rights Act of 1964, other nondiscrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

Thus, while Title VI is one tool for agencies to use to achieve the principles of environmental justice, it is important to recognize that Title VI imposes statutory and regulatory requirements that are broader in scope than environmental justice. Recipients are cautioned that while there may be overlap, engaging in an EJ analysis under Federal transportation planning and NEPA provisions will not satisfy Title VI requirements, as outlined in this Title VI Circular. Similarly, a Title VI analysis will not necessarily satisfy environmental justice, given that Title VI does not include low-income populations. Moreover, Title VI applies to all activities of Federal recipients, not solely those which may have disproportionately high and adverse human health or environmental effects on EJ populations (FTA Circular, FTA C 4702.1B, dated October 2012).

In order to aid recipients of FTA financial support in understanding the requirements of Title VI and LEP, FTA has put together a list of items that are critical in understanding if the recipients are fulfilling their obligations.

FHWA Division Offices are responsible for ensuring that all Recipients (State Transportation Agencies and MPO's) have an approved Title VI and Non-discrimination Plan (including signed Title VI, Nondiscrimination Assurances, and Agreements) and submit an Annual Update Report. Additionally, the Division Offices are responsible for ensuring that the State Transportation Agencies are implementing an effective monitoring program of their sub-recipients' efforts to effectively implement Title VI and the additional Nondiscrimination requirements. FHWA's National Title VI and Non-discrimination Program Manager is responsible for coordinating the effectiveness of FHWA's monitoring activities and will partner with other Federal Program Offices and USDOT Modal Agencies (as appropriate) to address opportunities for improved implementation of the Title VI/Nondiscrimination Program. The FHWA checklist of requirements is very similar to FTA checklist, but there are some differences. FHWA at the time of this document was in the process of finalizing the checklist for distribution to its recipients and sub-recipients.

## **Limited English Proficiency**

On August 11, 2000, President William J. Clinton signed Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency. The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or "LEP." For an LEP individual, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. These individuals may be entitled to language assistance at no cost to them with respect to a particular type of service, benefit, or encounter.

The United States Department of Transportation guidelines require that recipients of federal financial assistance provide "meaningful access to programs and activities" by giving LEP persons adequate and understandable information and allowing them to participate in programs and activities, where appropriate. Recipients of federal funds must take reasonable steps to remove barriers for LEP individuals. While designed to be a flexible and fact-dependent

standard, the starting point is an individualized assessment that balances the following four factors:

1. Demography: number and/or proportion of LEP persons served and languages spoken in service area.
2. Frequency: rate of contact with service or program.
3. Importance: nature and importance of program/service to people's lives.
4. Resources: available resources, including language assistance services.

The four-factor analysis should be used to determine which language assistance services are appropriate to address the identified needs of the LEP population. More information regarding the identification of LEP individuals within the community as well as outreach strategies are included within the Broward MPO Public Participation Plan.

## Environmental Justice

On February 11, 1994, President William J. Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which directs federal agencies to develop strategies to help them identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The Executive Order was also intended to provide minority and low-income communities with access to public information and opportunities for public participation in matters relating to human health or the environment.

Adverse effects as described in Executive Order 12898 is the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

- Bodily impairment, infirmity, illness or death.
- Air, noise, and water pollution and soil contamination.
- Destruction or disruption of:
  - man-made or natural resources
  - aesthetic values
  - community cohesion or a community's economic vitality
  - the availability of public and private facilities and services
- Adverse employment effects.
- Displacement of persons, businesses, farms, or non-profit organizations.
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community.
- Denial of, reduction in, or significant delay in the receipt of benefits of the MPO programs, policies, or activities.

Environmental Justice joins social and environmental movements by addressing the unequal environmental burden often borne by minority and low-income populations. The right to a safe, healthy, productive, and sustainable environment for all, where "environment" is considered in its totality to include the ecological (biological), physical (natural and built), social, political, aesthetic, and economic environments. Environmental Justice helps to ensure that programs, policies, and activities that have adverse effects on communities do not affect minority and low income populations disproportionately. To prevent discrimination as described in Executive Order 12898, the Federal Highway Administration Order 6640.23 Order to Address



Environmental Justice in Minority Populations and Low-Income Populations dated December 2, 1998 defines minority and low-income individuals and populations as follows:

- Minority – a person who is Black, Hispanic, American Indian and Alaskan Native, or Asian American:
  - Black – a person having origins in any of the black racial groups of Africa.
  - Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
  - American Indian and Alaskan Native – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
  - Asian American – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific islands.
- Minority Population – any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy or activity. Low-Income – a person whose household income is at or below the United States Department of Health and Human Services poverty guidelines.
- Low-Income Population – any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who would be similarly affected by a proposed program, policy or activity.

Environmental Justice is incorporated through all phases of the transportation planning and programming process. Environmental Justice Guidelines for the BMPO have been developed and are included as a chapter within the updated BMPO Public Participation Plan, expected to be completed in the fall of 2014 and within the 2040 BMPO Long-Range Transportation Plan, due to be completed in the fall of 2014. The BMPO Environmental Justice Guidelines include maps identifying underserved communities, outreach strategies, benefits/burdens methodologies, and will have an evaluation component.

## **APPENDICES WITH PROGRAM SUPPORTING MATERIAL**

- A. Title VI Assurances
- B. Title VI Notice and Locations Where They Are Posted
- C. Title VI Complaint Procedures, Complaint Form, and a List of Complaints
- D. Excerpts from the Public Participation
- E. Limited English Proficiency Plan
- F. Socio-Economic Maps and Data of Broward County
- G. Subgrantee Reporting

## APPENDIX A

### Title VI Assurances

The Broward Metropolitan Planning Organization HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, sex, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The Broward Metropolitan Planning Organization will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the U.S. Department of Transportation's Title VI regulation, 49 CFR, Part 21.9.
3. The Broward Metropolitan Planning Organization will make it known to the public that those person or persons alleging discrimination on the basis of race, color, sex, 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.

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Gregory Stuart

Executive Director

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Date

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(SIGNATURE OF AUTHORIZED OFFICE)

## Part A - U.S. Department of Transportation

The Broward Metropolitan Planning Organization (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, sex, 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 the 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 Programs 5307 and 5309:

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 Programs 5307 and 5309 and, in adapted form in all proposals for negotiated agreements:

The Broward Metropolitan Planning Organization, 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, sex, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of *Attachment A, Part B* of this assurance in every contract subject to this Act and the Regulations.



4. That the Recipient shall insert the clauses of *Attachment A, Part C* of this assurance, as a covenant running with the land, in any deed from the United States effecting 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 *Attachment A, Part 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 the FTA Programs 5307 and 5309; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under FTA Programs 5307 and 5309.
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 he/she 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.

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 Programs 5307 and 5309 and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the FTA Programs 5307 and 5309. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

## Part B - Contract Assurances

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 U.S. Department of Transportation (hereinafter, "USDOT") 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 Agreement.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status 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 Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation 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 basis of race, color, national origin, sex, age, disability, religion or family status.
- (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 *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* 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 *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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.

**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 *Florida Department of Transportation*, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

## Part C - Deeds, Recordings & Transfers

The following clauses shall be included in any and all deeds effecting 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 (Name of Recipient) will accept title to the lands and maintain the project constructed thereon, in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program) and the policies and procedures prescribed by (Name of Appropriate 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 (Name of Recipient) 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 (Name of Recipient) 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 (Name of Recipient), its successors and assigns.

The (Name of Recipient), 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, sex, or national origin, be excluded from participation in, be 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 (Name of Recipient) 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.

## **Part D - Licenses, Leases & Permits**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Broward Metropolitan Planning Organization 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, the Broward Metropolitan Planning Organization 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, the Broward Metropolitan Planning Organization 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 the Broward Metropolitan Planning Organization and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Broward Metropolitan Planning Organization 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, sex, 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, sex, 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, the Broward Metropolitan Planning Organization 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 [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, the Broward Metropolitan Planning Organization 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 the Broward Metropolitan Planning Organization and its assigns.



## **APPENDIX B**

### **Title VI Notice and Locations Where They Are Posted**

## TITLE VI/ NONDISCRIMINATION POLICY STATEMENT

The Broward Metropolitan Planning Organization (Broward MPO) assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Broward MPO further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendix A* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.

Dated

2/20/14

by

\_\_\_\_\_, Executive Director

**Locations of the Eight (8) Regional Broward County Libraries  
Holding Copies of Title VI/Non Discrimination Policy Statement**

|   |   |
|---|---|
| Ms. Essie Denoms<br>Assistant Regional Manager<br><b>African-American Research Library and Cultural Center</b><br>2650 Sistrunk Boulevard,<br>Fort Lauderdale, Florida 33311<br>Telephone: 954-357-6282 | Ms. Marcia Silverstein<br><b>Nova Southeastern</b><br>University Alvin Sherman<br>Library, Research and<br>Information Technology Center<br>3100 Ray Ferro, Jr. Boulevard,<br>Fort Lauderdale, Florida 33314<br>Telephone: 954-262-5477 |
| Ms. Catherine McElrath<br>Publication Specialist<br><b>Main Library</b><br>100 South Andrews Avenue,<br>Fort Lauderdale, Florida 33301<br>Telephone: 954-357-7444                                       | Ms. Joan Martin<br>Adult Services Department<br><b>South Regional/Broward County Library</b><br>7300 Pines Boulevard,<br>Pembroke Pines, Florida 33024<br>Telephone: 954-201-8825   |
| Ms. Carol McConnell<br><b>North Regional/Broward County Library</b><br>1100 Coconut Creek Boulevard,<br>Coconut Creek, Florida 33066<br>Telephone: 954-201-2600   | Ms. Barbara Eichman<br>Adult Services Supervisor<br><b>Southwest Regional Library</b><br>16835 Sheridan Street,<br>Pembroke Pines, Florida 33331<br>Telephone: 954-357-6580   |
| Ms. Carol McConnell<br><b>Northwest Regional Library</b><br>3151 University Drive,<br>Coral Springs, Florida 33065<br>Telephone: 954-341-3900   | Mr. Joseph Deangelis<br><b>West Regional Library</b><br>8601 West Broward Boulevard,<br>Plantation, Florida 33324<br>Telephone: 954-765-1560  |

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Vice Chair  
Bryan Caletka  
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Mark Brown  
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Joy Cooper  
Harry Dressler  
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Gary Frankel  
Toby Feuer  
Javier Garcia  
Tom Green  
Douglas Hodgson  
Ron Jacobs  
Kristin D. Jacobs  
Sandy Johnson  
Eric H. Jones, Jr.  
Richard J. Kaplan  
Martin David Klar  
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Dr. Rosalind Osgood  
Romney Rogers  
David Rosenof  
Tim Ryan  
Barbara Sharief  
Lawrence A. Sofield  
Larry Vignola  
Levoyd Williams

**Executive Director**

Gregory Stuart  
General Counsel  
Alan Gabriel



## **Appendix C**

### **Title VI Complaint Procedures, Complaint Form, Complaints, and Responses**

## **BROWARD METROPOLITAN PLANNING ORGANIZATION TITLE VI DISCRIMINATION COMPLAINT PROCEDURES**

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

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

### **COMPLAINT PROCEDURE**

#### A. Filing of Title VI Complaints of Discrimination

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

2. A complaint must be filed within one hundred eighty (180) days after the date of the alleged discrimination, unless the time for filing is extended by the FTA, FHWA or other federal authorities.

3. Complaints should be in writing, signed by the complainant or his/her representative(s), and must include the complainant(s) name, address, and telephone number. Allegations of discrimination received via facsimile or e-mail will be acknowledged and processed. Allegations received by telephone will be documented in writing and provided to the complainant(s) for review before processing. The complaint form can be accessed on the website:

[www.browardmpo.org](http://www.browardmpo.org) or you may call Christopher Ryan at (954) 876-0036, if hearing impaired call 1-800-273-7545 (TDD) or e-mail [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org)

Signed complaint forms should be submitted to:  
Attention: Broward Metropolitan Planning Organization  
Christopher Ryan, Public Information Officer/Title VI Coordinator  
100 West Cypress Creek Road, Suite 850  
Fort Lauderdale, FL 33309

### B. Complaint Investigation

1. Upon receipt of a signed complaint, the Broward MPO Executive Director or his/her designee will, within five (5) working days, provide the complaint or his/her representative with a written acknowledgement of the complaint.
2. Broward MPO Staff will conduct a preliminary inquiry into the complaint to determine whether the complaint has sufficient merit to warrant an investigation. Should Broward MPO Staff determine that the evidence presented is not sufficient to proceed, the complaint will be closed and the complainant or his/her representative will be notified in writing of the decision within fifteen (15) working days. This notification shall specifically state the reason(s) for the decision.
3. Should Broward MPO Staff determine that a full investigation is necessary, the complainant or his/her representative will be notified that an investigation will take place and additional information will be requested, if necessary. The investigation should last no more than forty-five (45) working days.
4. Should a complainant fail to provide additional information within the prescribed timeframe, this may be considered as a failure to cooperate with the investigation, and the complaint will be administratively closed.

### C. Disposition

1. Upon completion of the investigation, a written notification of disposition will be sent by certified mail to the complainant or his/her representative within sixty (60) working days of filing the complaint.
2. If the complainant disagrees with the decision rendered by the Broward MPO, he/she will be notified of the right to request reconsideration with thirty (30) days, or to file a complaint with the FTA or FHWA Offices of Civil Rights, as applicable, at the following addresses:

Federal Transit Administration, Region IV  
Office of Civil Rights  
61 Forsyth Street, S.W.  
Suite 17T50  
Atlanta, GA 30303-8917 / Telephone: (404) 562-3500

Federal Highway Administration  
Office of Civil Rights - Investigations and Adjudications  
HCR-40, Room E81-328  
1200 New Jersey Avenue, SE  
Washington, DC 20590



#### D. Retaliation

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

#### **ADA/504 STATEMENT**

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

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

The Broward MPO encourages the public to report any facility, program, service or activity that appears inaccessible to the disabled. Furthermore, the Broward MPO will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access Broward MPO facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the Broward MPO asks that requests be made at least seven (7) days prior to the need for accommodation.

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

Broward MPO  
Christopher Ryan, Public Information Officer/Title VI Coordinator  
100 West Cypress Creek Road, Suite 850  
Fort Lauderdale, FL 33309  
(954) 876-0036  
ryanc@browardmpo.org  
1-800-273-7545 (TDD)

#### **LIMITED ENGLISH PROFICIENCY (LEP)**

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the Broward MPO's programs, services or activities.
- Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.
- Factor 3: The nature and importance of the program, service, or activity to people's lives.
- Factor 4: The resources available and the overall cost to the Broward MPO.

Persons requiring a copy of the Broward MPO's Limited English Proficiency Plan or special language assistance should contact:

Broward MPO  
Christopher Ryan, Public Information Officer/Title VI Coordinator  
100 West Cypress Creek Road, Suite 850  
Fort Lauderdale, FL 33309  
(954) 876-0036  
ryanc@browardmpo.org  
1-800-273-7545 (TDD) 5

**BROWARD METROPOLITAN PLANNING ORGANIZATION**  
Organización de Planificación Metropolitana de Broward (MPO)

**COMPLAINT OF TITLE VI DISCRIMINATION**  
**Formulario de queja de discriminación por el Título VI**

The Broward MPO, as a recipient of federal financial assistance, is required to ensure that its transit service and related benefits are distributed in a manner consistent with Title VI of the Civil Rights Acts of 1964, as amended.

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination under Title VI, on the basis of race, color, or national origin, may file a written complaint with the Broward MPO.

We are asking for the following information to assist us in processing your complaint. If you need help in completing this form, please let us know.

La Organización de Planificación Metropolitana de Broward (MPO), como recipiente de ayuda financiera federal, es requerida a asegurar que que el servicio de transporte público y sus servicios relacionados son distribuidos de una manera consistente con el Título VI del Acta de Derechos Civiles del 1964, con sus enmiendas.

Si usted cree que, individualmente o como parte de una clase específica de personas, ha sido discriminado bajo el Título VI, basado en su raza, color, o nacionalidad, puede presentar una queja por escrito al Broward MPO.

Le pedimos la siguiente información para poder tramitar su queja. Si necesita ayuda para llenar este formulario, póngase en contacto con el Broward MPO.

**1. Complainant**  
*Reclamante*

Name: \_\_\_\_\_  
*Nombre:*

Street Address: \_\_\_\_\_  
*Dirección:*

City, State, Zip Code: \_\_\_\_\_  
*Ciudad, estado, código postal:*

Telephone: \_\_\_\_\_  
*Nº de teléfono:*

E-mail Address: \_\_\_\_\_  
*Dirección de Correo Electrónico:*



2. Person discriminated against (if someone other than the complainant):

*Persona que fue discriminada, si no es la misma que el reclamante:*

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

*Nombre:*

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

*Dirección:*

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

*Ciudad, estado, código postal:*

Tel. Home Number: \_\_\_\_\_ Bus. Number \_\_\_\_\_

*Nº de teléfono: Domicilio:*

*Trabajo:*

E-mail Address: \_\_\_\_\_

*Dirección de Correo Electrónico:*

3. Are you represented by an attorney for this complaint?

*¿Tiene usted representación de un(a) abogado(a) con relación al asunto de su queja?*

Yes \_\_\_\_\_  
Sí \_\_\_\_\_

No \_\_\_\_\_  
No \_\_\_\_\_

If yes, please complete the following:

*Si tiene abogado(a), provea la siguiente información:*

Attorney's Name: \_\_\_\_\_

*Nombre del abogado(a):*

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

*Dirección:*

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

*Ciudad, estado, código postal:*

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

*Nº de teléfono:*

4. Which of the following best describes the reason you believe the discrimination took place:

*Según lo que cree usted, ¿en qué se basaron esas acciones discriminatorias?*

Race \_\_\_\_\_ Color \_\_\_\_\_ National Origin \_\_\_\_\_

*Raza*

*Color*

*Nacionalidad*

Sex \_\_\_\_\_ Disability \_\_\_\_\_ Sexual Orientation \_\_\_\_\_  
*Sexo Incapacidad/impedimento Orientación sexual*

Political Affiliation \_\_\_\_\_ Marital Status \_\_\_\_\_  
*Afiliación política Estado civil*

5. Date of the alleged discrimination: \_\_\_\_\_  
*Fecha de la supuesta discriminación:*

6. In the space below, please describe the alleged discrimination. Explain what happened and who you believe was responsible.  
*Por favor describa abajo el supuesto acto de discriminación. Explique lo más claro posible lo que pasó y quien usted piensa es el responsable por el supuesto acto.*

7. Have you filed a complaint of the alleged discrimination with a federal, state or local agency; or with a state or federal court?  
*¿Ha presentado usted (o la persona que fue discriminada) la queja ante una agencia del gobierno federal, estatal o local? ¿O ante la corte estatal o federal?*

Yes \_\_\_\_\_  
*Sí*

No \_\_\_\_\_  
*No*

If yes, check all that apply:

*Si es así, indique a qué agencia, departamento o programa fue presentada la queja. Incluya todos los que apliquen:*

Federal \_\_\_\_\_  
*Federal*

Federal Court \_\_\_\_\_  
*La corte federal*

State \_\_\_\_\_  
*Estatal*

State Court \_\_\_\_\_  
*La corte estatal*

Local \_\_\_\_\_  
*Local*

Please provide the name of the Agency where you filed your complaint.  
*¿Ante qué agencia usted presentó la queja?*

Name: \_\_\_\_\_  
*Nombre:*

Contact Person: \_\_\_\_\_  
*Nombre del investigador o representante:*

Please sign below. You may attach any additional information you think is relevant to your complaint.

*Por favor, firme el formulario. Adjunte cualquier información adicional usted cree que es pertinente con su queja.*

\_\_\_\_\_  
Signature of Complainant

*Firma del reclamante*

\_\_\_\_\_  
Date

*Fecha*

Submit your signed complaint and any attachments to:

*Entregue el formulario con su firma y páginas adicionales a:*

Broward Metropolitan Planning Organization  
Christopher Ryan, Public Information Officer/Title VI Coordinator  
100 West Cypress Creek Road, Suite 850  
Fort Lauderdale, FL 33309  
Telephone/Llame (954) 876 0033



## Broward Metropolitan Planning Organization's Title VI Complaint Log

| Record of Complaints |             |                  |                   |            |               |   |   |
|----------------------|-------------|------------------|-------------------|------------|---------------|---|---|
| Case #               | Complainant | Respondent       | Agency Filed With | Date Filed | FDOT Notified | Basis   | Decision /<br>Processed By                                    |
| 1                    |             | Christopher Ryan |                   | 9/24/2013  |               | It was not MPO/Transportation related and called Carey Shepherd for advice see email. Called Ms. Mesa 9/25/13 and have emailed her the info from Carey at yusaly@gmail.com  | None<br>Need<br><br>Carey Shepherd/<br>Chris Ryan             |
| 2                    |             | Christopher Ryan |                   | 10/29/2013 |               | Chris Ryan received a call from Commissioner Rosenzweig about a resident and her parking space not being rail located to her by here HoA. Chris Ryan followed up via email 10/31 with Commissioner Rosenzweig who then said issue had been resolved | None<br>Need<br><br>Chris Ryan/<br>Commissioner<br>Rosenzweig |

The two complaints listed here were not directed to the Broward MPO, but MPO staff assisted in directing them to the appropriate person to address their concerns.

## **Appendix D**

### **Excerpts from the Public Participation Plan**

## MPO Website

### The Broward MPO is Working With You

The Broward MPO wants to learn from your experiences, to help make the transportation decision making process the best it can be. We know that our decisions affect the future of all those who live, work and play in our region. We are committed to understanding your diverse transportation needs, concerns and ideas about what needs to change or be improved. Together we can make Broward County and our region, a more livable place.

### PLEASE GET INVOLVED...

- Continue to visit our website regularly
- [Invite us to speak to your organization](#)
- [Sign up to receive quarterly electronic newsletters](#)
- Complete a survey, [Take the Survey](#)
- [Learn about the Board and Committees](#)

### Click the links below to download

- [Limited English Proficiency \(LEP\) Plan](#)
- [Public Involvement Plan](#)
- [Transportation Planning Process Guide Book](#)

Plan to attend one of our Board or Committee meetings. All meetings are open to the public and public participation is encouraged. Please visit the [Calendar Section](#) to see dates and times of upcoming meetings.

The MPO Offices are located in the Trade Centre South Building at 100 West Cypress Creek Road, Suite 850, Ft. Lauderdale, FL 33309. For more information regarding directions and how to contact us, please visit the [Contact Us](#) section of the website.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the American with Disabilities Act or persons who require translation services (free of charge) should contact Christopher Ryan, Public Information Officer/Title VI Coordinator at (954) 876-0033 or 0036 or [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org) at least seven days prior to the meeting. If hearing impaired, telephone 1-800-273-7545 (TDD).

For complaints, questions or concerns about civil rights or nondiscrimination; or for special requests under the American with Disabilities Act, please contact: Christopher Ryan, Public Information Officer/Title VI Coordinator at (954) 876-0036 or [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org)

Remember to visit the [Calendar Section](#) of the website.

### Public Involvement Plan location:

[http://www.browardmpo.org/userfiles/files/Portrait\\_final%20PIPAdopted\\_July%202007\\_RevisedOctober\\_20112.pdf](http://www.browardmpo.org/userfiles/files/Portrait_final%20PIPAdopted_July%202007_RevisedOctober_20112.pdf)



# **Appendix E**

## **Limited English Proficiency Plan**



## LIMITED ENGLISH PROFICIENCY PLAN

August 14, 2014

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For complaints, questions or concerns about civil rights or nondiscrimination; or for special requests under the American with Disabilities Act, please contact: Christopher Ryan, Public Information Officer/Title VI Coordinator at (954) 876-0036 or [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org)

## LIMITED ENGLISH PROFICIENCY (LEP) PLAN

## I. INTRODUCTION

The Broward Metropolitan Planning Organization (Broward MPO) is a transportation policy-making board responsible for planning and prioritizing transportation projects and funding allocation in Broward County, Florida. The Broward MPO works with the public, planning organizations, government agencies, elected officials, and community groups to develop transportation plans and programs through a continuing, cooperative, and comprehensive (3-C) planning process. This planning process guides the use of federal and state dollars spent on existing and future transportation projects and programs. The **Limited English Proficiency (LEP) Plan** plays an important part in that process. It ensures individuals with limited English proficiency have meaningful access to the transportation planning process.

## II. BACKGROUND

The Limited English Proficiency Plan addresses **Title VI of the Civil Rights Act of 1964**, which prohibits discrimination based on race, color or national origin. In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities, with limited-English proficiency, to participate in a federally funded program violates Title VI (Federal-Aid Recipient Programs & Activities) regulations. Additionally, requirements are outlined in **Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency** signed on August 11, 2000. Its purpose is to ensure accessibility to programs and services to eligible persons who have limited proficiency in the English language.

Furthermore, the U.S. Department of Transportation (DOT) published **Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons** in the December 14, 2005 Federal Register **Volume 70; Number 239**. The guidance explicitly identifies Metropolitan Planning Organizations (MPOs) as organizations that must follow this guidance. The final Limited English Proficiency Plan must be consistent with the fundamental mission of the organization, though not unduly burdening the organization.

The Broward MPO serves as the MPO for Broward County and as such the LEP requirements extend to all the Broward MPO programs or activities, even if some activities are not funded by federal assistance. Sub-recipients are also covered in cases when Federal funds are passed through from a recipient to a sub-recipient.

### Who is a Limited English Proficient Person?

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." The U.S. Census Bureau does not define limited English proficiency or non-limited English proficient populations. It reports data based on the four categories of English-speaking ability: very well, well, not well, and not at all.

### Determining the Need of Limited English Proficiency



As a recipient of federal funds, the Broward MPO must take reasonable steps to ensure meaningful access to the information and services it provides. As noted in the **Federal Register, Volume 70; Number 239 on Wednesday, December 14, 2005**, there are four factors to consider when determining “reasonable steps.” This is known as **“the four-factor analysis”** and is outlined below:

- **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by Broward MPO’s programs, services or activities.**
- **Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.**
- **Factor 3: The nature and importance of the program, service, or activity to people’s lives.**
- **Factor 4: The resources available and the overall cost to the MPO.**

The Department of Transportation (DOT) policy guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. Below is a self-assessment of need in Broward County in relation to the four-factors and the transportation planning process.

### III. LIMITED ENGLISH PROFICIENCY SELF ASSESSMENT FOR THE BROWARD MPO

The Broward MPO has assessed its programs and services using the following four (4) factor analysis.

#### **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by Broward MPO’s programs, services or activities.**

The first step was to collect demographic data on the number of LEP persons in Broward County who are eligible to be served, likely to be served, or likely to be encountered by the MPO through participation in the transportation planning process.

It should be noted that for our planning purposes, people that speak English **“less than very well”** are included in the analysis. Further, only the **top four language groups** are examined.

The table below is derived from the U.S. Census Bureau’s 2012 American Community Survey five year summary. It shows the number and percent of LEP persons 5 years and over, in total and by language in Broward County. (LEP Person: Person that speaks English “less than very well”)

**Table 1: Languages Spoken in the Broward MPO for 2007-2012 and Level of Proficiency**

| <b>Language Spoken</b> | <b>Speaks English Less than Very Well</b> | <b>%LEP Population</b> | <b>% MPO Population</b> |
|------------------------|---|------------------------|-------------------------|
| Spanish                | 146,941                                   | 59.6%                  | 8.9%                    |
| French Creole          | 45,395                                    | 18.4%                  | 2.7%                    |
| Portuguese             | 11,299                                    | 4.6%                   | 0.7%                    |
| French                 | 9,380                                     | 3.8%                   | 0.6%                    |
| Chinese                | 3,492                                     | 1.4%                   | 0.2%                    |
| Vietnamese             | 3,225                                     | 1.3%                   | 0.2%                    |

|                 |         |        |       |
|-----------------|---------|--------|-------|
| Russian         | 3,066   | 1.2%   | 0.2%  |
| Italian         | 2,434   | 1.0%   | 0.1%  |
| Arabic          | 1,546   | 0.6%   | 0.1%  |
| Korean          | 1,202   | 0.5%   | 0.1%  |
| Greek           | 609     | 0.2%   | 0.0%  |
| Japanese        | 382     | 0.2%   | 0.0%  |
| Other Languages | 17,506  | 7.1%   | 1.1%  |
| Total           | 246,477 | 100.0% | 14.9% |

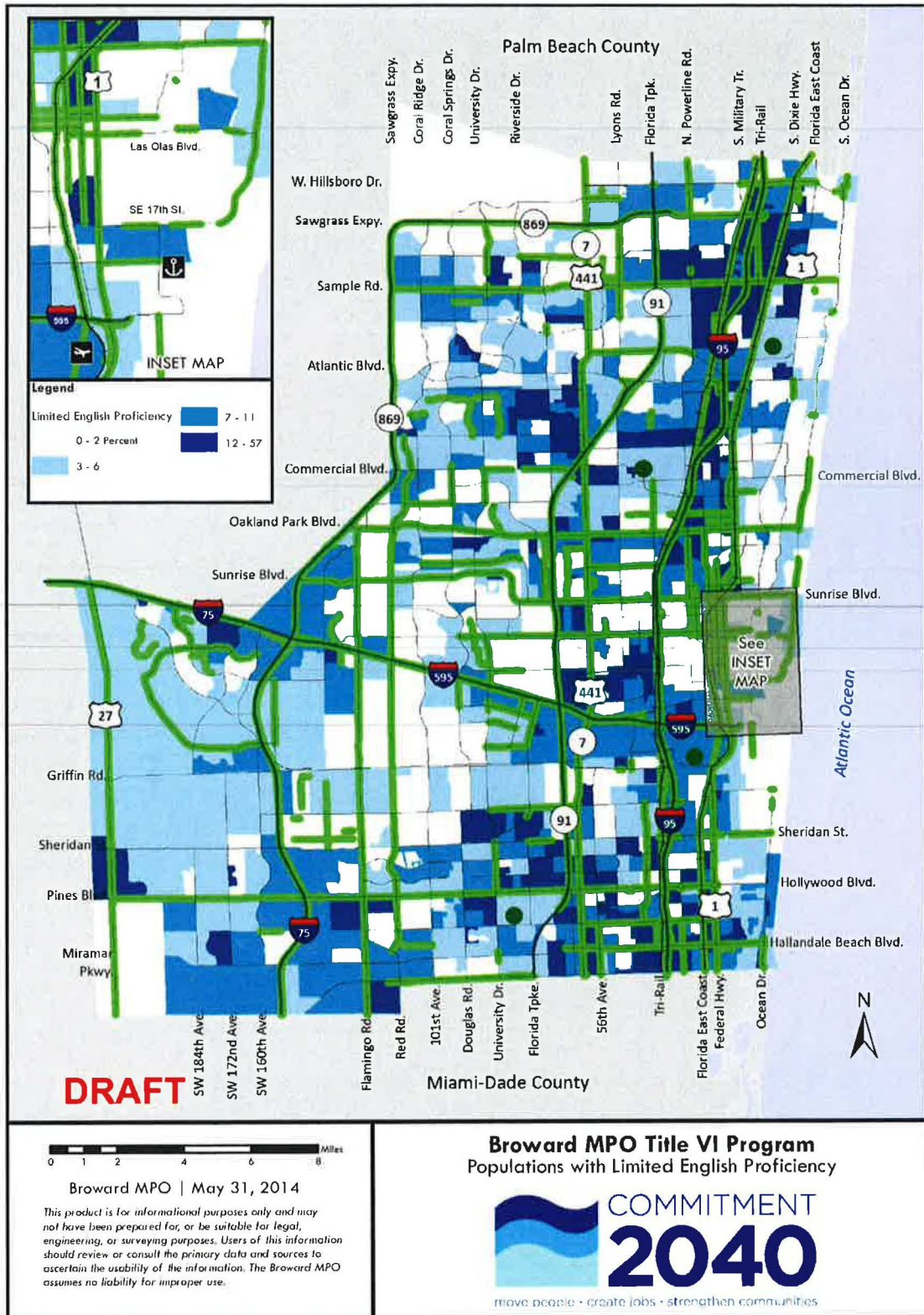
Source: ACS 2012 5Yr, Table 16001, languages greater than 0.1% of the LEP population is reported above.

Table 1 shows that of the LEP persons within the Broward MPO area, 8.9% speak Spanish less than very well, making this the most significant language group as a percentage of population. The next most common language of the area's LEP population is French Creole at 2.7% followed by Portuguese at 0.7% and French (including Patois, Cajun) at 0.6%. These four languages were the highest in 2011 as well and these four language groups experienced a slight increase in the proportion of the Broward MPO population that they represent.

*Source: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Older – Data Set 2012 American Community Survey (ACS) 5-Year Estimates.*

Figure 1 identifies the locations of the LEP populations using the 2012 ACS 5-year estimates.

**Figure 1: Map of LEP for Broward MPO 2007-2012**



**Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.**

The four-factor analysis identified Spanish as the most significant language spoken by the LEP population in the area covered by the Broward MPO. The size of the LEP population in this region will likely continue to increase and, as a result, the probability of increased future contact with the Broward MPO. However, to date, only a small number of requests for Spanish language assistance services have been made by LEP individuals or groups. As we expand our LEP program, we will continue to monitor the requests for language assistance to gauge outreach effectiveness to these populations.

The Broward MPO conducts regular board meetings, advisory committee meetings and public hearings throughout the year. Community outreach and the MPO's website is the main source of potential contact between the MPO and LEP persons. As a result, the frequency of contact is difficult to anticipate. The Broward MPO's Public Involvement Plan highlights the need for outreach opportunities that engage the populations that are traditionally not involved in the transportation planning process.

The Broward MPO in partnership with the Palm Beach and Miami Dade MPO's has developed the Transportation Outreach Planner tool. The Transportation Outreach Planner [MPO transportationoutreachplanner.org](http://MPOtransportationoutreachplanner.org), previously called the Integrated Transportation Information System (ITIS), uses social, economic and geographic characteristics useful to identifying effective public involvement strategies. Users can produce Community Background Reports (CBRs) using the tool to help validate census data. Each of the Municipalities, who know their constituents best, was involved in developing the tool, therefore supplementing information collected from the Census.

### **Factor 3: The nature and importance of the program, service, or activity to people's lives.**

The Broward MPO programs use federal funds to plan for future transportation improvements and projects, and therefore do not include any direct service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the Broward MPO does not conduct required activities such as applications, interviews or other activities prior to participation in its programs or events. Involvement by any citizen with the Broward MPO or its committees is voluntary.

However, the Broward MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice program and policy.

The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process in use of federal funds in **three major areas** for the Broward MPO:

- The biennial **Business Plan or Unified Planning Work Program (UPWP)**
- The five-year **Transportation Improvement Program (TIP)**
- The **Long Range Transportation Plan (LRTP)**

Inclusive public participation is a priority consideration in other MPO plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities have an



impact on all residents. The Broward MPO will place emphasis on language assistance for educational materials and public input related to the **three major areas** identified above. These materials are often helpful with outreach related to other Broward MPO projects and studies.

Understanding and continued involvement are encouraged throughout the process. The Broward MPO is concerned with input from all stakeholders, and every effort is taken to make the planning process as inclusive as possible. The use of the ITIS tool, as described in the “Factor 2” above, will allow MPO staff to identify concentrations of particular populations based on language using the Community Background Reports.

**Factor 4: Available resources and the overall cost to the Broward MPO.**

Currently the Broward MPO spends \$550 per newsletter for translation into Spanish and \$650 for the Creole translation. The average cost (estimate provided by vendor) for translation in to Spanish is \$0.22 per word. The approximate cost of translating, in full, the major reports produced by the MPO are shown in Table 2.

**Table 2: Estimated Document Translation Cost**

| Document                | UPWP<br>FY 14-16 | TIP<br>FY 14/15 | LRTP<br>2035 | PIP     | Total    |
|-------------------------|------------------|-----------------|--------------|---------|----------|
| Number of words         | 25,717           | 22,743*         | 38,724       | 16,919  |          |
| Cost per word<br>\$0.22 | \$5,658          | \$5,003         | \$8,519      | \$3,722 | \$22,902 |

\*Note: The majority of the TIP includes data tables.

Given the size of the LEP population in the Broward MPO area, less than 15%, and current financial constraints, full-language translations of complete transportation plan documents and maps is not considered warranted or cost feasible at this time. Broward MPO staff will work with individual and/or group requests for translation services as needed. However, the expected continued growth of the Broward MPO’s Spanish speaking population makes offering Spanish translations a sound community investment.

As a result, the Broward MPO intends to continue its efforts to make summaries of key documents available in Spanish. To accommodate the cost, these summaries may be presented in alternative formats, such as facts sheets, flyers or brochures. An example of this is shown on the next page in figure 2; a fact sheet was produced in both English and Spanish explaining the **Transportation Improvement Program (TIP)**. The MPO has similar materials for the UPWP, LRTP and Livability Planning efforts.

Figure 2: TIP Brochure Translated into Spanish

## INVIRTIENDO SU \$ EN TRANSPORTE

**COMPRIENDIENDO**  
EL PROGRAMA DE MEJORA DEL TRANSPORTE  
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

**¿QUÉ ES LA ORGANIZACIÓN DE PLANIFICACIÓN METROPOLITANA DE BROWARD (BROWARD MPO)?**  
La MPO de Broward es una agencia responsable de la planificación del transporte, la coordinación intergubernamental y la asignación de fondos de transporte en el condado de Broward. La MPO de Broward trabaja con el público, organizaciones de planificación, agencias gubernamentales, funcionarios electos y grupos comunitarios para identificar las necesidades de transporte y desarrollar planes de transporte, tales como el Programa de Mejora del Transporte (TIP) y el Plan de Transporte a Largo Plazo (LRTP).

**¿CÓMO SE DESARROLLA EL TIP?**  
El TIP es preparado por la MPO de Broward, en cooperación con las agencias de transporte locales, tales como el Departamento de Transporte de Florida (FDOT), la Autoridad de Transporte Regional del Sur de Florida (SRTA), el Consejo de Transporte del Sudeste de la Florida, las municipalidades dentro del Condado de Broward, y proveedores de transporte del Condado Broward como las agencias de Transporte del Condado Broward (BCT), Departamento de Aviación y el Puerto Everglades. La MPO de Broward y sus socios de la planificación desarrollan el TIP anualmente. Al final del proceso, el TIP significa un acuerdo entre funcionarios locales, estatales y regionales en cuanto a qué mejoras de transporte se deben realizar.

## INVIRTIENDO SU \$ EN TRANSPORTE COMPRIENDIENDO

EL PROGRAMA DE MEJORA DEL TRANSPORTE  
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

**¿CÓMO SE FINANCIA EL TIP?**  
Los proyectos del TIP son financiados a través de una mezcla de fondos locales, estatales y fondos federales de transporte. Los fondos federales son administrados a través de la Administración Federal de Carreteras (FHWA) y la Administración Federal de Tránsito (FTA). Otros fondos provienen del estado, condado y las municipalidades a través de impuestos y los contribuyentes.

**¿CÓMO PUEDE USTED PARTICIPAR EN EL DESARROLLO DEL TIP?**  
• Los principales métodos para la participación pública son las reuniones mensuales de la CIR, el TCC y la MPO de Broward. Visite <http://www.browardmipo.org/mipo/agencia.html> para la fecha y hora de las reuniones y agendas futuras.  
• Visite la página web de Broward MPO a menudo [www.browardmipo.org](http://www.browardmipo.org) y haga clic en la sección "Transportation Improvement Plan."  
• Mande un correo electrónico con sus comentarios y preguntas a [ciudad@browardmipo.org](mailto:ciudad@browardmipo.org) o llame al 954-876-0047.  
• Envíe por fax sus comentarios y preguntas a 954-876-0062.  
• Antes de la aprobación del TIP, la MPO patrocinará una audiencia pública, y un periodo de 30 días para comentarios públicos. Esto suele ocurrir en Mayo-Junio de cada año.

**¿SE PUEDE MODIFICAR EL TIP?**  
Si los cambios son necesarios regularmente en el TIP a través de enmiendas. El TIP puede ser modificado para agregar, cambiar o eliminar proyectos. Dichas modificaciones tienen que ser revisadas y aprobadas por la MPO y el FDOT. La revisión también incluye oportunidades para comentarios del público. Los principales métodos para la participación pública son las reuniones mensuales de la Mesa Redonda de Participación Comunitaria (CIR), el Comité de Coordinación Técnica (TCC) y la MPO de Broward que se congregan en la oficina del MPO. Visite <http://www.browardmipo.org/mipo/agencia.html> para la fecha y hora de las reuniones y agendas futuras.

**¿POR QUÉ ES IMPORTANTE EL TIP?**  
El TIP identifica, tanto para los residentes y los contribuyentes de Broward, como se están utilizando los dólares federales, estatales y locales en proyectos de transporte. El TIP es un vehículo para mover los proyectos sin fondos del LRTP a una lista de prioridades con fondos disponibles que incluye un calendario previsto y el costo de cada proyecto.

**Calendario Anual del TIP:**  
Enero-Abril:  
• La MPO cuenta con proyectos del FDOT, agencias de transporte locales y las municipalidades para su inclusión en el TIP.  
Mayo-Junio:  
• La MPO de Broward lleva a cabo el periodo de revisión y comentarios públicos para el TIP preliminar.  
Julio:  
• El TIP es aprobado por el Consejo del Broward MPO.

El documento TIP se puede encontrar en la página web del MPO [www.browardmipo.org](http://www.browardmipo.org). Haga clic en la sección "Transportation Improvement Program". Si necesita ayuda para ver este documento, por favor mande un correo electrónico a [ciudad@browardmipo.org](mailto:ciudad@browardmipo.org) o llame al 954-876-0036.

Inland Centre South 100 West Cypress Creek Road, Suite 550 Fort Lauderdale FL 33309-2407 Phone 954-876-0036

[www.browardmipo.org](http://www.browardmipo.org)

Participación pública en el proceso de planificación de transporte de Broward MPO, y para obtener información sobre el proceso de planificación de transporte de Broward MPO, visite [www.browardmipo.org](http://www.browardmipo.org) o llame al 954-876-0036.

The Broward MPO will continue efforts to collaborate with state and local agencies to provide language translation and interpretation services when The Broward MPO will continue efforts to collaborate with state and local agencies to provide language practical and in consideration of the funding available. Spanish language outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible.

#### IV. MEETING THE REQUIREMENTS AND IMPLEMENTATION

##### Safe Harbor Stipulation

Federal law provides a "safe harbor" stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. A "safe harbor" means that as long as a recipient (the Broward MPO) has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translation obligations under Title VI.

However, failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides for recipients a guide for greater certainty of compliance in accordance with the four factor analysis. Evidence of compliance with the recipient's written translation obligations under "safe harbor" includes providing written translations of vital documents for each

eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less of eligible persons served or likely to be affected. Translation can also be provided orally.

The “safe harbor” provision applies to the translation of written document only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable to provide.

### **Identifying LEP Individuals Who Need Language Assistance**

Broward MPO staff will use language identification cards when first encountering a LEP individual. These cards, developed by the U.S. Census Bureau, have the phrase “Mark this box if you read or speak [name of language]” translated into 38 different languages. It was developed by the Census Bureau and is used by government and non-government agencies to identify the primary language of LEP individuals during face to face contacts. The Census Bureau’s Language Identification Flashcard can be downloaded for free at <http://www.lep.gov/ISpeakCards2004.pdf>. The Language Identification flashcards will be made available at public meetings and the front desk of the Broward MPO offices. Once a language is identified, the Title VI/LEP coordinator or relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

### **Language Assistance and Translation of Materials**

- Language assistance will be provided for LEP individuals through the translation into Spanish of some key materials, as stated on page 4, upon request or as necessary, as well as through oral interpretation when necessary and possible.
- The Broward MPO also alternates the translation of its quarterly newsletter between Creole and Spanish.
- The Broward MPO is looking to install the Google Translate program <http://translate.google.com> on the website allowing users to view HTML content in other languages. It is understood this is not a perfect system but it should provide enough information for a potential LEP individual or group to make contact with the Broward MPO should they have comments or questions.
- A goal of the Broward MPO is to provide user-friendly materials that will be appealing and easy to understand. Staff often refer to “Broward MPO plain speak” when preparing materials/information for the public.
- A list of Broward MPO staff who speak and or/write a language other than English and who are willing and able to act as interpreters has been identified.
- Currently, the Broward MPO phone recording includes an option to speak to someone in Spanish.

### **Providing Notice to LEP Persons**

It is important to notify LEP persons of services available free of charge in a language the LEP persons would understand. The Broward MPO will include the following language in English and Spanish (where appropriate) on meeting notifications and other informational materials.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Christopher Ryan at 954-876-0036 or [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org) at least seven days prior to the meeting. If hearing impaired, telephone 1-800-273-7545 (TDD).

Se solicita la participación del público, sin importar la raza, color, nacionalidad, edad, sexo, religión, incapacidad o estado familiar. Personas que requieran facilidades especiales bajo el Acta de Americanos con Discapacidad (Americans with Disabilities Act) o personas que requieren servicios de traducción (sin cargo alguno) deben contactar a Christopher Ryan al teléfono 954-876-0036 o [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org) por lo menos siete días antes de la reunión. Si tiene problemas de audición, llamar al teléfono 1-800-273-7545 (TDD).

### **Staff Training**

The Broward MPO has incorporated the LEP Plan into the Public Participation Plan as part of its LRTP update. In order to establish meaningful access to information and services for LEP individuals, the Broward MPO is training its employees to assist in person, and /or by telephone, LEP individuals who request assistance.

### **LEP Updates**

The Broward MPO understands that its community profile is changing and that the four-factor analysis may reveal the need for more LEP services in the future. As such, the Broward MPO will annually examine its LEP plan to ensure that it remains reflective of the community's needs. The Transportation Outreach Planner Tool, as described in the "Factor 2" above, will also be used to validate the community profile of the Broward MPO region.

## **V. CONTACT INFORMATION**

The Broward MPO does not intend that its LEP Plan exclude anyone requiring language assistance and will try to accommodate requests. Anyone who requires special language services should contact the Broward MPO's Public Information Officer/Title VI Coordinator:

|       |  |
|-------|--|
| Name  | Christopher Ryan   |
| Phone | 954 876 0036 for the hearing impaired TTD 1-800-273-7545       |
| Fax   | 954 876 0062   |
| Email | <a href="mailto:ryanc@browardmpo.org">ryanc@browardmpo.org</a> |



## **Appendix F**

### **Socio-Economic Data and Maps for Broward County**

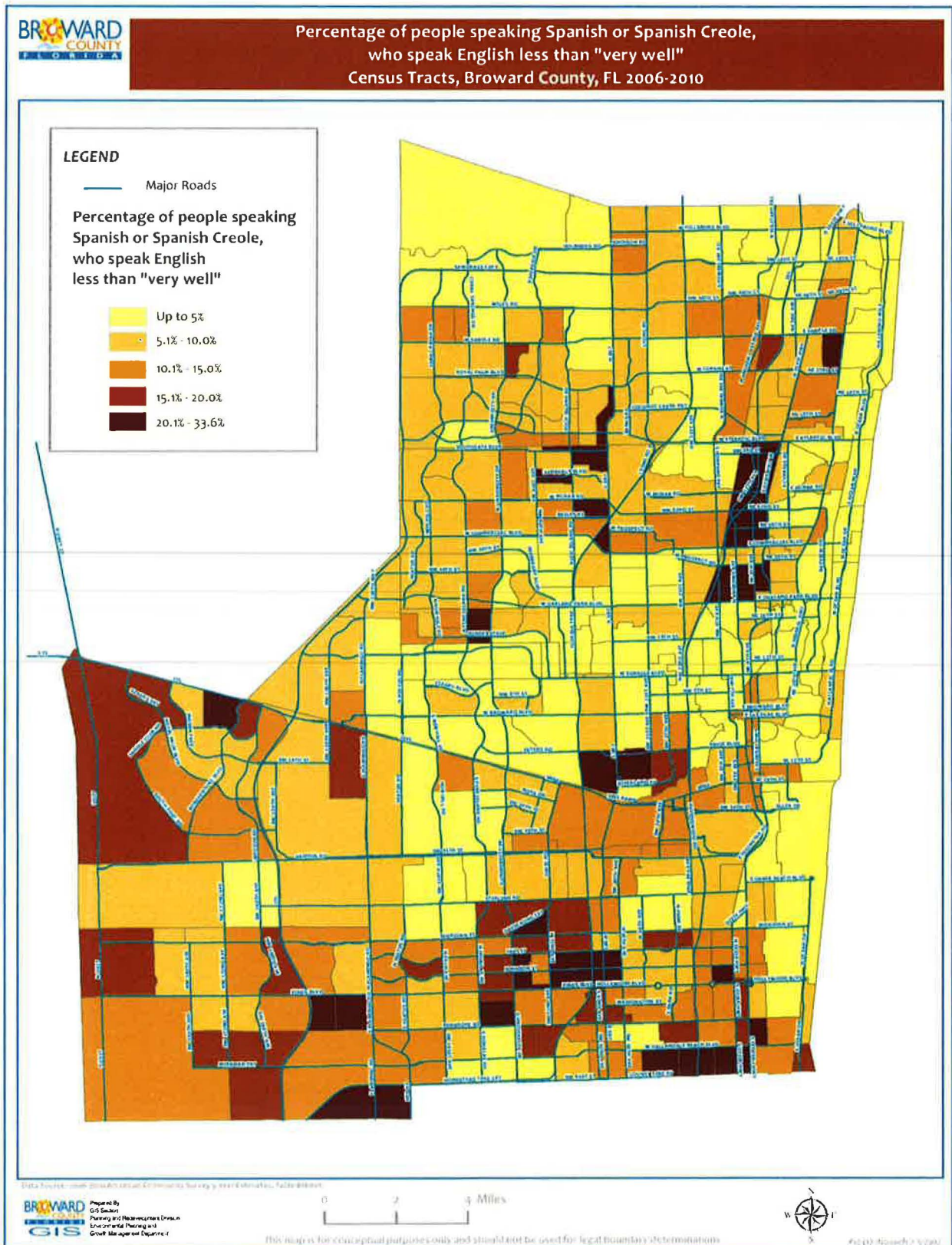
# 2008-2012 ACS Census Data

| Location              | Population,<br>2012 estimate | White alone,<br>percent, 2012 (a) | Black or African<br>American alone,<br>percent, 2012 (a) | American Indian<br>and Alaska<br>Native alone,<br>percent, 2012 (a) | Asian<br>alone,<br>percent,<br>2012 (a) | Native Hawaiian<br>and Other Pacific<br>Islander alone,<br>percent, 2012 (a) | Two or<br>More Races,<br>percent,<br>2012 |
|-----------------------|------------------------------|-----------------------------------|--|---|---|--|---|
| Florida               | 19,320,749                   | 78.3%                             | 16.6%  | 0.5%  | 2.7%                                    | 0.1%   | 1.9%                                      |
| Broward County        | 1,814,813                    | 66.1%                             | 27.9%  | 0.4%  | 3.5%                                    | 0.1%   | 2.0%                                      |
| Coconut Creek         | 55,001                       | 75.3%                             | 13.7%  | 0.1%  | 3.8%                                    | Z  | 3.0%                                      |
| Cooper City           | 32,345                       | 85.1%                             | 4.9%   | 0.3%  | 5.5%                                    | Z  | 2.4%                                      |
| Coral Springs         | 125,287                      | 69.2%                             | 17.9%  | 0.2%  | 5.1%                                    | 0.1%   | 3.3%                                      |
| Dania Beach           | 30,574                       | 69.6%                             | 21.8%  | 0.3%  | 2.1%                                    | 0.1%   | 2.6%                                      |
| Davie                 | 95,489                       | 80.1%                             | 8.0%   | 0.3%  | 4.6%                                    | 0.1%   | 3.1%                                      |
| Deerfield Beach       | 77,439                       | 65.8%                             | 25.6%  | 0.2%  | 1.5%                                    | Z  | 2.7%                                      |
| Fort Lauderdale       | 170,747                      | 62.6%                             | 31.0%  | 0.3%  | 1.5%                                    | 0.1%   | 2.1%                                      |
| Hallandale Beach      | 38,327                       | 73.7%                             | 18.7%  | 0.2%  | 1.4%                                    | Z  | 2.6%                                      |
| Hillsboro Beach       | na                           | na                                | na   | na  | na                                      | na   | na  |
| Hollywood             | 145,236                      | 72.7%                             | 16.7%  | 0.4%  | 2.4%                                    | 0.1%   | 3.2%                                      |
| Lauderdale-by-the-Sea | 6,258                        | 96.3%                             | 1.2%   | 0.1%  | 0.8%                                    | 0.0%   | 0.9%                                      |
| Lauderdale Lakes      | 33,772                       | 14.2%                             | 80.6%  | 0.2%  | 1.2%                                    | Z  | 2.5%                                      |
| Lauderhill            | 69,100                       | 18.2%                             | 75.9%  | 0.3%  | 1.6%                                    | Z  | 2.5%                                      |
| Lazy Lake             | na                           | na                                | na   | na  | na                                      | na   | na  |
| Lighthouse Point      | 10,714                       | 94.0%                             | 1.7%   | 0.3%  | 1.6%                                    | Z  | 1.6%                                      |
| Margate               | 55,026                       | 82.0%                             | 25.8%  | 0.4%  | 4.0%                                    | 0.1%   | 3.3%                                      |
| Miramar               | 128,729                      | 41.0%                             | 45.7%  | 0.2%  | 5.2%                                    | Z  | 3.7%                                      |
| North Lauderdale      | 42,413                       | 33.1%                             | 53.4%  | 0.3%  | 2.9%                                    | 0.1%   | 3.8%                                      |
| Oakland Park          | 42,632                       | 62.6%                             | 25.6%  | 0.3%  | 2.0%                                    | 0.1%   | 3.5%                                      |
| Parkland              | 25,701                       | 84.0%                             | 6.5%   | 0.1%  | 5.9%                                    | Z  | 1.9%                                      |
| Pembroke Park         | 6,239                        | 37.6%                             | 55.3%  | 0.3%  | 1.3%                                    | Z  | 3.1%                                      |
| Pembroke Pines        | 160,306                      | 67.3%                             | 19.8%  | 0.3%  | 4.9%                                    | Z  | 3.3%                                      |
| Plantation            | 88,016                       | 69.9%                             | 20.3%  | 0.2%  | 3.9%                                    | 0.1%   | 2.9%                                      |
| Pompano Beach         | 102,984                      | 62.6%                             | 28.9%  | 0.3%  | 1.3%                                    | Z  | 2.4%                                      |
| Sea Ranch Lakes       | na                           | na                                | na   | na  | na                                      | na   | na  |
| Southwest Ranches     | 7,601                        | 85.9%                             | 5.4%   | 0.6%  | 2.8%                                    | Z  | 2.9%                                      |
| Sunrise               | 88,843                       | 56.4%                             | 31.8%  | 0.3%  | 4.1%                                    | 0.1%   | 3.3%                                      |
| Tamarac               | 62,557                       | 67.2%                             | 23.1%  | 0.2%  | 2.5%                                    | Z  | 2.8%                                      |
| Weston                | 67,641                       | 85.8%                             | 4.4%   | 0.1%  | 4.6%                                    | Z  | 2.4%                                      |
| West Park             | 14,609                       | 32.8%                             | 57.9%  | 0.4%  | 1.0%                                    | Z  | 3.3%                                      |
| Wilton Manors         | 11,995                       | 80.8%                             | 12.4%  | 0.3%  | 2.2%                                    | Z  | 1.9%                                      |

## 2008-2012 ACS Census Data

| Location              | Population,<br>2012 estimate | Persons<br>65 years<br>and over,<br>percent,<br>2012 | Language other<br>than English<br>spoken at home,<br>pct age 5+, 2008-<br>2012 | Median household<br>income,<br>2008-2012 | Persons below<br>poverty level,<br>percent, 2008-<br>2012 |
|-----------------------|------------------------------|--|--|--|---|
| Florida               | 19,320,749                   | 18.2%  | 27.3%  | \$47,309                                 | 15.60%  |
| Broward County        | 1,814,813                    | 14.7%  | 37.5%  | \$51,603                                 | 13.50%  |
| Coconut Creek         | 55,001                       | 18.4%  | 34.2%  | \$52,371                                 | 8.8%  |
| Cooper City           | 32,345                       | 8.8%   | 28.8%  | \$88,465                                 | 5.0%  |
| Coral Springs         | 125,287                      | 7.9%   | 33.7%  | \$68,255                                 | 9.0%  |
| Dania Beach           | 30,574                       | 14.8%  | 33.2%  | \$42,949                                 | 19.4%   |
| Dave                  | 95,489                       | 10.6%  | 35.0%  | \$59,362                                 | 11.4%   |
| Deerfield Beach       | 77,439                       | 21.5%  | 40.7%  | \$39,100                                 | 17.7%   |
| Fort Lauderdale       | 170,747                      | 15.3%  | 26.0%  | \$50,191                                 | 19.5%   |
| Hallandale Beach      | 38,327                       | 25.1%  | 51.7%  | \$35,713                                 | 19.7%   |
| Hillsboro Beach       | na                           | na   | na   | na                                       | na  |
| Hollywood             | 145,236                      | 15.1%  | 43.1%  | \$45,942                                 | 14.5%   |
| Lauderdale-by-the-Sea | 6,258                        | 39.8%  | 21.6%  | \$54,425                                 | 11.2%   |
| Lauderdale Lakes      | 33,772                       | 15.6%  | 31.2%  | \$35,667                                 | 21.9%   |
| Lauderhill            | 69,100                       | 12.9%  | 24.7%  | \$37,149                                 | 22.6%   |
| Lazy Lake             | na                           | na   | na   | na                                       | na  |
| Lighthouse Point      | 10,714                       | 22.1%  | 15.0%  | \$73,625                                 | 7.9%  |
| Margate               | 55,026                       | 19.1%  | 35.9%  | \$43,565                                 | 13.9%   |
| Miramar               | 128,729                      | 6.9%   | 51.2%  | \$63,898                                 | 9.1%  |
| North Lauderdale      | 42,413                       | 6.5%   | 46.4%  | \$41,784                                 | 21.8%   |
| Oakland Park          | 42,832                       | 9.7%   | 40.4%  | \$44,686                                 | 15.8%   |
| Parkland              | 25,701                       | 7.7%   | 25.7%  | \$119,732                                | 6.5%  |
| Pembroke Park         | 6,239                        | 16.8%  | 33.8%  | \$31,044                                 | 22.4%   |
| Pembroke Pines        | 160,306                      | 14.8%  | 49.1%  | \$62,133                                 | 7.6%  |
| Plantation            | 88,016                       | 13.5%  | 27.7%  | \$66,396                                 | 8.7%  |
| Pompano Beach         | 102,984                      | 18.9%  | 35.9%  | \$39,656                                 | 21.2%   |
| Sea Ranch Lakes       | na                           | na   | na   | na                                       | na  |
| Southwest Ranches     | 7,601                        | 11.6%  | 32.4%  | \$105,230                                | 4.7%  |
| Sunrise               | 88,843                       | 15.2%  | 37.4%  | \$49,120                                 | 11.6%   |
| Tamarac               | 62,557                       | 27.5%  | 33.8%  | \$41,972                                 | 11.7%   |
| Weston                | 67,641                       | 8.0%   | 51.9%  | \$93,886                                 | 5.9%  |
| West Park             | 14,609                       | 10.3%  | 34.0%  | \$42,847                                 | 15.0%   |
| Wilton Manors         | 11,995                       | 15.1%  | 22.8%  | \$50,881                                 | 11.6%   |







# **Appendix G**

## **Subgrantee Reporting**

## Subgrantee Reporting

All subrecipients are required to submit annual benchmark progress reports to the Broward MPO Title VI Coordinator if they are a subgrantee. Subgrantees will be made aware of this prior to funds being disbursed. These reports are due annually Sept. 1st and include information on project service delivery measures and Title VI Program compliance documentation. The Broward MPO Title VI Coordinator will review all subrecipient Title VI submittals for completeness and compliance with federal requirements. Specific submittal requirements are as noted below and as outlined in FTA Circular C4702.1B appendices.

- All subrecipients, except those who also are direct recipients of other FTA funds, must fulfill general Title VI program requirements and submit documentation to the Broward MPO of the following: Title VI Notice to the Public, including a list of locations for notice posting;
- Title VI complaint procedures;
- Title VI complaint form;
- List of transit-related Title VI investigations, complaints and lawsuits;
- Public Participation Plan including information about outreach methods used to engage minority and limited English populations;
- Language Assistance Plan;
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient broken down by race, and a description of the process the agency uses to encourage participation of minorities on such committees;
- A Title VI equity analysis if recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center etc.
- A copy of board meeting minutes, resolution or other appropriate documentation showing the board of directors or appropriate governing entity/official(s) responsible for policy decisions reviewed and approved the Title VI Program;

Subrecipients who are fixed route transit providers, in addition to documentation listed above, must also submit the following documentation:

- Service Standards
  - a. Vehicle Load for each mode;
  - b. Vehicle headway for each mode;
  - c. On time performance for each mode;
  - d. Service availability for each mode.
- Service Policies
  - a. Transit Amenities for each mode;
  - b. Vehicle Assignment for each mode.

Subrecipient transit providers operating 50 or more fixed route vehicles in peak service and located in the Broward MPO need to provide:

- Demographic and service profile maps and charts of the service area;
- Demographic ridership and travel patterns , collected by surveys;
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis;
- A description of the public engagement process for setting the “major service change policy”, disparate impact policy and disproportionate burden policy;
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis.
- Broward MPO reserves the right to conduct field visits during the program year and check and verify compliance with the requirements stated above. Inspection reviews will include documentation of federal Title VI compliance requirements using the above checklists from FTA Circular. Broward MPO staff or a consulting contractor to be procured to assist with administrative oversight will review programs of the subrecipient agencies on an annual basis and schedule selected agencies each year for compliance monitoring and on-site visits.