



2018 Title VI Plan

City of Buda

Adopted by City Council February 20, 2018



Buda, Texas, Established 1881

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1. Plan Approval and Revision Log

CITY OF BUDA

RESOLUTION NO. 2018-R-10

A RESOLUTION OF THE BUDA CITY COUNCIL ADOPTING THE 2018 TITLE VI PLAN AND AUTHORIZING THE MAYOR OF THE CITY OF BUDA TO EXECUTE ALL DOCUMENTS RELATED TO SAID ADOPTION.

WHEREAS, Recipients of federal financial assistance are required to comply with various nondiscrimination laws and regulations; and,

WHEREAS, The City of Buda's Title VI program has been prepared in accordance with federal rules under 49 CFR Part 21 and 49 CFR Part 303, and falls within the scope of responsibilities of the City Secretary; and,

WHEREAS, The City of Buda has prepared the 2018 Title VI Plan;

WHEREAS, The Buda City Council wishes to authorize the Mayor of the City of Buda to execute all documents relating to said plan.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS:

SECTION I. The Buda City Council hereby approves the 2018 Title VI Plan.

SECTION II. The Buda City Council hereby authorizes the Mayor of the City of Buda to execute all documents related to said plan.

SECTION III. That this resolution shall become effective immediately upon its passage.

PASSED, APPROVED, and ADOPTED this 20th day of February, 2018.

CITY OF BUDA, TEXAS

/s/ _____
George Haehn, Mayor

ATTEST:

/s/ _____
Alicia Ramirez, City Clerk

Title VI Plan Revision Log

Date Month/day/year	Section Revised	Summary of Revisions

Title VI Assurance

The City of Buda as a recipient of Federal Transit Administration (FTA) grant dollars either directly from Capital Metro or through the Texas Department of Transportation (TxDOT), will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the U.S. Department of Transportation implementing regulations, FTA Circular 4702.1B, and TxDOT PTN requirements as specified in Master Grant Agreement, and State Management Plan.

2. Description of Organization and Service Provided.

The City of Buda is home rule city in Hays County. The 2010 Census population for the city was 7,295. The city’s estimated 2017 population is 15,023. The city has a Council-Manager form of government. Transit and Transportation funding is ultimately approved by the City Council. The city’s Planning and Zoning Commission has an advisory role in formulating city policy related to transportation and transit.

The purpose for the Title VI plan is that The City of Buda is expanding a demand response van service for senior citizen and disabled residents, for which federal funds would be passed through from Capital Metro. This will be the City’s first federally-funded transit service in conjunction with Capital Metro.

3. Purpose for review

The city of Buda has been the subject of one Title VI compliance review within the past three years. The reason for the review was the City’s application for funding for a transit van for elderly residents. The City was evaluated by capital Metro, the Austin, TX-based regional transit

service. In the review, which the City received in December 2017, Capital Metro found that the city was deficient in Title VI assurances. This deficiency appears to have been based upon the city's lack of a Title VI plan and the related statements of assurance that federally supported transit services and related benefits are distributed in an equitable manner. The review did not list any other specific detailed deficiencies. In all other metrics, the City was classified as either not deficient or not applicable. As a result of the identified deficiency, the City of Buda was provided with the corrective action of submitting a Title VI program to Capital Metro no later than January 30, 2018. This deadline was extended to allow the city to draft a document for review due to the relatively late date on which the city was notified of the deficiency. This plan is being submitted in order to fulfill the recommended corrective action.

4. Title VI Compliance History.

The City of Buda has no previous history of Title VI complaints or actions, other than the Capital Metro review listed above.

Other pending applications to other Federal agencies for assistance.

The City of Buda has no pending applications to other federal programs at this time.

5. Notice to the Public

The notice below will be posted on the bulletin boards at Buda City Hall and the Buda Public Library. The notice will also be placed on board transit vehicles and posted continuously on the city website.

Title VI Notification to the Public Notifying the Public of Rights under Title VI



THE CITY OF BUDA

Title VI Notification

The City of Buda operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Buda.

For more information on the City of Buda's civil rights program, and the procedures to file a complaint, contact 512-312-5745, TTY 1-800-877-8339, email cityclerk@ci.buda.tx.us; or visit our administrative office at 121 S. Main Street, Buda, TX 78610. For more information, visit www.ci.buda.tx.us

- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- If information is needed in another language, contact 512-312-0084.
- **La información sobre formatos alternativos distintos del inglés se puede obtener la Ciudad de Buda. 512-312-0084.**

6. Complaint Procedure

Instructions to the public on filing a Title VI notice

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the City of Buda (hereinafter referred to as “The City”) may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. The City investigates complaints received no more than 180 days after the alleged incident. The City will process complaints that are complete. Once the complaint is received, the Authority will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office. The City has 20 days to investigate the complaint. If more information is needed to resolve the case, the City may contact the complainant. The complainant has XX business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 3 business days, the City can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case. After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 5 days after the date of the letter or the LOF to do so. A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.



TITLE VI COMPLAINT FORM

CITY OF BUDA

Section I:

Name: _____

Address: _____

Telephone (Home): _____ Telephone (Work): _____

Electronic Mail Address: _____

Accessible Format Requirements?

Large Print _____ Audio Tape _____ TDD _____ Other _____

Section II:

Are you filing this complaint on your own behalf?

Yes* _____ No * _____

If you answered "yes" to this question, go to Section III.

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party: _____

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes _____ No _____

Section III:

I believe the discrimination I experienced was based on (check all that apply):

Race Color National Origin

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section IV

Have you previously filed a Title VI complaint with this agency? Yes _____ No _____

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes No

If yes, check all that apply: Federal Agency: Federal Court State Agency State Court Local Agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: Title: _____ Agency: _____

Address: _____ Telephone: _____

Section VI

Name of agency complaint is against:

Contact person: _____ Title: _____

Telephone number: _____

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

Signature and date required below

Signature _____ Date _____

Please submit this form in person at the address below, or mail this form to:

City of Buda Title VI Coordinator
(Office of the City Clerk)

121 S. Main Street

Buda, TX 78610

7. List of public transportation-related Title VI investigations, complaints or lawsuits

There have been no public transportation-related Title VI lawsuits in City of Buda history. The City has not operated transit service other than an on-demand senior shuttle.

The City has no history of public transportation-related Title VI investigation, complaints or lawsuits.

8. List of Title VI Complaints against the City of Buda

The following are details regarding transit-related active investigations, lawsuits, and complaints that allege that City of Buda staff has discriminated on the basis of race, color, creed, national origin, sex, or age.

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

9. Public participation plan

To promote inclusive public participation, the City of Buda will employ the following strategies, as appropriate

(make these determinations based on a demographic analysis of the population(s) affected, type of plan, program and/or service under consideration, and the resources available):

- ✓ Provide for early, frequent and continuous engagement by the public.
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use social media in addition to other resources as a way to gain public involvement
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

- ✓ Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

Public Outreach Activities

Below is a list of annual Public Events. Local events are posted on signs and social media which can be accessed via Facebook, Twitter and our website. These events can be used for distribution of materials regarding the proposed transit program.

Month of Event	Name of Event	Description
March-October	Downtown Buda Farmer’s Market	weekly food and craft market
April	Annual Easter Egg Hunt	Easter celebration
April	Buda Lions Country Fair and	Novelty dog racing event Wiener Dog Races
July	Red, White and Buda Independence	July 4 th celebration Day Celebration
September	Fajita Fiesta	Food and Music Festival
October	Boo-da Halloween	Halloween Festival
December	Buda Fest	Winter Holiday festival

The City of Buda is constantly developing new events throughout the year, with each providing additional opportunity to educate the public.

10. Plan for providing language assistance to persons with limited English proficiency (LEP)

A. Four Factor Analysis

- (1) The number or Proportion of LEP persons eligible to be served or likely to be served by the program or recipient.

The 2010 Census identified the City of Buda as having 406 residents 18 years of age or older who identified themselves as speaking English “less than very well.” This represented an estimated 5.1percent of the City’s adult population. Of these residents, 362 listed Spanish as their primary language. Of these Spanish Speakers who speak English less than very well, an estimated 140 were 65 years of age or older.

Of the remaining adult residents identifying themselves as having limited English Proficiency, 32 primarily spoke other Indo-European Languages and 12 identified

themselves as speaking Asian and Pacific Island languages. These smaller Limited English Proficiency groups do not meet the safe harbor requirement provision requiring LEP services for populations that fall below 5 percent of 1,000 persons.

- (2) Frequency with which LEP persons come into contact with the program.

As the proposed on-demand van service would be a new service the City of Buda does not yet have statistics regarding the frequency with which LEP persons come in contact with the proposed service. As such, data including customer service and ridership is not yet available for this service.

- (3) Nature and importance of the program, activity or service provided to people's lives.

The proposed van service would provide transportation to individuals who are unable to drive due to advanced age or disabled status, often in combination with not having a vehicle or other source of personal transportation available. This service would help overcome the automobile-dependent nature of much of Buda's existing development pattern.

- (4) Resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

The City of Buda maintains a pool of bilingual Spanish speaking employees for assistance with non-English speaking parties. This pool of employees would be city's responders to any questions or complaints regarding the proposed service. This pool of employees is funded through a city policy in which employees with bilingual skill are awarded extra compensation in exchange for agreeing to serve as translators in situations where their skills are needed. As such, no additional funding would be needed to interact with Spanish-speaking callers with questions or complaints related to the transit service. One of the employees in the bilingual skills pool answers the main line, and as such would be the initial contact, either answering questions or directing callers further.

B. Language Assistance Plan

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to City of Buda services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

As stated in the four factor analysis, above, the City of Buda has Spanish speaking residents as its primary Low English Proficiency population. The city currently provides language

assistance to its Spanish-Speaking LEP residents and customers through a bilingual skills employee pool. The city's Human resources department tracks the membership of the employee pool with the goal of having an employee with bilingual skills either working in or assigned to each department. As a part its of title VI compliance efforts, the City of Buda will monitor contacts related to inquiries or complaints related to its transit service.

The City of Buda will update the LEP Plan as required. At a minimum, the plan will be reviewed when data from the next U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City's service area. Updates will include the following:

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

The City of Buda is experienced in providing assistance for LEP customers & citizens for public meetings. In recent years, it has provided upon request both Spanish language (written & spoken) as well as American Sign Language. Likewise, it has provided the same services for Municipal Court and Police services. The City of Buda values language services as a critical component to its Mission Statement "Meeting the Needs of the Citizens."

11. Racial breakdown of transit-related planning boards

The primary transportation-related planning board in the City of Buda is the Planning and Zoning Commission (P&Z). The P&Z has seven seats, of which six are currently filled. At present, all members of the P&Z are White/Caucasian. However, the P&Z has four seats that are to become open in April 2018, including the current vacant seat. These openings will provide the City of Buda with the opportunity to reassemble the P&Z into a more representative body. The City is committed to active recruitment of minority residents to fill the open positions.

The city also has a Task Force for Aging, which was established in 2017. Due to the nature of the proposed transit service, this body is also relevant to the City's Title VI compliance. This commission will also be seeking members for April 2018 openings.

The City has taken several pro-active steps to promote socioeconomic & geographic diversity. For example, appointments for all boards & commissions have been consolidated to a single appointment period, allowing for more robust advertising. In addition, the City began a Citizens Academy to provide an introduction to municipal government and the opportunities for citizens to volunteer. Finally, the City passed a Charter Amendment in November 2017 to establish three single-member districts for the City Council, creating 3 single-member districts, 3 at-large positions and 1 at-large mayor position.