



City of Santa Fe, New Mexico

Memorandum



Date: October 5, 2021

To: Public Works and Utilities Committee and Governing Body

Via: Regina Wheeler, Public Works Department Director^{RW}
Thomas A. Martinez, Transit Division Director of OperationsTM

From: David A. Chapman, Grant Administrator^{DAC}

RE: Request for Approval of Santa Fe Trails Title VI Program, FFYs 2021-2223

ITEM

Santa Fe Trails is required to submit a Title VI Program to the Federal Transit Administration (FTA) once every three years. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in the provisions of benefits and services resulting from federally assisted programs and activities.

The final Circular, 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration (FTA) recipients" became effective on October 1, 2012, and supersedes FTA Circular 4702.1A. The Reporting Requirements section includes a requirement that a recipient's board of directors or appropriate governing entity approve the Title VI Program before the recipient submits it to FTA via the FTA TrAMS platform. Recipients will be required to submit, with the Title VI Program, a copy of the Governing Body's Resolution and meeting minutes as evidence that the Governing Body has approved the program.

There is no fiscal impact to the City of Santa Fe or Santa Fe Trails in the implementation of this program.

ACTION REQUESTED

Recommend to the Governing Body to approve the Santa Fe Trails Title VI Program Fiscal Years 2021-23 and direct staff to submit the program to FTA at this time.

ATTACHMENTS

Resolution
Santa Fe Trails Title VI Program, Federal Fiscal Years 2021 – 2023
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

**APPROVING THE CITY OF SANTA FE'S TITLE VI TRANSIT PROGRAM AS
REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION.**

WHEREAS, the City of Santa Fe ("City") is required to submit a Title VI Program to the
Federal Transit Administration ("FTA") once every three years; and

WHEREAS, the Reporting Requirements included in the Title VI Requirements and
Guidelines includes a requirements that a recipient's governing body approve the Title VI Program
prior to submittal by the recipient to the FTA.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
CITY OF SANTA FE** that the City's Title VI Transit Program, attached as Exhibit A, is hereby
approved.

BE IT FURTHER RESOLVED that the City Manager is directed to submit the Title VI
Program to the Federal Transit Authority.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2021.

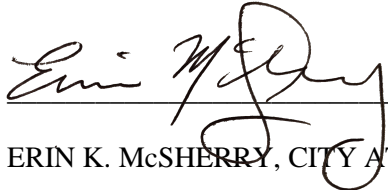
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ALAN WEBBER, MAYOR

ATTEST:

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Title VI Transit Program Adoption



Title VI Program

August 18, 2021

Originally Issued June 2020

Revised in Response to Title VI Program Review Assessment

Dated January 6, 2020 and Triennial Review August 2021

SANTA FE TRAILS
TITLE VI COMPLIANCE PLAN

Part One: Introduction Part Two: Public Notice of Rights
Part Three: Complaint Process/Investigation Procedure/ Complaint Form
Part Four: Public Participation Part Five Standards and Policies
Part Six Limited English Proficiency Plan
August 2021

PART ONE: Introduction

The City of Santa Fe operating the Santa Fe, prepared this Title VI Public Notice of Rights and Complaint Process in compliance with the Title VI Circular 4702.1B. There is no history of and or active investigations, lawsuits and/or complaints concerning Civil Rights Compliance.

Transit service operates as a fixed route serving six city routes seven days a week. Four Commuter/College Routes operates weekdays with limited Saturday service. Santa Fe Pick-up Shuttle provides service around Downtown and to Museum Hill and Canyon Road. Connections to the Santa Fe Depot Rail Runner Station are also scheduled. Curb to curb transportation service for persons with disabilities who cannot use the regular service is available. All vehicles in the fleet are wheelchair accessible and all stops provide access for mobility devices. Santa Fe Trails has developed system-wide standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin.

No sub-recipients are active in providing transit services. All service is provided and facilities are located within the city limits of Santa Fe.

Santa Fe is governed by the elected Mayor and City Council. The Council currently includes five females and four males, three Caucasian and six Hispanic/Latino. The Transit Advisory Board (TAB) is a citizens committee appointed by the Mayor that informs and makes recommendations to the City Council on the policies, procedures and development of the City's public transportation system. It is intended that there be diversity in the TAB membership, representing the various demographics (e.g., age, sex, and race) reflected in the population of the transit system's service area. With two vacant seats, current membership includes:

Transit Advisory Board				
Male	Female	Caucasian	Hispanic/ Latino	Other
5	2	5	2	0

An Equity Analysis has been completed for the two capital funding projects. Both are improvements/renovation of properties already owned by the City of Santa Fe. No land acquisitions or displacement of persons from their residences or business will be required. The two facilities are the Downtown Transfer Center/Sheridan Avenue and the Southside Transit Center.

Downtown Transfer Center project will provide improvements such as benches, lighting, and information kiosks. Outreach to persons potentially impacted by this location included the needs of workers, vendors, and tourists to this major tourist and arts center. The location is currently in use with minimal amenities and will not impact the current use level in terms of vehicle traffic. There is no anticipated cumulative impact of increased traffic. It is anticipated these renovations will have a positive impact on traffic flow. As shown in the Language Assistance Plan, this location will continue to support our varied population. The location of this site does not exclude persons or subject them to discrimination on grounds of race, color, or national origin.

Southside Transit Center project will be a new and expanded location from the previous transfer location at Santa Fe Place Mall. Mall Management has agreed that the relocation be given a priority as the congestion of bus, automobile and pedestrian traffic is a problem. The Southside Transit Center will be located in a building already owned by the City of Santa Fe. In addition to bus transfer slots, the Center will include indoor facilities. Persons that will be impacted by the siting include workers, shoppers, as well as residents in one of many apartments/multifamily residents nearby. Located in a primarily commercial strip on a major arterial, there will be good access to this site. There were no other sites in the immediate area that were preferable. As opposed to increased traffic, this location will decrease the potential challenges of mixing of bus, automobile and pedestrian traffic. The location of this site does not exclude persons or subject them to discrimination on grounds of race, color, or national origin.

PART TWO: Public Notice of Rights

The following statement shall be posted on site at the Santa Fe Trails office, on the Santa Fe Trails website (www.santafenm.gov/transit); permanently displayed on public transit vehicles; and other appropriate materials made available to the public: *(Documents will be translated into languages other than English, upon request.)*

Non-Discrimination - Your Rights under Title VI of the Civil Rights Act of 1964
The United States Department of Transportation (DOT) ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color or national origin in the provisions of benefits and services resulting from federally assisted programs and activities. The Santa Fe Trails operates without regard to race, color, and national origin. Any person, who believes the Santa Fe Trails has violated his /her Title VI protections, should contact the Santa Fe Trails at 505-955-2001 or toll free 866-551-7433, Title VI Coordinator. The Santa Fe Trails has also developed a policy to assist individuals who are Limited English Proficient (LEP). Translation services in order to assist LEP individuals shall be made available to Santa Fe Trail customers upon request. The Santa Fe Trails Title VI policy, complaint procedures and LEP Plan shall be made available upon request by contacting the Santa Fe Trails Department at the above-noted information. For Federal Title VI information please contact the Federal Transit Administration (FTA), Region 6 at 817-978-0567. Federal Title VI information, including filing complaints, can also be accessed on the FTA web site at: www.fta.dot.gov.

PART THREE: Complaint Process and Investigation Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by the Santa Fe Trails. All Title VI obligations and complaint procedures will be translated into other languages as needed.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and Santa Fe Trails may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The Santa Fe will prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years.

Over the past three years, Santa Fe Trails has not received any allegations of discrimination based on race, color, or national origins. No active investigations have been conducted by entities other than the FTA and no lawsuits and/or complaints naming the grantee have been filed concerning Title VI rights.

When a complaint is received, the following measures will be taken to resolve Title VI complaints:

- 1) A formal complaint must be filed within 180 calendar days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. The Santa Fe Trails strongly encourages the use of the attached *Santa Fe Trails Title VI Complaint Form* when filing official complaints.

The preferred method is to file your complaint in writing using the *Santa Fe Trails Title VI Complaint Form*, and sending it to:

Title VI Coordinator/Grant Administrator
Santa Fe Trails
2931 Rufina Street
Santa Fe, NM 87507

or NMDOT
Program Manager
Civil Rights and Business Resource Center
1570 Pacheco Street, Building A-10
Santa Fe, NM 87505
505-470-6739

or Federal Transit Administration
Region 6
Attn: Civil Rights Officer
819 Taylor Street
Room 14A02
Fort Worth, TX 76102
817-978+0567

- 2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Santa Fe Trails Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Santa Fe Trails Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.
- 3) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) calendar days by registered mail.

- 4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 5) Within 15 calendar days from receipt of a complete complaint, the Santa Fe Trails will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) calendar days of this decision, the complainant or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of the Santa Fe Trails' jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) When the Santa Fe Trails does not have sufficient jurisdiction, the Transit Division Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 7) If the complaint has investigative merit, the Transit Division Director or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Transit Division Director within 60 calendar days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
- 8) The Transit Division Director or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 calendar days from receipt of the complaint.
- 9) If the Complainant is dissatisfied with the Santa Fe Trails resolution of the complaint, he/she has the right to file a complaint with the NMDOT Title VI Coordinator or FTA Region 6 Civil Rights Officer. (Contact information in Section 1)

FTA Complaint procedures can also be found on the FTA web site at: www.fta.dot.gov. These procedures are also outlined in FTA Circular 4702.1B, Chapter IX.

Title VI Complaint Form

Instructions: If you would like to submit a Title VI complaint to the Santa Fe Trails, please fill out the form below and send it to: Santa Fe Trails, Attn: Title VI Coordinator, 2931 Rufina Street, Santa Fe, NM 87507. For questions or a full copy of the Santa Fe Trails Title VI policy and complaint procedures call 505-955-2001 or email tamartinez@santafenm.gov.

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): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No				

If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> 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:
 Santa Fe Trails Title VI Coordinator
 2931 Rufina Street
 Santa Fe, NM 87507
 For assistance contact 505-955-2223

PART FOUR Public Participation

Public Participation Plan (PPP)

The Santa Fe Trails Public Participation Plan (PPP) describes how the Santa Fe Trails communicates and distributes information to the public as well as how the public can interact and provide comments to the Santa Fe Trails. The needs of those traditionally underserved by the existing system will be sought and considered by the transit system.

Through its public involvement efforts, the Santa Fe Trails will strive to achieve the following Title VI and Environmental Justice (EJ) goals:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Title VI states that no person shall, on the ground of race, color, or national origin, be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The Santa Fe Trails will ensure that the input and feedback from all people will be considered in the development of Santa Fe Trails planning documents and activities.

EJ concerns and goals should be considered throughout all public engagement efforts, from project planning through construction and operation. This includes public outreach conducted during transportation planning and during the environmental reviews required by the National Environmental Policy Act (NEPA).

To encourage minorities to participate in developing Santa Fe Trail policies, the following actions relating to Environmental Justice and Title VI will be taken to reduce the barriers for participation in the decision-making process by low income, minority or disabled individuals. Over the past three years, Santa Fe Trails has actively undertaken the following activities:

1. When possible, public meetings will be held in locations that are convenient to low and moderate income neighborhoods and accessible to disabled populations. Such locations include community centers, senior centers and schools. Where possible, the staff of Santa Fe Trails will meet at the locations of businesses, neighborhood groups, stakeholders, and other agencies.
2. Upon request, all Santa Fe Trails work products and documents will be made available in alternative formats, including Braille, large type and languages other than English.
3. The following statement will be included in all Santa Fe Trails documents: The Santa Fe Trails does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services. This document can be made available in alternative formats by calling the Santa Fe Trails Office at 505-955-2011.

4. The following statement will be included in all meeting announcements:
If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please call 505-955-2001 or Toll Free 866-551-7433 or send an email to snbolleter-gonzales@santafenm.gov five working days prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Public Works Administrative Assistant if a summary or other type of accessible format is needed.
5. Agencies and organizations that represent low income, minority and disabled populations will be identified and included in Santa Fe Trails mailings. Staff will maintain an active listing of contacts for these organizations. These organizations include SCORE (Mentoring Small Business Entrepreneurs), Santa Fe Small Business Center, and Santa Fe Hispanic Chamber.
6. The Santa Fe Trails will evaluate Environmental Justice actions and Title VI requirements on an annual basis to ensure effectiveness of public involvement. This document will be reviewed and updated in conjunction with the Public Participation Plan.
7. The Transit Advisory Board is made of citizens reflecting the diversity of our community including a range of races, ages, and sex. The TAB includes frequent Santa Fe Trail riders and actively supports and advocated for the needs of minority and LEP groups.
8. In addition to information/community meeting opportunities, a primary opportunity for public participation over the past three years has information in The Santa Fe Office of Economic Development Newsletter. In addition to Meeting information, Workforce Resources and Small business Financing, all RFPs are publishes in this bilingual format. The most recent newsletter offers information about a Black Foundation Start-Up Grant and a Backstage Capital Grant targeting the LGBTQ. Santa Fe Trails maintains information about these options and is a frequent source of transit to meetings. newsletters published by

Communication and Notification to the Public

All members of the public are ensured protections against discrimination which are afforded to them by Title VI. To ensure open communication with the public, the Santa Fe Trails will adhere to the following requirements:

- The Santa Fe Trails will disseminate agenda and public meeting information to members of the public via accessible printed and electronic media, including postings on the transit's website. Documents and agendas will be available at the Santa Fe Trails Office 2931 Rufina Street.
- Public notices of Santa Fe Trails meetings will be posted at the location of the meeting site.
- In appropriate documents, the Santa Fe Trails will include a statement that the organization complies with Title VI by assuring that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any Santa Fe Trails transit program, activity, or service.

PART FIVE System-Wide Service Standards/Policies

System-Wide Service Standards/Policies

Service Standards and Policies have been developed to assure that frequency of service, age and quality of vehicles assigned to routes, quality of stations and location of routes are not determined on the basis of race, color, or national origin. No person will be excluded from participation or denied benefits of the service based on race, color or national origin.

Service Standards:

Vehicle Load:

Vehicle loads will be determined by the seating capacity of specific vehicles: All vehicles are equipped with standee bars/rails.

Average Vehicle Load Standards: Passenger Capacities				
Vehicle Type	Seated	Standing	Total	Maximum Load Factor
35ft Bus	30	15	45	1.3
30ft Bus	25	15	40	1.3
Vans	23	8	31	1.3

Headway:

Headway (the amount of time between two vehicles traveling in the same direction, vary depending on the service provided and the day of week. Headway standards for current services include:

Headways (May vary based on Peak Times/Early Morning/Late Night)			
Santa Fe Trails	Weekday	Saturday	Sunday
Route 1	25	60	60
Route 2	15	30	30
Route 4	30	60	60
Route 5	60	60	No Service
Route 6	60	60	No Service
Route M	60	60	60
Route 21	70	No Service	No Service
Route 22	60	No Service	No Service
Route 24	35	70	70
Route 26	70	70	70
Historic Shuttle	15	15	15
Museum Shuttle	30	30	30
Canyon Road Shuttle	30	30	30

On Time Performance:

On-time performance is based on monitoring the daily operations of Santa Fe Trails' route, Commuter, and Shuttle services based on published standards. Our target is 95% of all transit vehicles will complete the established runs no more than 5 minutes early or late.

A vehicle is considered on time if it departs a scheduled time point within 3 minutes of the published time. Our target for on-time performance is 90% or greater.

Performance is monitored by Dispatch as well as GPS tracking installed on each vehicle. We also encourage all riders to comment on all aspects of service including on-time performance.

Service Availability Standards:

The Santa Fe Trails has designed three levels of service to insure availability to a maximum number of riders.

Routes: Operates in five neighborhoods providing access to residents within a ¼ mile walk to the nearest bus stop. Service is more frequent during peak hours on the weekday, with less frequent service on Saturday and Sunday

Commuter Routes: Operates to service college/business parks with maximum service during peak hours. Two routes do not have weekend service with limited service on Saturday and Sunday to two educational centers.

Shuttle: Operated in the heavily traveled shopping, art, and museum districts frequented by many tourists and visitors. In addition to providing easy on/Off service, the shuttle provides significant relief from traffic/parking congestion.

Service Policies

Distribution of Transit Amenities:

Bus stop signs are located along the route.

Printed information is available on each vehicle. Also posted on each vehicle are route maps and visitor information. Video technology, available on all vehicles, is used to provide current information.

Waste receptacles are placed throughout the City.

Vehicle Assignment

The average age of the vehicles is 7 (seven) years. Vehicles are assigned based on capacity required (i.e. for route service, larger vehicles on weekdays, and smaller vehicles on weekends). Vehicles are rotated between routes to assure equitable access to newer vehicles. All vehicles have similar technology such as video capacity and GPS locators.

PART SIX: Limited English Proficiency Plan

I. INTRODUCTION

This Limited English Proficiency (LEP) Plan, for the Santa Fe Trails/dba Santa Fe Trails has been developed in response to federal requirements included under Section 601 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), which provides that no person 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.”

Federal Executive Order No. 13166, issued in August 2000 by President Clinton, "Improving Access to Services for Persons with Limited English Proficiency," was created to “... improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)..." President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001, by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. and Acting Assistant Attorney General, Loretta King directed a strengthening of enforcement of Title VI in a memorandum dated July 10, 2009.

As a sub-recipient of funds from the Federal Transit Administration (FTA), through the New Mexico Department of Transportation (NMDOT), this Limited English Proficiency (LEP) Plan for the Santa Fe Trails has been developed to ensure compliance with Federal LEP regulations. It includes an assessment of the limited English proficiency needs of our area, an explanation of the steps we are currently taking to address these needs, and the steps we plan to take in the future to ensure meaningful access to our transit programs by persons with limited English proficiency.

II. POLICY

It is the policy of the Santa Fe Trails to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. The Santa Fe Trails will, to the maximum extent feasible, in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided.

The Santa Fe Trails will comply with the “safe harbor” concept as it applies to the translation of documents when certain thresholds are exceeded. Oral interpretation may be acceptable access when the translation of documents becomes burdensome as to defeat the legitimate objectives of a program. Safe Harbor guidelines include:

Size of Language Group	Recommended provision of written language assistance	Santa Fe Trails Population Groups Meeting Safe Harbor Guidelines
1,000 or more in eligible population in the market area or among current beneficiaries.	Translated vital documents.	Spanish, Asian and Pacific Island
More than 5% of the eligible population or beneficiaries and more than 50 in number.	Translated vital documents.	Spanish, Asian and Pacific Island
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents	Spanish, Asian and Pacific Island, Other Indo European.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written Translation is required.	Spanish, Asian and Pacific Island, Other Indo European

III. LIMITED ENGLISH PROFICIENCY NEEDS OF AREA

The *Four-Factor Analysis* developed by the FTA requires that information be included in LEP Plans regarding the number and percentage of LEP persons in our area, and the nature, frequency and importance of the contact we have with LEP persons in providing transit services. Each of these elements is addressed below.

Factor 1. Number and Percentage of LEP Persons in Our Area

1. Permanent Population

As shown in the table below, it is estimated that 10.5% (14,565) of our residents over the age of 5 speak English less than very well. Of that portion of the population that speaks English less than very well, 31.3% speak Spanish, 29.7% speak Asian and Pacific Island languages, 13.5% speak other Indo European languages, and 8% speak other languages.

Number or Proportion of LEP Individuals			
Subject	Total	Speaks English Very Well	Speaks English Less than Very Well
Population 5 Years or Over	138,713	89.5%	10.5%
Total Speaks a Language other than English	35.4%	70.4%	29.6%
Spanish	31.6%	68.7%	31.3%
Other Indo European	1.8%	86.5%	13.5%
Asian and Pacific Island	0.8%	70.3%	29.7%
All Other	1.2%	92.0%	8.0%
US Census 2010-2014, American Community Survey, 5 Year Estimate			
Extract from US ACS Table			

Factor 2 & 3 Nature, Frequency and Importance of LEP Contact

1. Nature of Contact

The Santa Fe Trails provides deviated fixed route service throughout the community. Mobility limited persons are accommodated in compliance with the Americans with Disabilities Act.

Contacts with all riders as well as LEP persons include:

- All contact information is available in Spanish
- All printed brochures/schedules are available in Spanish when requested.
- Phone numbers to contact for additional information are prominently displayed on both the printed schedule and each bus.

The Transportation Manager will provide Dispatch/Driver Supervisors with specific direction to monitor and record in daily dispatch record the frequency of contacts with LEP persons.

Information will be reviewed quarterly. The Transit Division Director will monitor and ensure that Title VI provisions and LEP persons are not denied or delayed in the provision of any service or benefit from the transportation planning process or the implementation of federally funded projects.

2. Frequency of Contact

While Santa Fe Trails does not have any record which indicates the frequency that LEP persons contact to request alternate language service, based on driver feedback, there are minimal requests for additional alternate language information.

3. Importance of Contact

In rating the importance of current contacts or potential contacts with LEP individuals, the Santa Fe Trails is taking the position that all riders are important and while there are minimal requests for alternate languages, this service will be provided.

Factor 4. Resources Available for LEP Outreach

The Santa Fe Trails will allocate the necessary resources for LEP outreach. At this time it includes funding for translation service and website enhancement. There is a significant number of bilingual staff speaking both English and Spanish when oral translation is needed.

IV. LANGUAGE ASSISTANCE PLAN

A. How Will You Identify LEP Persons Who Need Language Assistance?

- Driver Team will be front line for identifying needs
- Dispatch/Driver Supervisors will monitor and record requests for LEP
- Language alternatives will be coordinated with Santa Fe MPO; New Mexico Road Runner Express will be advised of access to alternate languages if needed.
- City Council will be advised of plan.

B. How Will You Identify Language Assistance Measures?

- Actively review additional options for providing service.

- Monitor number of request for alternate language materials based on requests recorded by Dispatch/Driver Supervisors...

C. How Will Your Staff Be Trained?

- Driver Team training will include Customer Service Standards with a module on assisting Limited English Proficiency riders
- All Dispatch/Information staff will have availability to a bilingual staff person.

D. What Will Be Your Outreach Efforts?

- All requests for information will be provided in alternate languages.
- Drivers will be asked to provide input into additional opportunities to reach non-English speakers.
- We will continue to maintain and support contact with organizations supporting minority communities including SCORE Mentors, Santa Fe Small Business Center, and the Santa Fe Hispanic Chamber.

E. What Is Your Monitoring and Updating Plan?

- Request routine feedback from Driver Team contractor concerning any increased demand/incidents of needing information.
- Update brochure in alternate languages as needed.

F. How Will You Disseminate Your LEP Plan?

- Copies will be provided to Driver Team Supervisors.
- Copies will be provided and reviewed by the TAB.
- All Administrative Staff will be provided with a copy.

FISCAL IMPACT REPORT**General Information:**(Check) Bill: _____ Resolution: X Short Title(s): Title VI Approval by Governing BodySponsor(s): Mayor WebberReviewing Department(s): Public Works DepartmentStaff Completing FIR: David A. Chapman Date: 9/28/21 Phone: 660-2619Reviewed by City Attorney:  Date: Oct 5, 2021Reviewed by Finance Director:  Date: Oct 8, 2021**Summary:**

Santa Fe Trails is required to submit a Title VI Program to the Federal Transit Administration (FTA) once every three years. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in the provisions of benefits and services resulting from federally assisted programs and activities.

Departments Affected:Public Works Department**Consequences of Not Enacting Legislation:**

The City of Santa Fe, Santa Fe Trails would be in violations of Federal Guidelines as outlined in Final Circular, 4702. 1B and thus would be ineligible to receive Federal funding for Transit Operations or Transit Capital Projects.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:None identified.**Performance and Administrative Implications:**None identified.**Fiscal Implications:**Loss of current and future FTA Funding for Santa Fe Trails.**Fiscal Impact** X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
<u>Personnel and</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Benefits*</u>							
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Contractual/</u>	\$ _____	\$ _____	\$ _____		_____	_____	
<u>Professional Services</u>							
<u>Operating</u>	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____				\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

Revenue Narrative:

Signature: Thomas Martinez
Thomas Martinez (Oct 5, 2021 15:30 MDT)

Email: tamartinez@ci.santa-fe.nm.us

Signature: David A. Chapman
David A. Chapman (Oct 6, 2021 00:16 MDT)

Email: dachapman@ci.santa-fe.nm.us

Signature: 

Email: rawheeler@ci.santa-fe.nm.us

Title VI Transit Program Adoption

Final Audit Report

2021-10-08

Created:	2021-10-05
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-CWpll7tvWKd_cdmvaD6TLxcheuibjeZ

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Agreement completed.

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