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**Regional Transit**  
Title VI Program Update

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DRAFT

March 24, 2017

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## **1. Introduction**

### **1.1 RT Profile**

The Sacramento Regional Transit District (RT) began operation on April 1, 1973, with the acquisition of the Sacramento Transit Authority. In 1971, California legislation allocated sales tax money for local and statewide transit service, and created the organizational framework for RT pursuant to the Sacramento Regional Transit District Act.

An 11-member Board of Directors is responsible for governing RT. The Board is comprised of four members of the Sacramento City Council, three members of the Sacramento County Board of Supervisors, one member of the Rancho Cordova City Council, one member of the Citrus Heights City Council, one member of the Folsom City Council and one member of the Elk Grove City Council. The Board is responsible, among other things, for approving contracts, planning service and capital projects, passing ordinances, adopting the budget, appointing committees and hiring both RT's General Manager/Chief Executive Officer (GM/CEO) and Chief Counsel. RT's GM/CEO is responsible for carrying out the policies and ordinances of the Board, for overseeing RT's day-to-day operations, and for appointing the executive management of the various divisions.

RT provides bus and light rail service 365 days a year. Annual ridership has steadily increased on both the bus and light rail systems from 14 million passengers in 1987, when light rail operations began, to over 24 million passengers in the fiscal year ended June 30, 2016. RT's entire bus and light rail system is accessible to the disabled community. Additionally, through a contract with Paratransit, Inc., RT provides origin-to-destination transportation service (in accordance with the Americans with Disabilities Act of 1990) for people that are unable to use fixed-route service.

### **1.2 Requirements and Guidance**

As a condition of RT's grant agreement with the Federal Transit Administration (FTA) and RT's annual certifications and assurances made to the FTA, RT is required to submit evidence to the FTA on a triennial basis documenting RT's compliance with requirements set forth in FTA Circular 4702.1B on Title VI of the Civil Rights Act of 1964, which states, in Section 601:

*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.*

There are two Presidential Executive Orders that place further emphasis upon the Title VI protections of race and national origin.

Executive Order #12898 ("*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*") directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations.

Executive Order # 13166 (“*Improving Access To Services For Persons With Limited English Proficiency*”) directs federal agencies to evaluate services provided and implement a system that ensures that persons with Limited English Proficiency are able to meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency. Additionally, each federal agency shall ensure that recipients of federal financial assistance provide meaningful access to their Limited-English-Proficiency applicants and beneficiaries.

Circular 4703.1 went into effect on August 15, 2012 to provide recipients of FTA financial assistance with guidance to incorporate environmental justice principles into plans, projects, and activities that receive funding from FTA.

Circular 4702.1B went into effect on October 1, 2012 to assist grantees in complying with Title VI of the Civil Rights Act of 1964. The purpose of this Circular is to provide recipients of FTA financial assistance with instructions and guidance necessary to carry out the U.S. Department of Transportation’s Title VI regulations (49 CFR part 21).

### **1.3 Checklist of Requirements**

RT is required to submit the following information to FTA as part of the Title VI Program. RT subrecipients shall submit the information below to RT on a schedule to be determined by RT.

- Title VI Notice to the Public
- Title VI Complaint Procedure
- Title VI Complaint Form
- List of Transit-Related Title VI Investigations, complaints, and lawsuits
- Public Participation Plan
- Language Assistance Plan
- Table of Non-Elected Committees and Councils
- Subrecipient Monitoring
- Title VI Equity Analyses (Facilities, Service, and/or Fare)
- RT Board Resolution – Approving Title VI Program
- Service Standards
- Service Policies
- Demographic and Service Profile Maps/Charts
- Demographic Ridership & Travel Patterns (collected by surveys)
- Service Monitoring (including Board Approval)
- Description of Public Engagement Process

### **1.4 Prior Update**

RT is required to update its Title VI program every three years. RT’s previous Title VI program covers the period from June 1, 2014 to June 1, 2017. This version covers the period from June 1, 2017 to June 1, 2020 and must be approved by the RT Board and transmitted to FTA by June 1, 2017.

## **2. General Requirements**

### **2.1 Notice to the Public**

*Requirement:* All recipients must provide a copy of the recipient's Title VI notice to the public that indicates the recipient complies with Title VI, and informing members of the public of the protections against discrimination afforded to them by Title VI, as well as a list of locations where the notice is posted.

*Policy:* RT publicizes its Title VI notice in English, Spanish, Chinese, Vietnamese, Russian, and Hmong on all buses and trains and online at [www.sacrt.com](http://www.sacrt.com). A copy of the Title VI notice has been provided in Appendix A.

### **2.2 Complaint Procedures and Form**

*Requirement:* All recipients must provide a copy of instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.

*Policy:* A procedure for filing a formal Title VI discrimination complaint can be found online at [www.sacrt.com](http://www.sacrt.com) and may also be obtained from contacting RT's Customer Advocacy department. An abbreviated notice is also provided online in Spanish, Chinese, Russian, Vietnamese, and Hmong. All complaints of a Title VI nature made through RT's ordinary complaints process (through RT's Customer Advocacy Department by phone, mail, email, or web form) are also flagged as Title VI complaints.

Once a complaint is submitted, RT will acknowledge receipt of the complaint within seven days. A final, written determination of the outcome of the complaint will occur no later than 30 working days of receipt. If the complaint is not substantiated, the complainant is also advised of his or her right to appeal.

The complaint form and procedure are included in Appendix A.

### **2.3 Investigations, Complaints, and Lawsuits**

*Requirement:* All recipients must provide a list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission.

*Policy:* RT flags any complaints made to RT's Customer Advocacy Department that may be related to Title VI, regardless of whether or not the complainant mentioned Title VI. At the time of preparation of this report, RT reviewed complaints filed during the three-year and identified fourteen (14) Title VI-related complaints, each of which were investigated and closed, as shown in Appendix B. No Title VI lawsuits were filed during the same period.

### **2.4 Public Participation Plan**

*Requirement:* All recipients must provide a Public Participation Plan that includes an outreach plan to engage minority and Limited English Proficient (LEP) populations, as well as a summary of outreach efforts made since the last Title VI program submission.

*Policy:* RT's Public Participation Plan (PPP) has been included as Appendix C.

## 2.5 Language Assistance Plan

*Requirement:* All recipients are required to provide a Language Assistance Plan (LAP), which specifies policies and procedures for providing language assistance to LEP populations, in accordance with U.S. Department of Transportation LEP Guidance.

*Policy:* RT's Language Assistance Plan (LAP) has been included as Appendix D.

## 2.6 Committee and Council Composition

*Requirement:* Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees and a description of efforts made to encourage the participation of minorities on such committees or councils.

*Policy:* RT has one applicable body, the Mobility Advisory Council (MAC), which was established in 2005. The MAC is made up of seventeen members. Eleven seats are designated for affiliates or representatives of agencies or organizations providing services or advocacy for persons with disabilities and/or older adults; these members are nominated to MAC by the designated agency or organization and confirmed by the RT General Manager/CEO. Six seats are designated for at-large members, of which three are designated for representatives of older adults and three are designated for representatives of persons with disabilities; these members are selected by an interview panel and confirmed by the RT General Manager/CEO.

### Advisory Body Composition

	White/ Caucasian	Hispanic/ Lation	Black/African American	Asian American/ Pacific Islander	Native American/ Alaska Native
RT's Service Area	48.9%	21.7%	10.2%	13.3%	.6%
MAC Members	92%	0%	8%	0%	0%

As of the preparation of this report, there were no at-large vacancies and six organizational vacancies on the MAC. It has proved challenging in general to recruit viable members. RT does its best to ensure a diverse MAC, reflecting representation between seniors and those with varying types of disabilities, as well as minority representation. While efforts in the past to target agencies primarily representing or serving minority groups have been unsuccessful, the MAC's 2017 Work Plan makes this recruitment effort a priority.

## 2.7 Subrecipient Monitoring

*Requirement:* Primary recipients shall include a narrative or description of efforts used to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.

*Policy:* RT passes through federal funds from FTA to ten subrecipient agencies. In accordance with RT's annual certifications and assurances, RT's monitors subrecipient compliance with applicable federal rules and regulations, including Title VI. Subrecipient Title VI program status is as follows:

Agency	Status	Comments
City of Citrus Heights	Pending	Draft plan awaiting council approval
City of Elk Grove	No Monitoring Req'd	City is also a direct recipient of FTA
City of Folsom	In review	Currently under review
City of Placerville	Not approved	Has not provided documentation
City of Roseville	No Monitoring Req'd	City of Roseville is also a direct recipient of FTA
City of Sacramento	Approved	Expires November 2018
El Dorado Transit	Expired	Expired February 2017; awaiting update.
Paratransit, Inc.	Approved	Expires December 2017
Yuba-Sutter Transit	No Monitoring Req'd	YST is also a direct recipient of FTA
Yolo County Transp. Dist	No Monitoring Req'd	YCTD is also a direct recipient of FTA



## 2.8 Construction Projects

*Requirement:* If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the ground of race, color or national origin.”

Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

For the purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in Chapter IV of Circular 4702.1B, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

*Policy:* Three construction projects are discussed below: (1) the South Sacramento Corridor Phase 2 light rail extension project, (2) the Downtown Riverfront Streetcar project, and (3) the Sacramento Valley Station project.

South Sacramento Corridor Phase 2 - In 2013, RT began constructing the South Sacramento Corridor Phase 2 light rail extension project, which opened for revenue service in 2015. All construction-related Title VI requirements for this project were satisfied in RT’s 2014 Title VI program submission. A service change equity analysis of the new light rail service was approved by the RT Board on September 8, 2014.

Sacramento Valley Station – On June 13, 2016, the RT Board of Directors certified an Initial Study/Mitigated Negative Declaration (IS/MND) for the Sacramento Valley Station Area Improvements project, affirming that the project, after approved mitigation measures, would not result in any significant impacts. The project includes construction of 0.5-mile light rail loop, relocation of RT’s existing Sacramento Valley Station light rail station, an electric bus charging station, and a new light rail station at 7th Street and Railyards Boulevard, as shown in Appendix E.

Downtown Riverfront Streetcar - RT is a member of the Downtown Riverfront Streetcar (Project) Project Management Team (PMT). The Project is owned by the cities of Sacramento and West Sacramento. RT, as the FTA grantee, will take the lead role in coordinating the Small Starts submittal and advancing the engineering and design of the Project. It is also expected that RT, under contract with the cities, will initially operate the Project once open for revenue service.

The cities are expected to enter into a Joint Exercise of Power Agreement (“JEP Agreement”) setting forth the terms and conditions under which the Project will be implemented. The JEP Agreement will spell out the obligations of each city with respect to the financing, design, construction, operations and maintenance of the Project, including which city (or other public agency or private entity) shall have the lead responsibility for each of these Project categories.

An integral component of the governance of the Project will be the formation of Downtown Riverfront Streetcar, Inc. (“DRSI”). DRSI is anticipated to be a California non-profit public benefit corporation with tax-exempt status. The intent of the non-profit public benefit corporation formation is to allow the on-going operations, maintenance, and expansion to occur in a manner more flexible than would occur under direct management by the JEP. RT will work closely with DRSI and the cities to ensure, among other things, compliance with Title VI. RT would not be directly responsible for preparing Title VI compliance documents for the streetcar, but would be delegated FTA’s responsibility to assure that DRSI and/or the cities did so.

As of the preparation of this RT Title VI Program Update, the streetcar sponsors have not been awarded any Federal funds through RT. Therefore, there are no current requirements for a Title VI analysis of construction or service change equity.

An Initial Study/Environmental Assessment (IS/EA) was adopted by the Sacramento Area Council of Governments (SACOG) in August 2015 and has been included in Appendix E of this report for reference. The IS/EA was completed in February 2016 with FTA’s issuance of a Finding of No Significant Impact (FONSI). The IS/EA found that there would be no disparate impacts on minority populations and no disproportionate burdens on low-income populations as a result of the project’s construction.

## **2.9 Board Approval**

*Requirement:* A copy of board meeting minutes, resolution, or other appropriate documentation showing the Board of Directors reviewed and approved the Title VI program must be included.

*Policy:* This Title VI program update document will be made available for 30-day public review on March 24, 2017 and will be presented to the RT Board of Directors for review and approval on May 8, 2017. A copy of the resolution approving this document will be furnished to FTA, as required.

### **3. Requirements of Transit Providers**

The requirements in this section apply only to providers of fixed-route public transportation. FTA exempts small agencies from many of the transit-specific requirements; however, because RT operates 50 or more fixed-route vehicles in peak service and in an Urbanized Zone Area (UZA) of 200,000 or more in population, RT is subject to the full set of requirements in FTA Circular 4702.1B, Chapter IV, as follows.

#### **3.1 System-wide Service Standards and Service Policies**

*Requirement:* All fixed-route providers must submit system-wide service standards and system-wide service policies. FTA requires quantitative standards for all fixed-route modes of operation for each of six categories: (1) passenger loading, (2) vehicle headways, (3) on-time performance, (4) service availability, i.e., coverage, (5) vehicle assignment, and (6) stop/station amenities.

*Policy:* RT's Service Standards were adopted by the RT Board on August 26, 2013, as Resolution 13-08-0124 after an extended public review process that began in February 2013. A complete copy of these Service Standards has been provided as Appendix J.

#### **3.2 Demographic Maps and Charts**

*Requirement:* Transit providers that operate 50 or more fixed-route vehicles in peak service and are located in a UZA of 200,000 or more in population shall include a demographic analysis of the transit provider's service area. This shall include demographic maps and charts completed since submission of the last Title VI program that contains demographic information and service profiles.

*Policy:* Demographic maps and charts meeting FTA specifications were been incorporated into RT's Service Monitoring Report, which is discussed in Section 3.4.

#### **3.3 Demographic Ridership Data**

*Requirement:* Transit providers that operate 50 or more fixed-route vehicles in peak service and are located in a UZA of 200,000 or more in population shall include data regarding customer demographics and travel patterns collected from passenger surveys.

*Policy:* In 2013, RT participated in a region-wide on-board passenger survey for the purposes of establishing baseline consumer data in advance of implementation of a regional smart card known as the Connect Card. The Connect Card surveys captured ridership demographics on all RT bus and light rail routes, including both demographic categories such as ethnicity, household income, and English proficiency, as well as travel pattern data such as route, direction, time, number of transfers, home zip code, etc. Selected pages from this report have been included as Appendix F. In late 2016, RT began updating its passenger demographic data through a new round of passenger surveys that are in progress as of the date of this reports preparation.

### **3.4 Service Monitoring Report**

*Requirement:* Transit providers that operate 50 or more fixed-route vehicles in peak service and are located in a UZA of 200,000 or more in population shall include results of their program to monitor the performance of their transit system relative to their system-wide service standards and service policies not less than every three years, including evidence that the Board was aware of the results and approved the analysis.

*Policy:* A Title VI Service Monitoring report, prepared in accordance with FTA Circular 4702.1B, is included in this report as Appendix G for review and approval by the RT Board. RT has also incorporated demographic charts and maps into the Service Monitoring report to fulfill requirements discussed in Section 3.2.

In 2014, RT's Service Monitoring report found that additional benches were needed at bus stops in minority areas to achieve parity with non-minority areas. To close this gap, RT needed to install 92 benches in minority areas. Per FTA guidance, RT took corrective action to remedy this disparity to the greatest extent possible. Where ADA and other siting rules allowed, RT's Facilities Department installed non-ad-supported benches to correct this deficiency. The updated report shows that RT is still deficient in providing benches in minority areas; however, the gap has been reduced to the point that the transfer of five benches to minority areas would correct the disparity. RT will continue to address this deficiency.

### **3.5 Major Service Change Policy**

*Requirement:* Transit providers that operate 50 or more fixed-route vehicles in peak service and are located in a UZA of 200,000 or more in population shall include a description of the public engagement process for setting the major service change policy, disparate impact policy, and disproportionate burden policy, as well as a copy of board meeting minutes or a resolution demonstrating the Board's consideration, awareness, and approval of the major service change policy and disparate impact policy.

*Policy:* RT's Service and Fare Change Policies were revised and restated in 2013 to bring RT into full compliance with the guidance set forth in FTA Circular 4702.1B. RT's Service and Fare Change Policies were developed in conjunction with RT's Service Standards, so that public engagement efforts could be combined. Draft versions of both documents were first released to the RT Board and to the general public on February 25, 2013. Public engagement efforts included the following:

- Publication on RT's web page
- Announcements in Spanish, Chinese, Vietnamese, Hmong, and Russian
- Non-English interpretation service made available upon request (no requests made)
- Email announcements to RT's mailing list of over 1,500 subscribers
- Announcements in the March and July 2013 editions of RT's monthly newsletter
- Mini-posters on RT buses and light rail vehicles and rack cards distributed to 19 area community centers and libraries
- Three presentations to RT's Mobility Advisory Council
- Four presentations to RT's Board of Directors, including one major hearing

- Presentations or one-on-one meetings with representatives from over 40 organizations or agencies affiliated with low-income, minority, or Limited English Proficiency communities

A total of twelve comments were received by phone or email and were received and presented to the RT Board prior to adoption of the final version on August 26, 2013, as Resolution 13-08-0125.

On November 9, 2015, at a properly noticed public meeting of the RT Board of Directors, RT approved a new fare change policy, Resolution 15-11-0129, as part of a broader fiscal accountability policy development initiative. RT's disparate impact and disproportionate burden definitions were unchanged and are preserved in Appendix A of the new overall policy, which can be found as Appendix K of this document.

Because the new fare change policy did not repeal the prior service and fare change policies, and because it restated only the fare change element of the prior policy, on December 14, 2015, at a properly noticed public meeting of the RT Board of Directors, the RT Board repealed the prior service and fare change policy and restated the service change element of it as Resolution 15-12-0137. A copy of this policy is included as Appendix J to this report.

### **3.6 Service and Fare Equity Analyses**

*Requirements:* Transit providers that operate 50 or more fixed-route vehicles in peak service and are located in a UZA of 200,000 or more in population shall include results of equity analyses for any major service changes and/or fare changes implemented since the last Title VI program submission, as well as a copy of board meeting minutes or a resolution demonstrating the board's consideration, awareness, and approval of the equity analysis for any service or fare changes.



*Policy:* Since RT's last Title VI program update, RT has made five major service changes and two fare changes, each of which underwent a Title VI equity analysis (see Appendix H):

Project	Analysis Type	Approved
Blue Line to CRC light rail extension (Sept 2015)	Service	9/18/14
Route 28 changes (April 2015)	Service	12/8/14
September 2015 service changes (Routes 25, 61, 65, 84)	Service	2/23/15
Rancho Cordovan changes (Oct 2015)	Service	10/26/15
Los Rios college pass program changes (Jan 2016)	Fare	12/14/15
Fare increase (July 2016)	Fare	3/14/16
Granite Shuttle discontinuation (Sept 2016)	Service	9/25/16
Multiple new fare types	Fare	3/14/17

On January 3, 2016, RT released a mobile fare app for smartphones. RT does not treat the introduction of new forms of *fare media* as a fare change; however, the mobile fare app included a 90-minute fare, which was a new *fare type*, not previously available in any format. The Title VI implications of this new fare type were analyzed by RT. The analysis found there would not be any disparate impacts on minority populations nor any disproportionate burdens on low-income populations from the new program.

On November 16, 2016, RT introduced a contactless smart card known as the Connect Card. The Connect Card is a regional fare platform developed by the Sacramento Area Council of Governments. On March 13, 2017, the RT Board temporarily authorized, for a six-month period, a new fare type available on the Connect Card, designated a "daily best fare," which will cap a customer's daily payments through the Connect Card at RT's daily pass price. Prior to making this fare type permanent, a fare equity analysis will be prepared for the RT Board to approve.

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