

CITY UTILITIES OF SPRINGFIELD

TITLE VI PLAN

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

City Utilities of Springfield has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter IX of the Federal Transit Administration Circular 4702.1A, dated May 13, 2007. If you believe that City Utilities has discriminated your civil rights on the basis of race, color, national origin, age, disability, religion or sex you may file a written complaint by following the procedure outlined below under Title VI Plan/Complaint procedure:

TITLE VI CITY UTILITIES' RESPONSIBILITIES

According to Federal Law City Utilities with the assistance of the Metropolitan Planning Organization (MPO), or Ozarks Transportation Organization (OTO), shall be responsible for the following:

- Analyze regional data to identify minority and low-income population concentrations within the region. Commitment of MPO staff and financial resources for this technical work can be demonstrated in the Work Program. The MPO staff can explain how the technical resources (models, Geographic Information Systems (GIS), data bases and analysis, etc.) are used for Title VI-related planning and analysis. The MPO and City Utilities staff might be asked to discuss this and how the technical information generated is used in planning.
- The MPO will provide City Utilities with regional data that assists them to identify minority and low-income populations in their subregion or service area. The MPO might discuss the extent to which this information is useful and used by participating agencies.
- Establish appropriate standards, measures, and benchmarks, and analyze the transportation processes such as demographics, service standards, service policies, and service and fare changes, TIP, and other City Utilities and MPO actions, plans, and investments to ensure they are consistent with, and do not violate, Title VI of the Civil Rights Act and the Executive Order on Environmental Justice. Effort in these areas might be demonstrated in the MPO UPWP, as well as within the TIP, and in discussions of how this analysis is used in the planning process.
- Ensure that members of low income and minority communities, including Indian tribal governments, are provided with full opportunities to engage in the regional transportation planning process. This includes acting to eliminate language, mobility, temporal, and other obstacles to allow them to fully participate in the process. The MPO and City Utilities should be

able to provide documentation such as public meeting agendas and minutes, and a discussion of how successfully related staff uses information with the described groups.

- Where appropriate, the MPO will monitor the activities of member agencies such as City Utilities and other transportation agencies in the region regarding compliance with Title VI and environmental justice requirements. This can be done through on-going reviews as part of oversight of documents, including agendas, minutes, technical memoranda, federal attendance at meetings, in desk reviews, and in discussions with local participants in the site visit.
- The MPO will evaluate City Utilities transportation system to ensure that services are accessible to persons with disabilities.

Over the past few years, the U.S. DOT has encouraged a proactive approach to the participation of protected groups and implementation of Title VI requirements. This approach is intended to ensure compliance with other related requirements, such as the National Environmental Policy Act.

Addressing requirements successfully requires several categories of actions:

- Establishing goals and measurements for substantiating compliance. These measurements should be used to verify that the multi-modal system access and mobility performance improvements in the Transportation Plan, TIP, and underlying planning process comply with Title VI and related requirements.
- The MPO and City Utilities must consider the needs of low-income and minority populations in the existing conditions analysis prepared as part of the transportation process. This information will provide the planning context for future transit projects.
- The MPO and City Utilities must have a public involvement process that proactively seeks out and addresses the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households.
- The MPO has a role in public involvement, but must also work with the MODOT, City Utilities, and Missouri State University to carry out the metropolitan planning process, including public involvement.
- The products of the transportation process—Long Range Transportation Plan, TIP, and the UPWP must demonstrate consistency with Title VI and related requirements and principles.

TITLE VI COMPLAINT PROCEDURE

1. **Submission of Complaint:** Any person or group who feels that he or she, individually, or as a member of any class of persons, on the basis of race, color, national origin, age, sex, disability, religion, or low-income

status has been unfairly deprived of benefit, or unduly burdened by the transportation planning process, or denied the benefits of, or subjected to discrimination caused by City Utilities may file a written complaint with the City Utilities Director of Transit. A sample complaint form may be downloaded from City Utilities – Transit website. You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not the form is used. Such complaints must be filed within 60 calendar days after the date the person or group believes the discrimination or encumbrance occurred. Note: Upon request, assistance, in preparation of any necessary written material, will be provided to a person(s) who is unable to read or write. Complaints should be mailed or sent to:

**City Utilities of Springfield
Director of Transit
1505 N. Boonville Avenue
Springfield, MO 65803
Phone #: 417-831-8784
Fax#: 417-831-8803**

2. **Referral to Review Officer:** Upon receipt of the Complaint, the City Utilities' Director of Transit, shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the Complaint. The Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date City Utilities received the Complaint. If more time is required, the Director of Transit shall notify the Complainant of the estimated time frame for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the Complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to City Utilities processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the Director of Transit, for concurrence. If the Director of Transit concurs, he or she shall issue City Utilities written response to the Complainant.

3. **Request for Reconsideration:** If the Complainant disagrees with the Director of Transit's response, he or she may request reconsideration by submitting the request, in writing, to the Director of Transit within 10 calendar days after receipt of the Director of Transit's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Director of

Transit. The Director of Transit will notify the Complainant of her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where the Director of Transit agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Paragraph 2, above.

4. **Appeal:** If the request for reconsideration is denied, the Complainant may appeal the Director of Transit's response by submitting a written appeal to the Metropolitan Planning Organization (MPO) Board no later than 10 calendar days after receipt of the Director of Transit's written decision rejecting the reconsideration. The MPO Board will review all the information and documents that have been submitted and determine whether they agree or disagree with the Director of Transit's decision. The Complainant will be notified no later than 45 calendar days from the date of appeal to the MPO Board of the MPO Board's decision.

5. **Submission of Complaint to the State of Missouri Department of Transportation:** If the Complainant is dissatisfied with City Utilities and the MPO's resolution of the Complaint, he or she may also submit a written Complaint within 180 days after the alleged date of discrimination to the State of Missouri Department of Transportation for investigation:

MODOT
3025 E. Kearney Street
P.O. BOX 868
Springfield, MO 65801
Phone: 1-888-ASK-MODOT/ 417-895-7600
Fax: 417-895-7711