

Board of Directors Meeting

Thursday, October 17, 2024

Wayne County Community College District

801 Fort Street, Detroit, MI 48226

[Zoom Virtual Public Participation](#)

1:00 PM

AGENDA

1. Call to Order
2. Roll Call
3. **Approval of Agenda**
4. Public Comment- Time Limitation for Public Comment = 3 minutes per speaker
5. Executive Directors Report
6. Presentations
7. Consent Agenda
 - a. **Approval of the September 2024 Board Meeting Summary**
 - b. **Approval of the September 2024 Financial Reports**
8. Regular Agenda
 - a. **Approval of RTA Insurance Package**
 - b. **Approval of Title VI Policy Update**
 - c. Executive Director Review Process
9. New Business
10. Adjourn

The Board may, at its discretion, revise this agenda or take up any other issues as needed, and time allows. Request for reasonable accommodation at RTA meetings requires advanced reservations. Individuals with disabilities requiring assistance should contact RTA Information Services at least 48 hours in advance of the meeting. Documents and information are available in a variety of formats. Contact the RTA at info@rtamichigan.org or call 313-402-1020 to discuss your format needs.

**Proposed Meeting Summary
Board of Directors**

Thursday, September 19, 2024
1:00 PM

1. **Call to order at 1:05 PM**
2. **Roll Call:** Jeannette Bradshaw; Helaine Zack; Freman Hendrix, Alma Smith; Erica Robertson; Ned Staebler (virtual); Jon Moore; Don Morandini; Dave Massaron; June Lee. A quorum was present.

RTA Representatives Present:

Ben Stupka; Julia Roberts, Corri Wofford; Khalil Davis; Melanie Piana; Kameron Bloye; Isaac Constans; Kristin Caffray; Shauna Morris; Travis Grubb.

Other Meeting Participants:

Morrow and Associates – RTA Consultant
Dykema – M1 Rail / QLINE legal representation
Miller Canfield – RTA legal
WSP – RTA Planning Consultant
Lisa Nuskowski – M1 Rail, CEO
Michelle Hodges, Rehmann – RTA Consultant
Michael Staley - DDOT

3. **Approval of Agenda**
Moved by Helaine Zack and supported by Don Morandini. The September 19, 2024 agenda was approved.
4. **Public Comment**
 - Michael Cunningham II, provided a comment on advocacy for bus coaches.
 - Robert Pawlowski commented publicly on RTA's leadership in improving transit across the region and voiced his support for QLINE.
 - TRU Engagement Director Lukas Lasecki supported the QLINE becoming a public service under the RTA.
5. **Executive Directors Report**
Mr. Stupka presented the Executive Directors Report to the Board, providing a summary concerning:

- Access to Transit Plan public engagement activities underway and attending events across the region
- Executive Director was accepted into the Association Public Transit Association (APTA) national Executive Leadership program, a one-year program that starts September 2024.
- Team members will represent the RTA at multiple conferences in September, including the Move America Conference, Julia Roberts, and Khalil Davis; Melanie Piana and Kristin Caffray will attend the Michigan Association Planning conference in Grand Rapids, and Ben Stupka will be a panelist at the Southern Wayne County Regional Chamber Business Forum on September 23.
- Introduction of new Procurements and Contracts Manager, Travis Grubb, started seven weeks ago and is already having a positive impact.
- Executive Assistant Shauna Morris accepted a new opportunity with Wayne County and will depart after six years of service to the RTA.

6. **Presentations**

- a. Corri Wofford, External Affairs Director, presented an overview of RTA's communication and engagement growth and unveiled a new brand identity with a new logo, colors, and tagline.
- b. Julia Roberts, Planning and Innovation Director, presented on D2A2 success key performance indicators, including incredible rider satisfaction with the express bus service.

7. **Consent Agenda**

- a. Approval of the July 2024 Board Meeting Summary
- b. Approval of the July and August 2024 Financial Reports
- c. Approval of Audit Services Notice of Award Approval of D2A2 Contract Assignment
Moved by Freeman Hendrix and supported by Jon Moore, the September 2024 Consent Agenda items were passed unanimously.

8. **Regular Agenda**

- a. Approval of QLINE Street Railway System Transfer & Purchase Agreement Resolution



Moved by Alma Smith and seconded by Erica Robertson, and passed unanimously.

b. Approval of QLINE Public Transportation Agency Safety Plan Resolution

Moved by Jon Moore, seconded by Helaine Zack, and the agenda item passed unanimously.

c. Approval of QLINE Related Administrative Contracts

The item passed unanimously, moved by Erica Robertson and supported by Freeman Hendrix.

9. **Public Hearing- Budget Presentation**

Chair Massaron opened the public hearing for the FY2025 Budget Presentation at 1:50pm, moved by Helaine Zack and seconded by Don Morandini.

Executive Director Ben Stupka presented the FY2024-25 Budget and Business Plan for RTA and QLINE's strategic priorities and streetcar operations.

Public Comment:

- Robert Pawlowski, Vice Chair of the RTA Citizens Advisory Council and transit advocate, voiced support for the SOAR legislative bill and encouraged the RTA not to support public dollars to pay for services that Detroiters won't use; expressed support for the Mobility Wallet program.
- Lucas Lacksi commented on the easy to understand RTA budget.

Moved by Alma Wheeler-Smith and supported by Erica Robertson, to adopt the RTA's FY2024-2025 Budget and Business Plan.

10. **New Business**

There was no new business.

11. **Meeting adjourned at 2:02 PM**



Regional Transit Authority of Southeast Michigan

Statement of Position

as of

September 30, 2024

	Current Yr 9/30/2024	Prior Yr 9/30/2023
Assets		
Cash and Cash Equivalents	\$ 538,613	\$ 81,806
Accounts Receivable	501,950	1,290,077
Prepays and Other Current Assets	11,543	1,360
Total Assets	<u>\$ 1,052,106</u>	<u>\$ 1,373,242</u>
Liabilities		
Accounts Payable	\$ 905,971	\$ 1,236,999
Accrued Payroll and Related Liabilities	55,728	45,944
Refundable Advance	81,361	82,486
Total Liabilities	<u>\$ 1,043,060</u>	<u>\$ 1,365,430</u>
Net Assets		
Fund Balance	\$ 7,813	\$ 1,413
Net Revenue	1,233	6,399
Total Net Assets	<u>\$ 9,046</u>	<u>\$ 7,813</u>
Total Liabilities and Net Assets	<u>\$ 1,052,106</u>	<u>\$ 1,373,242</u>

Regional Transit Authority of Southeast Michigan
PRELIMINARY
Statement of Activity
Admin - FY2024 YTD Comparison to Budget
September 30, 2024

	Actual	Actual	Actual	Admin YTD	Budget YTD	Annual Budget
	ADMIN - ARPA	ADMIN - MDOT 2023/2024	Interest/Other Admin	Total		
Revenue						
Federal Grants	\$ 1,942,621	\$ -	\$ -	\$ 1,942,621	\$ 2,964,493	\$ 2,964,493
State Grants - Matching	-	-	-	-	-	-
State Grants	-	315,993	-	315,993	359,687	359,687
Local Grants	-	-	-	-	-	-
In-Kind Revenue	-	1,500	-	1,500	-	-
Project Match Revenue	-	-	-	-	-	-
RTA Regional Planning Set-Aside	-	-	-	-	-	-
Other	-	-	1,545	1,545	-	-
Total Revenue	\$ 1,942,621	\$ 317,493	\$ 1,545	\$ 2,261,659	\$ 3,324,180	\$ 3,324,180
Administrative Expenses						
Operating:						
Personnel	\$ 1,113,784	\$ -	\$ -	\$ 1,113,784	\$ 1,503,443	1,503,443
Conferences/Travel/Training	-	49,456	-	49,456	45,405	45,405
Memberships and Subscriptions	-	9,284	-	9,284	11,257	11,257
Board & Public Mtg Management	-	7,405	11	7,417	16,600	16,600
Finance, Legal, Government Relations	186,536	92,084	13	278,633	285,900	285,900
Insurance	-	16,120	-	16,120	14,850	14,850
Rent and Utilities	-	18,368	-	18,368	22,800	22,800
Telephone and Internet	-	5,639	-	5,639	8,230	8,230
Computer Equipment and IT Support	-	19,086	-	19,086	35,655	35,655
Supplies	-	3,196	288	3,484	2,500	2,500
Total Operating	1,300,320	220,638	312	1,521,270	1,946,640	1,946,640
Planning:						
Planning Services	509,937	-	-	509,937	381,450	381,450
Specialized Planning Services	18,550	-	-	18,550	515,000	515,000
CHSTP	9,969	-	-	9,969	150,000	150,000
Community Engagement	-	-	-	-	150,000	150,000
Total Planning	538,455	-	-	538,455	1,196,450	1,196,450
External Affairs:						
Branding	76,850	-	-	76,850	45,000	45,000
External Communications	-	86,250	-	86,250	84,000	84,000
Social Media Management	-	1,195	-	1,195	7,800	7,800
Website	25,000	901	-	25,901	30,240	30,240
Graphics/Photography	1,995	900	-	2,895	10,150	10,150
Promotional Items	-	-	-	-	1,900	1,900
Miscellaneous Items	-	7,609	-	7,609	2,000	2,000
Total External Affairs	103,845	96,855	-	200,700	181,090	181,090
Total Expenses	\$ 1,942,621	\$ 317,493	\$ 312	\$ 2,260,426	\$ 3,324,180	\$ 3,324,180
Net Increase/(Decrease) in Net Assets	\$ -	\$ -	\$ 1,233	\$ 1,233	\$ -	\$ -

Project Budget Tracker

Title **Detroit to Ann Arbor Express Bus (D2A2)**
Description Express bus connecting downtown Detroit to downtown Ann Arbor.
Schedule October 2021 - December 2024

Budget Tracker			
	Total	ITD	Balance
Cost	\$ 8,202,699	\$ 7,895,546	\$307,153
Grants			
MI-2021-036-01	\$4,311,592	\$4,311,592	(\$0)
2017-0119/P7/R2	\$1,524,049	\$1,393,285	\$130,764
Fares/Contrib	\$955,214	\$1,185,291	(\$230,077)
FY2023 CMAQ*	\$852,625	\$446,159	\$406,466
ARPA MI-2022-005-02	\$559,219	\$559,219	\$0
	\$7,643,480	\$7,336,327	\$307,153

*Funding is secured and being amended into the grant.

Title **Regional Mobility Management (MyRide2)**
Description Call center/website with information for seniors and persons with disabilities.
Schedule October 2017 - September 2026

Budget Tracker			
	Total	ITD	Balance
Cost	\$1,850,920	\$1,495,186	\$355,734
Grants			
MI-2017-031-02	\$1,069,444	\$1,069,444	\$0
2017-0119/P2/R4	\$267,361	\$267,361	\$0
MI-2024-009-01	\$411,292	\$126,705	\$284,587
2022-0126/P7	\$102,823	\$31,676	\$71,147
	\$1,850,920	\$1,495,186	\$355,734

FY2024 Q4 Invoicing not available yet

Title **Universal Basic Mobility Pilot**
Description Mobility wallet fare technology pilot focused on Detroit jobseekers.
Schedule June 2023 - July 2026

Budget Tracker			
	Cost	ITD	Balance
Cost	\$1,025,000	\$436,741	\$588,259
Grants			
2022-0126-P3	\$1,025,000	\$436,741	\$588,259
	\$1,025,000	\$436,741	\$588,259

PRELIMINARY

Title **Downtown to Airport Express**
Description Express bus connecting downtown Metro Airport to Downtown Detroit.
Schedule March 2024 - March 2025

Budget Tracker			
	Cost	ITD	Balance
Cost	\$3,019,087	\$1,247,980	\$1,771,107
Grants			
MI-2024-002	\$2,000,000	\$819,664	\$1,180,336
2022-0126-P4 R1	\$500,000	\$204,916	\$295,084
Fares/Contrib	\$519,087	\$223,400	\$295,687
	\$3,019,087	\$1,247,980	\$1,771,107

Title **Access to Transit Program**
Description Grant program for safety and access improvements at bus stops.
Schedule October 2024 - December 2026

Budget Tracker			
	Cost	ITD	Balance
Cost	\$2,000,000	\$0	\$2,000,000
Grants			
FY2024 CMAQ*	\$1,600,000	\$0	\$1,600,000
State Grant*	\$400,000	\$0	\$400,000
	\$2,000,000	\$0	\$2,000,000

*Funding is secured. Will be amended into the grant at a future date.

Title **Regional Technology Strategic Plan**
Description Inventory and assessment of providers technology and identification of goals.
Schedule October 2024 - June 2025

Budget Tracker			
	Cost	ITD	Balance
Cost	\$125,000	\$0	\$125,000
Grants			
2017-0119/P10	\$125,000	\$0	\$125,000

BOARD OF DIRECTORS MEMORANDUM

TO: RTA Board of Directors

FROM: Melanie Piana, Program Director

SUBJECT: RTA Insurance Liability Coverages

DATE: October 11, 2024

REQUESTED ACTION: Board of Directors Approval

Approval Request: This memo requests board approval to accept the new RTA insurance liability coverage policies.

The board adopted the FY2025 budget, including insurance costs, on September 19, 2024, as part of the QLINE transfer agreement package.

Background Information: Starting October 1, 2024, RTA needed new insurance policies to support the QLINE transfer agreement. Aligning policies between a small public agency and a nonprofit streetcar provider requires obtaining new quotes from the insurance market.

The alignment required to obtain appropriate liability coverage for the newly combined entity is below.

Former RTA Policies	Former QLINE Policies	New Combined Policies
Public Officials Liability Employment Practices Liability General Liability Workers Comp	Nonprofit Directors & Officers Liability Business Auto Combined Specialty (Fiduciary, Crime) Cyber Liability Excess Liability (\$10M x \$15M) Excess Liability (\$10M x \$5M) Railroad Liability Workers Comp	Public Officials Liability Business Auto Coverage Self-Insured Retention Commercial Property Cyber Liability Fiduciary Liability Excess Liability (\$10M x \$5M) Railroad Liability (\$5M) Workers Comp

Procurement Process: The RTA and QLINE transition team requested insurance quotes from four sources:

- Selective Insurance (RTA's former insurance provider)
- Hantz Insurance (RTA's former insurance provider)
- AON Risk Services Central (QLINE's insurance broker)
- Michigan Municipal Risk Management Association (MMRMA)

Through the solicitation request process, MMRMA's underwriters declined to offer coverage to the RTA; however, they are open to a future opportunity to explore potential membership in 2025. Few streetcar insurance underwriters are in the market, and we learned that approaching multiple brokers led to the same limited underwriters, especially for Excess Liability streetcar coverage. Costaff Services provides worker compensation policies through our human resources service agreement.

After exploring all broker and underwriter options, AON Risk Services Central was the most responsive, provided excellent customer service and timely insurance quotes, and demonstrated strong technical knowledge and prior experience with QLINE needs. We seek board approval to accept the AON Risk Services brokerage package with insurers and underwriters.

RTA QLINE Insurance Policy Summary
October 14, 2024

RTA & QLINE							
Line of Coverage	Coverage Description	Limit	Deductible	Policy Term	Insurer	Underwriter	Premium
Business Auto Coverage	Business Auto Coverage Automobile Coverage			10-1-2024 - 10-1-2025	Trumbell	Hartford	\$17,300
	Deductible Coverage						
	CSL	\$1,000,000					
	Comprehensive Deductible		\$1,000				
	Collision Deductible		\$1,000				
Self Insured Retention General Liability				10-01-2024 - 9-30-2026	Mackinaw Administrators, LLC		
	Report Only Claim fee (each)	\$62					\$2080. annual admin fee
	Non-Complex Liability	\$468					
	Complex Liability Claim Fee	\$1,200					
	Medicare and Medicaid Service Center	\$88 each claim/\$130.00 mgmt time					
	Court Appearances	\$99.00 per hour					
Multi Employer Plan Fiduciary Liability	TBD- Pending 401A/457 ADP asset transfer						
Public Officers	Directors & Officers-Excess Directors & Officers-Excess			10-1-2024 - 10-1-2025	ACE Municipal Advantage Public Entity Liability	ACE American Insurance Company	\$52,000
	Self Insured Retention Coverage						
	Underlying limit	\$3,000,000					
	Each Occurrence	\$3,000,000					
	Aggregate	\$3,000,000					
Commercial Property Coverage	Commercial Property Coverage Commerical Prop-Direct Bill			10-1-2024 - 10-1-2025	The Hartford Insurance Co.	AON Risk Services Central Inc.	\$111,178
	Deductible Coverage						
	Blkt Real Property Limit	\$57,769,237	\$10,000				
	Blanket Personal Property Limit	\$3,437,359	\$10,000				
	Stock (Streetcars)	\$32,073,020					
	Business Income and Extra Expense Limit	6930000 + \$770,000					
	Building Ordinance Limit	Included in Real Property					
	Demolition & Inc COC - PD Limit	\$1,000,000					
	Transit Shipper's Interest - per Conveyance	\$50,000	\$2,500				
	Earthquake - Aggregate	\$25,000,000	\$25,000				
	Flood - Aggregate	\$25,000,000	\$25,000				
	Boiler & Machinery (Equipment) Limit	Included	\$10,000				
	See policy for additional sublimits						
Cyber Liability	Cyber Liability Cyber Liability			10-1-2024 - 10-1-2025		CFC	\$10,000
	Self Insured Retention Coverage						
	Aggregate Limit of Liability	\$3,000,000	\$25,000				
Excess Liability Coverage	Excess Liability Coverage Excess liab cvg \$10Mx\$5M			10-1-2024 - 10-1-2025		Indian Harbor Insurance Company	\$417,575
	Each Occurrence	\$10,000,000					
	Aggregate (where applicable)	\$20,000,000					
Commerical Railroad Liability	Railroad Liability DRAI-Railroad Liab \$5M			10-1-2024 - 10-1-2025	Aspen Specialty Ins Co	Aspen Specialty Insurance Company	\$248,535
	Railroad Liability Each Accident	\$5,000,000	\$500,000				
	Railroad Liability Annual Aggregate	\$10,000,000					
Workers Compensation	Workers Compensation 			1-1/2024- 1/1/2025	Costaff Services		
	MI 7212 Dr- Bus Companies	\$1,000,000					
	MI 8395 Auto Repair Facility	\$1,000,000					
	MI 8810 Clerical Office Employees Noc	\$1,000,000					

BOARD OF DIRECTORS MEMORANDUM

TO: RTA Board of Directors

FROM: Melanie Piana, Program Director

SUBJECT: Civil Rights Compliance / Title VI

DATE: October 14, 2024

REQUESTED ACTION: Board of Directors Approval

Approval Request: This memo requests board approval to accept the RTA’s updated Title VI Plan revisions, which reflect the Federal Transit Administration (FTA) program and RTA’s service standard changes that merge the QLINE Title IV program as part of the asset transfer.

Background Information: The FTA requires the RTA to document the agency’s compliance by submitting a Title VI Program Plan Update to the FTA Office of Civil Rights every three years. Before submitting the Title VI Program Plan Update to the FTA, the RTA Board of Directors, responsible for policy decisions, must approve it.

As of October 1, 2024, the RTA now operates the QLINE, therefore, the RTA is required to follow the FTA Circular 4702.1B “General Requirements” set forth in Chapter III and some elements under Chapter IV for fixed-route transit providers. Since the RTA does not operate more than 50 vehicles of transit service during peak service, it is not required to report on all requirements within Chapter IV (i.e., collect and report data, evaluate service and fare changes, and monitor transit service) as described in Chapter IV. Only transit providers that operate 50 or more fixed-route vehicles in peak service and are in an urbanized area (UZA) of more than 200,000 in population are required to meet these additional requirements.

Information:

The FTA requires the RTA to update and revise its civil rights policies and plans with program updates and incorporate the QLINE. Below is an overview of the RTA’s civil rights policies. Managed by Julia Roberts, Planning & Innovation Director, WSP, RTA’s on-call planning consulting firm, provided compliance expertise for all civil rights policies and plan revisions, including:

Title VI: Title VI of the Civil Rights Act of 1964 is a law that prohibits discrimination based on race, color, or national origin in programs and activities that receive federal funding.

Disadvantaged Business Enterprise (DBE): On April 9, 2024, the FTA published a DBE final rule in the Federal Register to modernize and streamline the DBE program regulations. The RTA is revising its DBE program to comply with updated program regulations and align new

requirements to support more complex procurement and contracting procedures to align the QLINE to FTA standards. The RTA's DBE policy and program documents are complete, including new reporting and monitoring processes and procedures. These new procedures are now processes and procedures are being implemented and will continue through 2025.

Equal Opportunity Employer (EEO): The RTA became eligible as an EEO agency with the QLINE asset transfer and is now a 50+ employee organization. The RTA developed a new EEO Policy statement (FTA Circular 4704.1A 2.2.1) to ensure it complies with state and federal requirements. This plan affirms RTA's commitment to non-discrimination clauses in all employment actions; committing to developing a written nondiscrimination program that sets forth the policies, practices, and procedures, with goals and timetables as deemed applicable; stating that applicants and employees have the right to file complaints alleging discrimination with the EEO Officer or office; and ensuring the policy is signed and dated by the current Executive Director.

The new EEO program includes a policy statement, policy dissemination, designated personnel responsibility for the EEO program, employment practice and analysis, and monitoring and reporting. The RTA completed this new plan on September 30, 2024. The RTA administrative team will coordinate with CoStaff Services, our HR partner, to ensure EEO procedures are implemented and followed internally.



**Regional Transit Authority
Of Southeast Michigan**

Title VI Plan: 2023-2025

REVISED: OCTOBER 2024

Information found in this document can be provided in an alternative format upon request. Please contact the Regional Transit Authority at 313-402-1020 to speak to a representative or e-mail info@rtamichigan.org. The RTA will do its best to provide the requested alternative format within a reasonable time.

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Regional Transit Authority
of Southeast Michigan

Board of Directors

Dave Massaron, Chair
Freman Hendrix
June Lee
Dr. Erica Robertson
Ned Staebler
Alma Wheeler Smith
Helaine Zack
Jeannette Bradshaw
Donald Morandini
Jon Moore

Section A - Introduction

The Regional Transit Authority of Southeast Michigan (RTA) was created through State legislation on December 19, 2012 (MI P.A. 387, 2012). The RTA service area comprises Macomb, Oakland, Washtenaw, and Wayne Counties. The mission of the RTA is to manage and secure transportation resources that significantly enhance mobility options, improve the quality of life for the residents, and increase the economic viability of the four-county area and the city of Detroit.

The Federal Transit Administration's (FTA) Title VI Circular 4702.1B requires that "no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The term national origin includes those individuals with limited English proficiency (LEP). As such, the RTA is obligated to comply with these requirements for all programs, policies, transit services, and activities. The FTA requires that the RTA document this compliance by submitting a Title VI Program to the FTA Office of Civil Rights once every three years. The Title VI Program must be approved by the RTA Board of Directors who is responsible for policy decisions before submitting the Title VI Program to the FTA.

As of October 2024, the RTA operates the QLINE, a 3.3-mile circulating streetcar system along Woodward Avenue between Congress Street and Grand Boulevard in Detroit, Michigan. Therefore, the RTA is required to follow the FTA Circular 4702.1B "General Requirements" set forth in Chapter III and some elements under Chapter IV for fixed-route transit providers. Since the RTA does not operate more than 50 vehicles of transit service during peak service, it is not required to report on all requirements within Chapter IV (i.e., collect and report data, evaluate service and fare changes, and monitor transit service) as described in Chapter IV. Only transit providers that operate 50 or more fixed-route vehicles in peak service and are in an urbanized area (UZA) of more than 200,000 in population are required to meet these additional requirements.

NON-DISCRIMINATION POLICY STATEMENT

It is the policy of the RTA 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 in any program, activity, or operation of the RTA services as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all of the RTA's services and operations of RTA, including its contractors and anyone who acts on behalf of the RTA. The RTA distributes federal aid funds to other subrecipients. All written agreements will include Title VI language and will be monitored by the RTA for compliance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuation of the effects of prior discrimination based on race, color, or national origin.

Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where one or more alternatives exist that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

Disproportionate burden refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

Disparate treatment refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.

Examples of prohibited types of discrimination based on race, color, or national origin include denial to an individual of any service, financial aid, or other benefit; distinctions in the quality, quantity, or manner in which a benefit is provided; segregation or separate treatment; restriction in the enjoyment of any advantages, privileges, or other benefits provided; discrimination in any activities related to highway and infrastructure or facility built or repaired; and discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI officer is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of

1964, 42 U.S.C. § 2000d et seq.; Federal Transit Laws, Title 49, United States Code, Chapter 53; 49 CFR § 1.51; 49 CFR part 21; 28 CFR § 42.401 et seq.; and the guidelines provided by FTA C 4702.1B.

Ben Stupka
Executive Director
Regional Transit Authority of Southeast Michigan

Date

The Title VI Officer is responsible for ensuring the Title VI Plan is implemented and for the overall management of the day-to-day administration of the Title VI Plan. The current information for this individual is as follows:

RTA Title VI Officer

Julia Roberts, Planning & Innovation Director
Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
Phone: (313) 402-1020
Email: CivilRights@RTAmichigan.org

The Title VI Officer is responsible for Title VI compliance; and is assigned the responsibility for implementing, monitoring, and ensuring the RTA's compliance with the Title VI regulations. The Title VI Officer's responsibilities are as follows:

- Maintaining knowledge of Title VI requirements.
- Attending training on Title VI and other nondiscrimination authorities when offered and, when feasible, by FTA or any other regulatory agency.
- Disseminating Title VI information to the public including in languages other than English, when necessary.
- Developing a process to collect data related to race, gender, and national origin of service area population to ensure low-income, minorities, and other underserved groups are included and not discriminated against.
- Implementing procedures for the prompt processing of Title VI complaints.
- Investigating and resolving Title VI complaints.

OVERVIEW OF GENERAL RTA ACTIVITIES

In addition to operating QLINE Streetcar, the RTA's purpose is to coordinate the activities of the existing transit agencies within its jurisdiction and secure funding to improve and enhance public transportation within the four-county area and the city of Detroit. Functionally, the RTA is responsible for developing and updating a Regional Master Transit Plan, engaging in coordinated planning activities with the existing transit providers, partnering on service improvements with the existing transit providers, administering regional programs, and programming a portion of the State

and federal transportation funds that are apportioned to urbanized areas in Detroit and Ann Arbor urbanized areas.

The RTA's activities are largely interdependent with several other organizations operating within southeast Michigan including:

- Ann Arbor Area Transportation Authority (TheRide)
- Detroit Department of Transportation
- Detroit Transportation Corporation (People Mover)
- Michigan Department of Transportation (MDOT)
- Southeast Michigan Council of Governments (SEMCOG)
- Suburban Mobility Authority for Regional Transportation (SMART)
- Washtenaw Area Transportation Study (WATS)

The RTA endeavors to work with these organizations to coordinate public information and engagement. In the case of the Southeast Michigan Council of Governments (SEMCOG), the RTA is reliant on its public outreach process to support the annual FTA 5307 program of projects (POP). That process is described in Appendix B of this document.

- Ann Arbor Area Transportation Authority (AAATA/TheRide)
- Detroit Department of Transportation (DDOT)
- Detroit Transportation Corporation (DTC/People Mover) Michigan Department of Transportation (MDOT)
- Southeast Michigan Council of Governments (SEMCOG)
- Suburban Mobility Authority for Regional Transportation (SMART)
- Washtenaw Area Transportation Study (WATS)

RTA GOVERNANCE

A 10-member board governs the RTA and includes two representatives from each participating county, one representative from the City of Detroit, and one non-voting

member appointed by the governor who serves as the chair. These committees set the direction of the RTA through policymaking, budget considerations, and coordination of existing transit services.

Section B- Requirement to Prepare and Submit a Title VI Program

The RTA is required to submit an updated Title VI program every three years. This revised report covers Fiscal Year (FY) 2023 through FY 2025.

RTA's Title VI revised submission contains the following:

- Title VI notice to the public
- Instructions to the public on how to file a Title VI complaint
- List of transportation-related Title VI investigations, complaints, or lawsuits
- Public Participation Plan
- Four-Factor Analysis and Language Assistance Plan (LAP Plan) for Persons with Limited English Proficiency (LEP)
- Table of Non-Elected Planning Boards, Advisory Councils or Committees
- Monitoring Subrecipients
- QLINE Service Standards
- RTA Title VI Program Approval

This revised report was reviewed and approved by the RTA Board of Directors on October 17, 2024.

Section C - Notice to The Public

The RTA has developed a public notice to inform customers of their rights under Title VI as noted in 49 CFR Section 21.9(d), which is posted on the RTA's website as well at the locations identified below:

Location Name	Address	City
Main Office	1001 Woodward, Suite 1400	Detroit

A notice is also posted at QLINE stations and inside streetcar vehicles.

The public notice states the following:

The Regional Transit Authority of Southeast Michigan (RTA) is committed to ensuring that no person is excluded from participation in or denied the benefits of its programs and services on the basis of race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964.

This notice is also translated into the RTA's LEP languages identified in the RTA's Four-Factor Analysis.

For information about the RTA's nondiscrimination obligations, or to file a complaint if you believe you have been subjected to unlawful discrimination, please contact the RTA by email at TitleVI@rtamichigan.org or U.S. mail at the Regional Transit Authority of Southeast Michigan, 1001 Woodward, Suite 1400, Detroit, MI 48226; or by email at TitleVI@rtamichigan.org.

For translation assistance, call (313) 402-1020.

Para asistencia de traducción, llame (313) 402-1020.

للترجمة 1020-402-313 للمساعدة

Section D - Complaint Procedures

The RTA has a Title VI Complaint Procedure in place that outlines the process for the local disposition of Title VI complaints and is consistent with guidelines in Chapter III of the FTA C 4702.1B. If a person believes that RTA's federally funded programs have violated their civil rights based on race, color, or national origin, they may file a written complaint by following the procedure outlined below:

FILING

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by civil rights laws, based upon race, color, or national origin, including language discrimination, may file a written complaint to RTA's Title VI officer. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- Complaints must be in writing and include the complainant's name, address, and telephone number.
- Complaints must include the date of the alleged act(s) of discrimination (date when the complainant[s] became aware of the alleged discrimination); the date on which the conduct was discontinued; or the latest instance of the conduct.
- Complaints must present a detailed description of the issues including names, job titles, and addresses of those individuals perceived as parties in the action complained against. Complaints must be completed on the RTA complaint form, provided in Appendix A, and on the RTA website (www.rtamichigan.org). The complaint form is also available in RTA's LEP languages.
- In the case where assistance is requested to file a Title VI complaint, customers may contact RTA offices by phone (313) 402-1020, come in person to RTA offices, or file through our website (About – RTA of Southeast Michigan [rtamichigan.org]). Complaints should be mailed to:

Title VI Officer
Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400

Detroit, MI 48226

Note: If a Title VI complaint is received regarding an MDOT-related contract against RTA, the MDOT is responsible for investigating the complaint. Upon receipt of a complaint filed against the RTA, the complaint and any pertinent information will be immediately forwarded to the MDOT, Office of Civil Rights Programs.

RECEIPT AND ACCEPTANCE

Upon receipt of the complaint, the Title VI officer will determine its jurisdiction and the need for additional information.

To be accepted, a complaint must meet the following criteria:

- The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- The allegation(s) must involve a covered basis such as race, color, and national origin.
- The allegation(s) must involve a program or activity provided by the RTA.

DISMISSAL

A complaint may be recommended for dismissal for the following reasons:

- The complainant requests withdrawal of the complaint.
- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts to contact the complainant.

INVESTIGATION OF COMPLAINTS

Upon receipt of the complaint, the RTA's Title VI officer, or designee, shall appoint one or more staff, as appropriate, to evaluate and investigate the complaint in consultation with the RTA's legal counsel. If necessary, the complainant shall meet with the staff to further explain his or her complaint. The staff shall complete their

review no later than 60 calendar days after receipt of the complaint. If more time is required, the Title VI officer, or designee, shall notify the complainant of the estimated timeframe to complete the review. Upon completion of the review, staff shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. If the Title VI officer, or designee, concurs, they shall issue a written response to the complainant. If the complainant is dissatisfied with the resolution of the complaint, an appeal can be submitted to the Executive Director for consideration. Upon review of the complaint, the Executive Director

SUBMISSION OF COMPLAINT TO THE FEDERAL TRANSIT ADMINISTRATION

If the complainant is dissatisfied with the complaint resolution, they may also submit a written complaint within 60-days after the alleged date of discrimination to the FTA for further investigation at the following address:

FTA Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

Section E - Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), the RTA must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. Records of these events shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; actions taken by the RTA in response to the investigation, lawsuit, or complaint; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three years shall be included in the Title VI Plan when it is submitted to the FTA.

The RTA has had no Title VI complaints between October 2019 and September 2024.

Section F - Public Participation Plan

PURPOSE OF THE PUBLIC PARTICIPATION PLAN

This plan specifies the RTA's underlying goals as well as strategies and techniques to be considered and employed in achieving the goals of the public participation process. The goals of the public participation process are to define the following:

- Tools the RTA uses to provide the public with access to information on its programs and projects.
- Tools the RTA uses to receive input for its programs and projects.
- Measures of effectiveness for the RTA's public engagement.

The RTA provides transit services through the QLINE, it may also provide funding to existing transit providers to augment service. Therefore, the RTA will collaborate with the existing providers to ensure that all the appropriate Title VI processes that govern major service changes and fare equity analyses requirements are followed.

DEMOGRAPHIC INFORMATION AND ENVIRONMENTAL JUSTICE (EJ) POPULATIONS

Based on regional totals developed by SEMCOG, minority persons comprise 30.8 percent of the region's total population. In addition, 13.2 percent of households in the region live at or below the poverty level. For both minority populations and low-income households, the 2020 U.S. Census block groups where the percentage population of either group meets or exceeds the regional average are identified as environmental justice (EJ) block groups.

Because of the importance of public involvement, the RTA will endeavor to meet with representatives from various Title VI-protected populations and encourage their involvement in the planning process. Although low-income is not a protected group under Title VI, it is under EJ. Specific actions taken by the RTA to reach out to Title VI and EJ populations include placing advertisements in various news publications reaching Black and/or African American, Asian American and/or Pacific Islanders, Tribal and/or Native American, and Hispanic communities, as well as low-income residents, focusing efforts to meet with and present information to these various

groups in English and LEP languages. Information is also disseminated through transit providers, local block clubs, libraries, and various grassroots organizations.

TECHNIQUES FOR PUBLIC INFORMATION ACCESS

The RTA will use a variety of methods to educate and inform the public. Holding public meetings is an essential part of the PPP. Therefore, the RTA endeavors to ensure that all venues are accessible and close to the QLINE Streetcar and major bus routes for ease of travel. The methods will include:

- Providing information at RTA’s Standing Committee and Board of Directors meetings
- Holding additional public meetings and hearings at convenient and accessible locations and times
- Making public information available in an electronically accessible format and means such as social media, the RTA website (www.rtamichigan.com), press releases, and e-blast notices
- Placing flyers, signage, and brochures inside the QLINE Streetcar
- With the permission of the transit providers, posting information through rider alerts, interior bus and train signage, and stop and station signage

TECHNIQUES FOR GARNERING PUBLIC INPUT

The RTA will use a variety of methods to garner public input. The methods will include:

- Verbal public comments at the RTA Board of Directors meetings, and additional public meetings
- Written comments at RTA Board of Directors meetings, and additional public meetings; and through RTA general email or project-specific email
 - » Verbal comments by RTA general phone, or project-specific phone
 - » Social media discussions and dedicated surveys
 - » General public or targeted stakeholder surveys

- » Charrette-style discussions
- » Virtual meetings
- » Other non-traditional methods to reach LEP communities and disability communities

TOOLS FOR MEASURING EFFECTIVENESS

As part of future updates to this policy, the RTA will evaluate its public involvement process, ensuring that the RTA is effective in facilitating full and open access to the regional planning process for all citizens. This requirement will be completed using an evaluation that identifies the following:

- Public meeting dates versus actual meetings held
- Public meetings: locations, promotion, number of comments generated (if requested at the meeting)
- Number of additional comments received and the means of receipt at official public hearings
- If applicable, the RTA will supplement this report with more detailed reports on large-scale public outreach efforts (e.g., the Regional Master Transit Plan)

ROLE OF THE SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS (SEMCOG)

The Southeast Michigan Council of Governments (SEMCOG) is designated by the federal government as the Metropolitan Planning Organization (MPO) for the Southeast region of the state of Michigan. SEMCOG is responsible for coordinating transportation planning activities within the MPO boundary including all of Wayne, Oakland, Macomb, and Washtenaw Counties. SEMCOG works with federal and local governments, state departments of transportation, transit agencies, area stakeholders, and customers to ensure that the plans and projects developed enhance the region toward achieving consistent quality-of-life measures that are beneficial to all.

The public is included in the planning process through informational meetings, public hearings, community meetings, surveys, and one-on-one meetings. The RTA

coordinates efforts with SEMCOG to solicit public response on major projects, as well as the annual funded program of projects. SEMCOG incorporates RTA projects into the Transportation Improvement Program (TIP) and the Regional Transportation Plan (RTP). Via SEMCOG's various committee meetings, participants review, discuss, comment, and recommend actions relevant to transportation planning on transit projects. In addition to notices, SEMCOG publicizes the final program of projects and provides notice of scheduled meetings. Public comment is ongoing and is received via public hearings, letters, phone calls, emails, and in person verbally.

Federal legislation requires MPOs to produce documents that govern regional transportation investments and planning activities, including the development of the Unified Planning Work Program, the Long-Range Transportation Plan, the Transportation Improvement Program, and the Public Participation Plan.

SUMMARY OF OUTREACH FROM OCTOBER 2019 THROUGH SEPTEMBER 2022

Coordinated Human Services Transportation Plan (OnHand) funded by State of Michigan (September 2019 – August 2020)

Engagement activities included:

- Technical Working Group (TWG)
- Stakeholder Interviews
- User Surveys

Technical Working Group

The OnHand project was guided by a Technical Working Group comprised of stakeholders from each transit agency within the OnHand's four-county region, as well as regional governments (SEMCOG, WATS, and RTA), and other organizations. The TWG met eight times throughout this project to guide the research process and ground truth the project team's findings.

Stakeholder Interviews

In the early phase of this project (fall 2019), the OnHand project team conducted in person and phone interviews with representatives from fixed-route transit agencies, local and community transit providers, non-profit agencies, and other social service organizations. The study team also gave a series of presentations to the Detroit Local

Advisory Council (LAC) and Washtenaw Technical Coordinating Council (TCC). Stakeholders shared valuable insights rooted in first-hand experience about what is needed to improve human services transportation.

User Survey

In the winter of 2019-2020, the OnHand project team launched a survey to understand transportation patterns, needs, challenges, and barriers, especially related to Americans with Disabilities Act (ADA) paratransit and demand response services. The TWG members and other human and social service industry stakeholders helped distribute the survey to collect over 1,100 responses, including over 700 responses from people representing OnHand target populations (e.g., older adults, people with disabilities, and low-income individuals). Detroit to Ann Arbor Express Bus Service (D2A2) - (January 2020 – February 2020)

The Detroit to Ann Arbor Express Bus Study Service engagement activities included:

Public Hearing

The RTA held two formal public hearings on January 8, 2020 (Detroit and Ann Arbor) to receive public comments on the new pilot express bus service connecting Detroit and Ann Arbor. To ensure people had access, the hearing was hosted at Wayne County Community College Downtown Campus, which is centrally located near public transportation and is in Detroit, a majority-minority community.

Mobility-Oriented Development Study (February 2020 – October 2020)

The Mobility-Oriented Development Study's engagement activities included:

Stakeholder and Focus Area Workshops

The Mobility-Oriented Development Study engagement was focused on stakeholders such as planning and community development staff, government agencies involved in development and housing, and other technical experts. The process included seven focused stakeholder workshops with a focus on communities in each corridor (Woodward and Ann Arbor/Detroit Rail). The RTA also conducted two topic workshops for all stakeholders (Affordable Housing and Mobility Hubs). To ensure people had access, the hearing was hosted at Wayne County Community College Downtown Campus, which is centrally located near public transportation and is in Detroit, a majority-minority community.

Regional Master Transit Plan (May 2021 – September 2021)

Engagement activities included:

- Virtual Open Houses
- Listening Sessions
- Ridership Engagement

Virtual Open Houses

Nine open house meetings were held virtually due to COVID-19 that allowed the RTA to share information with metro Detroit residents and gather input on what individuals view as future public transit needs. Each county hosted two virtual events, and another event was staged in the city of Detroit to ensure minority and low-income populations were heard.

Listening Sessions

Fifteen small group listening sessions were held for specific groups and their unique needs and priorities for public transit. Participation varied widely among organizations, but more than 200 people participated across all listening sessions. The small group setting was comfortable for many participants as they were encouraged to ask questions and engage with others.

Ridership Engagement

A dedicated effort to hear from transit riders was made during the public engagement phase. Riders were invited to take a brief survey, which was available in English, Spanish and Arabic, about their expectations for regional transit today and in the future. Riders were encouraged to complete the survey via 600 in-bus ads on SMART buses and by volunteers asking for participation at 10 transit hubs over five days in August.

Section G - Language Assistance Plan

LANGUAGE ASSISTANCE PLAN (LAP) FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction

The purpose of this plan is to document RTA's strategy to serve persons with LEP in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. A person with LEP does not speak English as their primary language and has limited ability to read, write, or understand English. Title VI prohibits discrimination based on race, color, or national origin under any program that receives federal financial assistance. Executive Order 13166 titled "Improving Access to Services for Persons with Limited English Proficiency," defines national origin discrimination to include different treatment based upon a person's inability to speak, read, write, or understand English. Under these provisions, the RTA is required to take reasonable steps to ensure meaningful access to RTA programs and services for people with LEP.

This plan details how RTA staff can identify a person who may need language assistance, identify the ways in which assistance may be provided, provide training to staff, notify LEP persons that assistance is available, and provide information for future updates.

To develop the plan, the RTA undertook a U.S. Department of Transportation (USDOT) four-factor LEP analysis that considered the following: (1) the number or proportion of people with LEP in the RTA service area who may be served by or encounter an RTA program, activity, or service; (2) the frequency with which individuals with LEP come in contact with an RTA program, activity, or service; (3) the importance of the program, activity, or service provided by the RTA to the LEP population; and (4) the resources available to RTA and overall costs to provide assistance to people with LEP. A brief description of these considerations is provided in the following section.

Four-Factor Analysis

Factor 1: Proportion, Numbers, and Distribution of LEP Persons

The RTA service area includes all of Macomb, Oakland, Washtenaw, and Wayne Counties. Per the 2021 American Community Survey, there are 4,049,175 persons five

years old and older within the RTA service area. Of that total, 82,658, 2 percent, speak English “not well,” or “not at all.” See the following table for a breakdown by county:

AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER

	Macomb County, Michigan	Oakland County, Michigan	Washtenaw County, Michigan	Wayne County, Michigan	Total	Percent
Label	Estimate	Estimate	Estimate	Estimate		
Total Over age 5:	830,334	1,204,503	352,079	1,662,259	4,049,175	
"Not well"	15,473	12,105	2,527	32,317	62,422	1.5%
"Not well at all"	4,993	2,908	1,327	11,008	20,236	0.5%
% (per county)	2.5%	1.2%	1.1%	2.6%		
Total					82,658	2.0%

The RTA also analyzed the different languages spoken within the service area to determine which were most likely to be encountered within the service area. The RTA used the Detailed Household Language by Household Limited English-Speaking Status: American Community Survey 2021 for a more detailed survey of languages. See the following table for a breakdown of the top 10 most common languages spoken throughout the region by county.

DETAILED HOUSEHOLD LANGUAGE BY HOUSEHOLD LIMITED ENGLISH-SPEAKING STATUS

	Macomb County, Michigan	Oakland County, Michigan	Washtenaw County, Michigan	Wayne County, Michigan	Total	Percentage
Label	Estimate	Estimate	Estimate	Estimate		
Total Over Age 5:	830,334	1,204,503	352,079	1,662,259	4,049,175	
Total:	358,011	530,383	149,133	695,038	1,732,565	
English only	303,946	439,358	123,615	591,383	1,458,302	
Spanish	6,855	15,845	5,385	28,546	56,631	1.40%
Arabic	9,957	8,630	1,783	34,704	55,074	1.36%
Russian, Polish, or other Slavic languages	6,599	7,461	1,764	5,146	20,970	0.52%
Chinese (including Mandarin, Cantonese)	1,582	7,901	4,690	3,223	17,396	0.43%
German or other West Germanic languages	1,680	4,580	1,207	1,898	9,365	0.23%
French, Haitian, or Cajun	1,303	2,426	825	2,300	6,854	0.17%
Korean	817	3,181	1,856	636	6,490	0.16%
Tagalog (including Filipino)	1,833	1,821	386	1,492	5,532	0.14%
Vietnamese	884	1,001	314	1,449	3,648	0.09%

Based on this analysis, RTA determined that under Factor 1, the languages identified are: Spanish, Arabic, Chinese, German, Polish, Russian, Tagalog, and Vietnamese. Under the Safe Harbor provision, LEP populations of over 5% and/or 1,000 LEP persons, whichever is less, should be taken into consideration.

Factor 2: Frequency of Contact with LEP Individuals

Under Factor 2, the RTA narrowed the languages identified under Factor 1 based on the frequency of interaction. The languages are Arabic, Chinese, Russian, and Spanish.

RTA informally surveyed its employees, SEMCOG Title VI coordinators, and RTA-affiliated transit providers (DDOT, SMART, AAATA, and DTC) on the nature and frequency of their contact with persons with LEP while performing daily job functions and anticipates that further interaction with persons with LEP is limited. However, the RTA office is publicly accessible, and numerous public engagement events are part of

the public transit planning processes. Programs, services, and activities that have a potential impact on persons with LEP include:

- Public involvement and public engagement meetings and hearings for transit projects affecting communities or individuals with LEP communities or individuals.
- Federal funding subrecipients (transit providers)
- Internet access: websites must be accessible to LEP persons
- Phone communications notices and greetings in languages other than English
- Language Line monthly call summarized by language
- Community member surveys in LEP languages
- Employee surveys

Factor 3: Nature and Importance of the Program, Activity, or Service to LEP Individuals

The RTA is responsible for completing a Regional Master Transit Plan, and planning and coordinating public transportation in the four-county region, including the city of Detroit. The nature of the RTA's planning activities is especially important to LEP communities. Given the number of LEP individuals in the region, the RTA will ensure reasonable accessibility to all our programs, services, and activities consistent with USDOT Guidance.

Factor 4: Resources Available to RTA and Overall Cost

USDOT Policy Guidance Concerning Recipients' Responsibilities to LEP Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

A recipient's level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with larger budgets. In addition, "reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits. Recipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

Based on this guidance, RTA has reviewed its resources and deemed that, upon request, it will translate vital documents into the language requested to ensure accessibility. At a minimum RTA's Title VI Notice to the public, Complaint Procedures, Complaint Forms, Notice of Denials, LAP policy and complaint forms will be available in Spanish and Arabic.

RTA-funded planning activities have funds dedicated to interpreter services at public meetings and document translation. Contractor and subcontractor activities are also covered under these resources. The RTA will provide translation and interpreter services if given a 72-hour notice.

SAFE HARBOR STIPULATION

Federal law provides a "Safe Harbor" stipulation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations of vital documents in languages other than English. The RTA defines "Safe Harbor" vital documents as follows.

RTA Definition: Vital Document - The RTA will consider the following documentation as vital unless otherwise requested by the public:

A document, record or file that is necessary to create, recreate or organize operations and survival of an organization. It shall include but not be limited to:

- Consent and complaint forms
- Notice of denials, losses, or decreases in benefits or services

- Notice of a person's rights under Title VI
- Notice of service and fare changes

Furthermore, if a recipient provides written translation in certain circumstances, such action will be considered compelling evidence of compliance with the recipient's written translation obligations under Title VI. The RTA defines an interpreter as "a person who translates spoken language orally," as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter. The RTA will, upon request, make an interpreter available in circumstances where written translations are not required.

Failure to provide written translations under certain circumstances does not mean there is non-compliance but provides a guide for recipients who would like greater certainty of compliance than can be provided by the RTA.

Compelling evidence of compliance with the recipient's written translation obligations under "Safe Harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This "Safe Harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable.

The languages that trigger the Safe Harbor threshold are Spanish, Chinese, Russian and Arabic. Thus, RTA will translate vital documents including complaint forms, complaint procedures, and all public meeting notices. The RTA has identification language cards and translation services (interpreters) available on demand. On average, written translation requests of vital documents will be made available within five to seven business days.

PROVIDING NOTICE TO LEP PERSONS

USDOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, the recipient must notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage in languages that an LEP individual would understand when free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the RTA.

Options and Proposed Actions

Options

Federal fund recipients have two ways to provide language services: oral interpretation either in person or via telephone interpretation service, and written translation. The correct mix should be based on what is both necessary and reasonable considering the four-factor analysis.

Considering the size of the RTA planning area, the concentration of LEP individuals in the service area, and RTA's financial resources, it is necessary to limit language aid to the most basic and cost-effective services. Other than the previously mentioned vital documents, if there are additional language assistance measures required for LEP individuals, RTA shall proceed with interpretation options to meet all requests for those language groups to ensure equal access, while also complying with LEP regulations.

Proposed Actions

RTA Definition: Interpreter - “a person who translates spoken language orally,” as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.

- Notify the public that interpreter services are available upon request, with seven days advance notice.
- With advanced notice of seven calendar days, the RTA will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- RTA will use the Translators Resource List as provided by MDOT for translation services and verbal interpretation.
- The Census Bureau's “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual's language has been identified, an agency from the Translators Resource List will be contacted to provide interpretation services.
- RTA's Title VI web page will be published in English, Spanish, and Arabic.

- Publications of RTA's Title VI Complaint Form and Title VI Plan will be made available on RTA's website in English, Spanish, and Arabic, as well as other languages upon request.
- Translation of other vital RTA documents will be made available upon request.
- In the event that an RTA employee encounters an LEP individual, they are required to proceed as follows:

Office Encounter:

1. An I-speak Language Identification Card will be provided to the LEP individual to determine the language they speak.
2. Once the foreign language is determined, the LEP individual's information will be provided to the Title VI coordinator who will then contact an interpreter from MDOT's Translators Resource List.
3. If a document needs to be translated, the Title VI Officer will have the document translated and provide it to the requestor as soon as possible.

In Writing:

1. Once a letter has been received it will be immediately forwarded to the Title VI Officer.
2. The Title VI Officer will contact a translator from the MDOT's Translators Resource List to determine the specifics of the letter request information.
3. The Title VI Officer will work with the selected agency to provide the requested service to the individual in a timely manner.

Over the Phone:

1. If someone calls into the RTA's office speaking another language, every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and, if possible, determine the language spoken by the caller.
2. Once the language spoken by the caller has been identified, the RTA will proceed with providing the requested assistance to the LEP individual.

LEP COMPLAINT PROCEDURES

Complaints of discrimination involving LEP, Title VI, and related statutes will be investigated using the Title VI complaint procedures and form described in the Title VI Plan.

MONITORING AND UPDATING THE LAP

This plan is subject to revision based on the changes in demographics as reported by the U.S. Census Bureau and any Environmental Justice (EJ) analysis done by the RTA or SEMCOG. This plan is viewed as a work in progress and will be updated every three years and reviewed annually. During LAP updates, the RTA will also use self-reported information from public meeting sign-in sheets during LAP updates. The LAP will be examined and updated based on the following:

- How the needs of LEP persons have been addressed
- Whether local language assistance programs have been effective and sufficient to meet the needs of LEP persons
- Whether the RTA's financial resources are sufficient to fund language assistance resources
- Whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

RTA STAFF TRAINING

RTA staff that interact with LEP persons will receive training on the requirements for providing meaningful access to services for LEP persons. RTA employees will be

trained or made aware of the Title VI and LAP policies and complaint procedures through regular staff training. Key staff with a higher potential to interact with LEP persons will receive in-depth training on their roles and responsibilities related to LEP persons.

LAP ACCESS

A copy of the LAP document can be requested at the RTA's central office during normal business hours and will be available on the RTA website at www.rtamichigan.org. Any person or agency may also request a copy by contacting:

Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
(313) 402-1020

Section H - Advisory Boards

The RTA has two advisory committees to assist in the organization’s decision-making and development of the organization. The Public Transportation Provider’s Advisory Council consists of each transit provider that falls under the jurisdiction of the RTA. Their purpose is to discuss opportunities for coordination and evaluate the impacts of decisions being made by the RTA on their respective organizations. A Citizens Advisory Committee (CAC) was formed as part of the development of the Board of Directors by-laws to ensure that the public is represented across the jurisdiction of the RTA and that advocates for ADA, elderly, faith-based, business, civic leadership, and transit riders would have the opportunity to provide feedback to the RTA.

MEMBERSHIP OF NON-ELECTED COMMITTEES AND COUNCILS

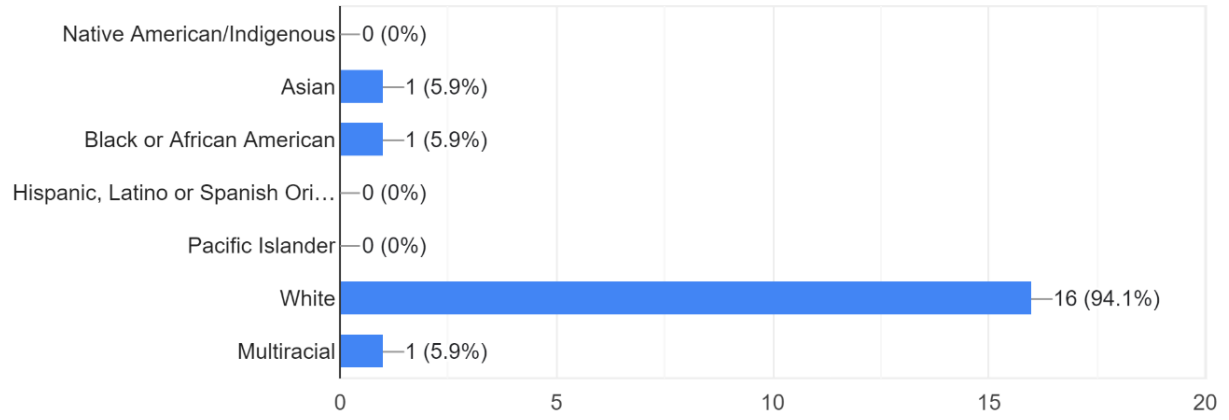
The CAC is the only transit-related, non-elected planning board, advisory council, or committee for which the RTA selects the members. The CAC shall consist of public transit region residents and shall be composed of senior citizens or persons with disabilities, and two users of public transportation from each county (Oakland, Macomb, Wayne, and Washtenaw). The CAC advises the RTA Board of Directors on issues of concern to people with disabilities and senior citizens. Meetings occur every other month and are open to anyone who wishes to attend; all who attend are encouraged to participate. The CAC’s membership is conferred on anyone who attends more than one meeting. The following table presents the minority representation on committees and councils selected. Out of the 30 members asked about demographics, 17 completed the questionnaire.

The following table presents the minority representation on committees and councils selected by the RTA CAC.

The following figure presents the minority representation on committees and councils selected by RTA CAC.

Which category best describes you? Please select all that apply

17 responses



Section I - Subrecipient Management

PROVIDING ASSISTANCE

To ensure that all subrecipients comply with Title VI regulations, the RTA provides its subrecipients with sample notices and procedures for tracking Title VI complaints. The RTA will also provide its subrecipients demographic information and any other information pertinent to Title VI upon request.

MONITORING SUBRECIPIENTS

The RTA requires all subrecipients to sign an agreement that ensures that they comply with Title VI regulations. In addition, the Title VI coordinator monitors the performance of subrecipients annually. The following is a summary of the subrecipient monitoring process:

- Ensure that project agreements with subrecipients contain all required federal clauses.
- Request subrecipients provide the RTA with a copy of a Title VI Plan.
- File a copy of the agreement or contract and Title VI Plan, if available, with the RTA.
- Review the Title VI Plan for compliance and issue a letter of concurrence.

RTA of Southeast Michigan monitored compliance with the Title VI requirements for two subrecipients since 2020. RTA subrecipients included:

- Ann Arbor Area Transportation Authority (AATA)
- Area Agency on Aging 1-B (AAA1- B)

There have been no Title VI complaints, investigations, or lawsuits for RTA subrecipients over the past three years. RTA uses the attached questionnaire as part of the monitoring program (see Appendix B).

TITLE VI EQUITY ANALYSIS FOR CONSTRUCTION OF FACILITIES

M-1 RAIL, the former operator of the QLINE, constructed a vehicle storage and maintenance facility on vacant land in 2015. Site selection was based on the proximity to the end of the streetcar route; the location was selected without regard to race, color, or national origin of area residents. The RTA is not currently planning to construct additional facilities. The RTA understands that per 49 CFR 21.9(b)(3), it may not select a site or location of facilities with the purpose or effect of excluding persons from, denying the benefits of, or subjecting them to discrimination on the basis of race, color, or national origin. The RTA will adhere to the above-mentioned regulations for any future facility construction.

Section J – Chapter IV Requirements

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Service Standards

QLINE SERVICE STANDARDS

Vehicle Load Standards

Vehicle Type	Peak Hours – Seated Capacity	Peak Hours – Standing Capacity	Peak Hours – Maximum Load Factor	Off Peak Hours – Seated Capacity	Off Peak Hours – Standing Capacity	Off Peak Hours – Maximum Load Factor
Streetcar	36	22	1:2	36	17	1:1.5

Vehicle Headway Standards

Day	Average	Peak	Evening
Weekday	11	10	12
Saturday	11	10	12
Sunday	23	17	30

On-Time Performance

A vehicle is considered on time if it departs from a scheduled stop no more than 3 minutes early and no more than 3 minutes late. The RTA's on-time performance objective is 90 percent or greater. The RTA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

Service Availability

Twenty QLINE stations are located along the 3.3-mile route and stations are no more than a half mile apart.

Service Policies

Vehicle Assignment Policy

All vehicles in the streetcar fleet are identical. Each vehicle is 66.5 feet long; 8 feet, 8 inches wide; and air-conditioned. The vehicles include over 70 percent low-floor area and station-level passenger boarding and are capable of transporting passengers in wheelchairs. The streetcars use automated stop announcement systems.

Transit Amenities Policy

Rider amenities at every QLINE station include heating, concrete bench seating, sufficient lighting, Wi-Fi access, a security camera, ticket vending machines, an emergency phone, and next-vehicle alert screens. All stations are street level and handicap accessible, including braille signage.

Include Proof of Service Standards Board Approval

RTA Title VI Program Approval

WILL BE FILLED IN AFTER BOARD APPROVAL

Appendix A - Discrimination Complaints

Title VI of the 1964 Civil Rights and related nondiscrimination statutes and regulations require that no person in the United States shall on the grounds of race, color or national origin be excluded in participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The following information is necessary to assist the RTA in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete and return this form to:

Regional Transit Authority of Southeast Michigan
Julia Roberts, Title VI Officer
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226

RTA DISCRIMINATION COMPLAINT FORM

Last Name	First Name	<input type="checkbox"/> Male <input type="checkbox"/> Female
Mailing Address	City/State	Zip
Home Telephone	Other Telephone	Email Address
Do you wish to remain anonymous? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Alleged Discrimination: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Sex/Gender		
Race of Complainant: <input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian American <input type="checkbox"/> American Indian <input type="checkbox"/> Alaska Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other _____		
How were you discriminated against? Please explain your complaint as clearly as possible. Include how other persons were treated differently. Use additional sheet(s), if necessary. Attach supporting documents if available.		
Date and place of the alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date(s) of discrimination.		
The law prohibits intimidation or retaliation against anyone because they have either taken action, or participated in action, to secure rights protected by the laws. If you feel that you have been retaliated against, separate from the discrimination alleged above , please explain the circumstances below. Describe the action you took which you believe was the cause for the alleged retaliation.		

Name(s) of individual(s) responsible for the discriminatory action(s).
Name(s) of person(s) who may be contacted for additional information to support or clarify your complaint. (Attach additional sheets, if necessary).

Return form and supporting documentation to: Regional Transit Authority of Southeast Michigan, 1001 Woodward Avenue, Suite 1400, Detroit, MI 48226

<NEED TO TRANSLATE INTO: Arabic, Korean, Mandarin Chinese, Russian, and Spanish>

Appendix B - Title VI Notice of Rights in all Languages

and include link to RTA Website to Notice of Rights

Appendix C – Subrecipient Questionnaire

Subrecipients of federal funds are required to complete an annual desktop review questionnaire as part of the RTA’s risk-based subrecipient monitoring procedure. If several topics do not apply to your agency for FY 2022, please enter “n/a.” Please enter your responses into the light blue highlighted cells and return to **CivilRights@RTAmichigan.org** along with copies of any agency plans and policies that have changed. The RTA will review your responses and may request additional documentation or schedule a meeting or site visit as needed.

SECTION 1 Agency Information

Q. Please provide your organization’s name.

Q. Please provide a staff contact for federally funded projects

SECTION 2 Legal/Lobbying

Federal Requirement: Subrecipients are prohibited from using appropriated Federal funds to lobby for Federal funds. If the subrecipient uses local funds to lobby for transit purposes, subrecipients must file OMB Standard Form LLL quarterly.

Q. Did your organization pay for lobbying activities during the reporting period?

Q. If yes, what type of funds were used?

SECTION 3 Financial Management and Capacity

Federal Requirement: Subrecipients must have financial management systems that meet standards for financial reporting, accounting records, internal control, budget control, allowable cost, source documentation, and cash management. Requirements for use of indirect cost when reimbursement is sought from a federal award program must be met.

Q.: Describe your organization's financial management systems, especially the method of accounting, how financial reports are prepared, and systems for internal control and cash management.

Q.: Does your organization use federal funds to pay for indirect operating costs? (If yes, someone from the RTA will contact you to review the calculation method.)

SECTION 4 Satisfactory Continuing Control

Federal Requirement: Subrecipients must use FTA-funded property for project purposes

Q. What vehicles, equipment, and property has your agency acquired with the assistance of FTA funds (e.g., Section 5310/5311), and how are these items being used in accordance with their intended project purpose?

Q: Has your agency used any FTA-funded property for purposes other than purposes identified in a grant contract or subrecipient agreement?

SECTION 5 Maintenance

Federal Requirement: Subrecipients that use FTA assistance to purchase assets must have maintenance programs for those assets. Such assets must be maintained in good condition and good operating order.

Q: Does your organization have a maintenance program for FTA-funded assets? (If yes, please ensure a copy has been provided to the RTA.)

Q: Does the program address maintenance of wheelchair lifts and other accessibility features?

Q: Is your organization following your program for preventive maintenance inspections? (Please attach any relevant documentation.)

Q: Are your organization's FTA-funded assets under warranty, and are warranty claims pursued?

SECTION 6 Title VI (Civil Rights Act of 1964)

Federal Requirement: Subrecipients must ensure that no person, on the basis of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal funds. All transit services and related benefits must be distributed in an equitable manner.

Q: Does your organization have a Title VI program in place? (If yes, please ensure your current Title VI Plan has been provided to the RTA.)

Q: If yes, have the Language Assistance Plan, complaint procedures, and/or public participation procedures been implemented as described?

Q: How does your organization notify the public of its rights under Title VI?

Q: Has your organization received any discrimination complaints in the past three years, FY 2019-2022? (If yes, please describe the nature of the complaint and the outcome and attach any relevant documentation.)

SECTION 7 Americans with Disabilities Act (ADA)

Federal Requirement: Subrecipients must comply with ADA. No entity shall discriminate against an individual with a disability in connection with the provision of public transportation service. Subrecipients must track, resolve, and respond to ADA-related complaints. All new bus vehicles purchased or leased for use in fixed-route service by public entities must be accessible. Used bus vehicles must be made accessible for use to the maximum extent feasible. Vehicles used in contracted fixed-route service must be accessible. Vehicles used in demand-responsive service must be accessible unless equivalent service is provided. Newly constructed and altered facilities must meet US DOT accessibility requirements. Service must comply with the US DOT ADA regulations and be accessible to and usable by persons with disabilities.

Q: How does your agency track, resolve, respond to, and retain records of ADA-related complaints?

Q: Has your organization received any ADA-related complaints in the past three years, FY 2019-2022? (If yes, please describe the nature of the complaint and the outcome and attach any relevant documentation.)

Q: Are public transportation facilities constructed or altered during the reporting period accessible to and usable by individuals with disabilities?

Q: Describe how your organization follows ADA provision of service requirements (e.g., lift/ramp availability, priority seating, stop identification, employee training, accessible information formats, reasonable modification requests).

SECTION 8 Equal Employment Opportunity (EEO)

Federal Requirement: A full EEO program must be submitted to the RTA if your organization employs 100 or more transit-related employees and requests or receives capital or operating assistance > \$1 million in a fiscal year, or requests or receives planning assistance > \$250,000 in a fiscal year. An abbreviated program must be submitted to the RTA if your organization employs 50-99 transit-related employees and requests or receives capital or operating assistance in excess of \$1 million in a fiscal year, or requests or receives planning assistance in excess of \$250,000 in a fiscal year.

Q: Is your organization required to submit an EEO program based on the thresholds above? (If yes, please ensure it has been submitted to the RTA.)

SECTION 9 Drug and Alcohol Program

Federal Requirement: Subrecipients must have a board-adopted anti-drug and alcohol misuse policy. Subrecipients are required to provide at least 60 minutes of drug and alcohol training for covered employees and at least 120 minutes of training for supervisors and other officers authorized by the employer to make reasonable suspicion determinations. Subrecipients must obtain previous drug and alcohol testing program records from prior employers for employees performing safety-sensitive functions and must retain drug and alcohol testing program records for all covered employees in a secure location with controlled access. Medical Review Officers, substance abuse professionals, breath alcohol technicians, and collectors in the drug and alcohol program must have required certifications.

Q: Does your agency have a board-adopted drug and alcohol misuse policy? (If yes, please ensure it has been submitted to the RTA.)

Q: Does the policy include the following elements: proof of policy adoption by a governing body, identification of D&A program contact, employee categories subject

to testing, prohibited behavior, testing circumstances, consequences for refusing tests or positive tests with alcohol concentrations of 0.04 or greater, consequences for positive tests with alcohol concentrations of 0.02 or higher but lower than 0.04?

Q: Does your organization provide the minimum required trainings and reasonable suspicion testing?

Q. Does your organization obtain drug and alcohol testing records from prior employers, and are records stored in a secure location with controlled access?

Q: Do all medical review officers, substance abuse professionals, breath alcohol technicians, and collectors in the drug and alcohol testing program have the required qualifications, and are the qualifications records kept on file by your agency?

SECTION 10 Additional Requirements

Please indicate below if the following service types are applicable to your agency, and someone from the RTA will reach out to you for additional information.

Q: Does your organization operate school bus or school tripper service?

Q: Does your organization operate charter bus service?

Q: Does your organization provide ADA complementary paratransit service (required of public transit agencies operating fixed routes)?

SECTION 11 Conclusion

Q: Do you have any questions, concerns, or additional information to share regarding your agency's compliance with federal requirements and capacity to carry out federally funded projects?

Q: Will you be sending any attachments with your response or as a follow-up? (If so, please summarize the contents so files can be collated.)