

## The Unified Government of Athens-Clarke County Transit



### Title VI Plan

*Date Adopted: 01/02/2024*

## Table of Contents

<b>1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan .....</b>	<b>1-1</b>
<b>2.0 Introduction &amp; Description of Services.....</b>	<b>2-1</b>
2.1 First Time Applicant Requirements .....	2-2
2.2 Annual Certifications and Assurances.....	2-3
2.3 Title VI Plan Concurrence and Adoption.....	2-3
<b>3.0 Title VI Notice to the Public .....</b>	<b>3-1</b>
3.1 Notice to Public.....	3-1
3.2 Notice Posting Locations .....	3-1
<b>4.0 Title VI Procedures and Compliance.....</b>	<b>3-2</b>
4.1 Complaint Procedure.....	3-2
4.2 Complaint Form .....	3-2
4.3 Record Retention and Reporting Policy.....	3-3
4.4 Sub-recipient Assistance and Monitoring .....	3-3
4.5 Contractors and Subcontractors.....	3-3
<b>5.0 Title VI Investigations, Complaints, and Lawsuits .....</b>	<b>4-6</b>
<b>6.0 Public Participation Plan .....</b>	<b>5-7</b>
<b>7.0 Language Assistance Plan .....</b>	<b>6-9</b>
<b>8.0 Transit Planning and Advisory Bodies .....</b>	<b>7-10</b>
<b>9.0 Title VI Equity Analysis.....</b>	<b>8-11</b>
<b>10.0 System-Wide Service Standards and Service Policies .....</b>	<b>9-13</b>
10.1 Service Standards .....	9-13
10.2 Service Policies .....	9-15
<b>11.0 Appendices.....</b>	<b>10-25</b>

APPENDIX A	FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
APPENDIX B	CURRENT SYSTEM DESCRIPTION
APPENDIX C	TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX E	TITLE VI COMPLAINT FORM
APPENDIX F	PUBLIC PARTICIPATION PLAN
APPENDIX G	LANGUAGE ASSISTANCE PLAN
APPENDIX H	OPERATING AREA LANGUAGE DATA: ACCTD SERVICE AREA
APPENDIX I	DEMOGRAPHIC MAPS
APPENDIX J	TITLE VI EQUITY ANALYSIS
APPENDIX K	TEXT FORMATTING PALETTE

## 1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

*49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].*

The Unified Government of Athens-Clarke County Transit assures the Georgia Department of Transportation that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws, 49 CFR Part 21 Unlawful Discrimination, Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

The Unified Government of Athens-Clarke County Transit further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against The Unified Government of Athens-Clarke County Transit.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by GDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the GDOT. (refer to Appendix A of this plan)

**THIS ASSURANCE** is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Signature: 

Printed Name: Victor Pope, Transit Director

The Unified Government of Athens-Clarke County Transit, Date: 01/02/2024

## 2.0 Introduction & Description of Services

This is a section of the plan which covers general information about the transit agency.

The Unified Government of Athens-Clarke County Transit submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

The Unified Government of Athens-Clarke County Transit is a sub-recipient of FTA funds and provides service in Athens-Clarke County. A description of the current The Unified Government of Athens-Clarke County Transit system is included in Appendix B.

### **Title VI Liaison**

Juli Irvin

Safety and Risk Administrator/Title VI Coordinator, Unified Government of Athens-Clarke County

762-400-6389

375 Satula Avenue, Athens, GA 30601

### **Alternate Title VI Contact**

Jeff Hale

Human Resources Director/Title VI Plan Administrator, Unified Government of Athens-Clarke County

762-400-6391

375 Satula Avenue, Athens, GA 30601

The Unified Government of Athens-Clarke County Transit must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by GDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop 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.
- Implement procedures for the prompt processing of Title VI complaints.

## **2.1 First Time Applicant Requirements**

*FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.*

The Unified Government of Athens-Clarke County Transit or is not a first time applicant for FTA/GDOT funding. The following is a summary of The Unified Government of Athens-Clarke County Transit's current and pending federal and state funding.

### Current and Pending FTA Funding

1. FTA 5307-T006835-FY 2022, July 1, 2021 \$4,263,790.50 - Current
2. FTA 5307-T006836-FY2023, July 1, 2022 \$5,696,237 - Current
3. FTA 5307-T007051-FY2024, July 1, 2023 \$7,317,312 - Pending

### Current and Pending GDOT Funding

1. FTA 5307-T006835-FY 2022, July 1, 2021 \$191,090 -Current
2. FTA 5307-T006836-FY 2023, July 1, 2022 \$258,524 -Current

During the previous three years, Georgia Department of Transportation did complete a Title VI compliance review of The Unified Government of Athens-Clarke County Transit. The Unified Government of Athens-Clarke County Transit or has not been found to be in noncompliance with any civil rights requirements.

The following is a summary of the compliance review.

- a. Date of the compliance review  
February 14, 2023
- b. The purpose or reason for the review  
Section 5307 Title VI compliance review
- c. Agency or organization that performed the review  
Georgia Department of Transportation (RLS and Associates)
- d. Summary of the finding and recommendations of the review  
Title VI Plan Last Update was not reviewed by Georgia Department of Transportation
- e. Report on the status of the findings and recommendations  
The Unified Government of Athens-Clarke County is updating the Title VI Plan for 2023
- f. Current status of the compliance review- Findings report with Action items has been issued

## **2.2 Annual Certifications and Assurances**

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

The Unified Government of Athens-Clarke County Transit will remain in compliance with this requirement by annual submission of certifications and assurances as required by GDOT and FTA.

## **2.3 Title VI Plan Concurrence and Adoption**

*FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.*

This Title VI Plan received GDOT concurrence on 09/11/2023. The Plan was approved and adopted by The Unified Government of Athens-Clarke County Commission during a meeting held on October 3, 2023. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.

### **3.0 Title VI Notice to the Public**

*FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.*

#### **3.1 Notice to Public**

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

A sample of the notice is included in Appendix D of this Plan. The sample notice should be translated into other languages, as necessary.

#### **3.2 Notice Posting Locations**

The Notice to Public will be posted at many locations to apprise the public of The Unified Government of Athens-Clarke County Transit's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of The Unified Government of Athens-Clarke County Transit's office(s) including the reception desk and meeting rooms, and on the The Unified Government of Athens-Clarke County Transit's website at ACCgov.com/transit. Additionally, The Unified Government of Athens-Clarke County Transit will post the notice at stations, stops and on transit vehicles.

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A sample version of this notice is included in Appendix D of this Plan along with any translated versions of the notice, as necessary.

Title VI Procedures and Compliance

### **3.3 Title VI Procedures and Compliance**

*FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to member of the public.*

### **3.4 Complaint Procedure**

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by The Unified Government of Athens-Clarke County Transit may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (refer to Appendix E). The Unified Government of Athens-Clarke County Transit investigates complaints received no more than 180 days after the alleged incident. The Unified Government of Athens-Clarke County Transit will process complaints that are complete.

Once the complaint is received, The Unified Government of Athens-Clarke County Transit will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

The Unified Government of Athens-Clarke County Transit has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, The Unified Government of Athens-Clarke County Transit may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, The Unified Government of Athens-Clarke County Transit can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on The Unified Government of Athens-Clarke County Transit's website ([www.yourcommunitytransit.com](http://www.yourcommunitytransit.com)).

### **3.5 Complaint Form**

A copy of the complaint form in English and Spanish is provided in Appendix E and on The Unified Government of Athens-Clarke County Transit's website ([www.yourcommunitytransit.com](http://www.yourcommunitytransit.com)).

### 3.6 Record Retention and Reporting Policy

FTA requires that all direct and primary recipients (GDOT) document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. The Unified Government of Athens-Clarke County Transit will submit Title VI Plans to GDOT and FTA for concurrence on an annual basis or any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

### 3.7 Sub-recipient Assistance and Monitoring

The Unified Government of Athens-Clarke County Transit does not have any sub-recipients to provide monitoring and assistance to. As a sub-recipient to GDOT, The Unified Government of Athens-Clarke County Transit utilizes the sub-recipient assistance and monitoring provided by GDOT, as needed. In the future, if The Unified Government of Athens-Clarke County Transit has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.

### 3.8 Sub recipients and Subcontractors

The Unified Government of Athens-Clarke County Transit is responsible for ensuring that subcontractors (TPOs) are in compliance with Title VI requirements. Sub recipients may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. The Unified Government of Athens-Clarke County Transit, subcontractors, and/or TPOs may not discriminate in their employment practices in connection with federally assisted projects. Subcontractors and TPOs are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

#### Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “Contractor”) must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, “USDOT”) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section

21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Georgia Department of Transportation and/or the Federal Transit Administration*, to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Georgia Department of Transportation*, and/or the *Federal Transit Administration*, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, The Unified Government of Athens-Clarke County Transit shall impose contract sanctions as appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the The Unified Government of Athens-Clarke County Transit, Georgia Department of Transportation, and/or the Federal Transit Administration, may direct as a means of enforcing such provisions including sanctions for noncompliance.

#### **Disadvantaged Business Enterprise (DBE) Policy**

As a condition of your agreement with GDOT, The Unified Government of Athens-Clarke County Transit and its contractors and subcontractors agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26, as amended, have the opportunity to participate in the performance of contracts. The Unified Government of Athens-Clarke County Transit and its contractor and subcontractors shall not discriminate on the basis of race, color, national origin, or sex in the performance of any contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of GDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of the contract or such other remedy as the recipient deems appropriate.

**E-Verify**

As a condition of your agreement with GDOT, vendors and contractors of The Unified Government of Athens-Clarke County Transit shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with The Unified Government of Athens-Clarke County Transit. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for The Unified Government of Athens-Clarke County Transit shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for The Unified Government of Athens-Clarke County Transit.

## 4.0 Title VI Investigations, Complaints, and Lawsuits

*FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.*

In accordance with 49 CFR 21.9(b), The Unified Government of Athens-Clarke County Transit must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by The Unified Government of Athens-Clarke County Transit in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to GDOT.

The Unified Government of Athens-Clarke County Transit has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

**Table 1: Summary of Investigations, Lawsuits, and Complaints**

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

## 5.0 Public Participation Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.*

The Public Participation Plan (PPP) for The Unified Government of Athens-Clarke County Transit was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for The Unified Government of Athens-Clarke County Transit. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about The Unified Government of Athens-Clarke County Transit services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix F to this Title VI Plan.

### Current Outreach Efforts

The Unified Government of Athens-Clarke County Transit is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of The Unified Government of Athens-Clarke County Transit's recent, current, and planned outreached activities.

- Marketing routinely meets with community groups, weekly to provide public transportation information and education to the Athens-Clarke County community.
- Decentralized Transit transfer center site selection
- 2023 Transportation Development Plan public outreach meeting
- Posting transit information on the Athens-Clarke County Transit website
- Posting information on the Athens-Clarke County Transit website calendars in regard to route changes, detours and service revisions
- Posting information in Athens Transit Revenue vehicles
- Announcements in Athens-Clarke County newspapers
- Announcements in Spanish language publications available in MACORTS region (if available)
- All public hearings are publicized approximately two (2) weeks before the meeting dates
- TV, Radio, and printed media advertising are used on a regular basis
- How to ride a bus public outreach programs are held monthly at the Athens-Clarke County Municipal Court and various churches, human services agencies and various businesses
- Multiple marketing and promotional events held annually

## Public Hearing Requirements

The Unified Government of Athens-Clarke County shall solicit and consider public comments prior to implementing a transit fare increase and/or any major service reduction in transit service in the manner provided herein. The following service changes require a public hearing process followed by review and action by the Unified Government of Athens-Clarke County Mayor and Commission:

### Major Service Reduction

A major service reduction to Athens Transit's transit operations is defined as:

- Establishment of a new bus route and the initial schedule and headway parameters for that route
- Significant deviations in the geographical path traversed by any routes, which may impact 25% of the existing average daily ridership or could be considered out the corridor of direct service
- A substantial geographic alteration (one mile radius or more) in the termini of any route
- Elimination of a bus service not under the demonstration project status
- Modification to or increase in fare charged to the public for transit services
- Public Input Periods for Route and Service Changes and Fare increase were held in 2012, 2013, and 2014 Calendar Years.
- May 2012; Route / Service Changes and proposed Fare increase
- May 2013; Route / Service Changes and proposed Fare increase
- May 2014; Route / Service Changes and proposed Fare increase
- May 2018; Transportation Development Plan/Service Changes
- March 2020: Emergency Service Changes due to COVID-19
- March 2020: ACC Transit Begins Zero-Fare Transit Services
- July 2021: Transit Resumes "Summer Service" level; service provided 50-75 minutes along all Transit Routes.
- July 2021: Night Services Suspended due to Workforce Shortage
- August 2021: Summer Service Level in effect indefinitely due to workforce shortages
- August 2021: On-demand Transit Service was deployed to North Athens to supplement scheduled deviated fixed-route Transit service not operated due to workforce shortages.

Notification of service changes as well as a transcript of public hearing held will be provided to the Georgia Department of Transportation Office of Intermodal summarizing the issues and responses received in the public hearing process with any transit fare increase and/or any major service reduction in transit services.

## 6.0 Language Assistance Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).*

The Unified Government of Athens-Clarke County Transit operates a transit system within Athens Clarke County. The Language Assistance Plan (LAP) has been prepared to address The Unified Government of Athens-Clarke County Transit's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In The Unified Government of Athens-Clarke County Transit service area there are 2,872 residents or 27.85% who describe themselves as not able to communicate in English very well (Source: US Census 2017-2021 American Community Survey 5 Year Estimates). The Unified Government of Athens-Clarke County Transit is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The Unified Government of Athens-Clarke County Transit has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

## 7.0 Transit Planning and Advisory Bodies

*FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committess, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.*

The Unified Government of Athens-Clarke County Transit-related, non-elected committee or board therefore this requirement does not apply.

## 8.0 Title VI Equity Analysis

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.*

Title 49 CFR, Appendix C, Section (3)(iv) requires that “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, The Unified Government of Athens-Clarke County Transit will ensure the following:

1. The Unified Government of Athens-Clarke County Transit will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The Unified Government of Athens-Clarke County Transit will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, The Unified Government of Athens-Clarke County Transit will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If The Unified Government of Athens-Clarke County Transit determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, The Unified Government of Athens-Clarke County Transit may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The Unified Government of Athens-Clarke County Transit must demonstrate and document how both tests are met. The Unified Government of Athens-Clarke County Transit will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

The Unified Government of Athens-Clarke County Transit has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, The Unified Government of Athens-Clarke County Transit does not have any Title VI Equity Analysis reports to submit with this Plan. The

Unified Government of Athens-Clarke County Transit will utilize the demographic maps included in Appendix I for future Title VI analysis.]

## 9.0 System-Wide Service Standards and Service Policies

*FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.*

The Unified Government of Athens-Clarke County Transit is a fixed route service provider.

FTA Circular 4702.1B requires that all fixed route service providers prepare and submit system-wide service standards and service policies as a part of their Title VI Plan. These standards and policies must address how service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets.

The Unified Government of Athens-Clarke County Transit has adopted the following system-wide standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

### 9.1 Service Standards

FTA requires that all fixed route transit providers develop quantitative standards for all fixed route modes of operation for the following indicators. The Unified Government of Athens-Clarke County Transit has prepared standards for all modes it operates including Fixed Route and Demand Response Public Transportation Services.

#### a. Vehicle Load

Vehicle Type	Average Passenger Capacities			Maximum Load Factor
	Seated	Standing	Total	
15-20' Paratransit Van	8	2	10	1.2
35' Low Floor Bus	34	12	46	1.2
40' Low Floor Bus	39	14	53	1.3

## b. Vehicle Headway

POLICY HEADWAYS AND PERIODS OF OPERATION				
WEEKDAY	Peak	Base	Evening	Night
Urban Radial	30,60,75	30,60,75	60	N/A
Peak Express	15	15	--	--

\* Peak: 7-9 am and 4-6 pm; Base 9am - 4pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;  
"--" means no service is provided during that time period.

SATURDAY	Day	Evening	Night
Urban Radial	60	60	--
Peak Express	--	--	--

\* Day 7am - 6pm; Evening: 6-9:30 pm; Night: 9:30pm - Midnight;  
"--" means no service is provided during that time period.

SUNDAY	Day	Evening	Night
Urban Radial	60	60	--
Peak Express	--	--	--
<p><i>* Day 7am - 6pm; Evening: 6-9:30 pm; Night: 9:30pm-Midnight;</i></p> <p><i>--" means no service is provided during that time period.</i></p>			

c. On-Time Performance

A vehicle is considered on time if it departs a scheduled time point no more than one (1) minute early and no more than five (5) minutes late. The Unified Government of Athens-Clarke County Transit on-time performance objective is 90% or greater. The Unified Government of Athens-Clarke County Transit continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

d. Service Availability

The Unified Government of Athens-Clarke County Transit will distribute transit service so that 90% of all residents in the service area are within a  $\frac{1}{4}$  mile walk of bus service or within a  $\frac{1}{2}$  mile walk of rail service.

## 9.2 Service Policies

FTA requires fixed route transit providers to develop a policy for service indicators. The Unified Government of Athens-Clarke County Transit has prepared the following policies for its transit system.

a. Distribution of Transit Amenities

Installation of transit amenities along bus and rail routes are based on the number of passengers boarding at stops and stations along those routes.

b. Vehicle Assignment

Vehicles will be assigned to the South, North, and East depots such that the average age of the fleet serving each depot does not exceed 12 years. Low-floor buses are deployed on frequent service and other high-ridership lines, so these buses carry a higher share of ridership than their

numerical proportion of the overall bus fleet. Low-floor buses are also equipped with air conditioning and automated stop announcement systems.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 30-foot buses rather than the 40-foot buses. Some routes requiring tight turns on narrow streets are operated with 30-foot rather than 40-foot buses.

The Unified Government of Athens-Clarke County Transit has prepared the following policies for its transit system. Service policies establish service guidelines and performance standards to be met as resources allow, and detail the process to be used in evaluating existing and proposed service. Transit service guidelines are a set of general rules to be followed when existing transit service is modified or new service established. Performance standards serve as the criteria for evaluating both existing and proposed transit services.

Transit service policies should always be viewed in an appropriate context. For example, they should not be seen as rigid and inflexible, nor should they be substituted for good judgement. No matter how well each service policy is drawn, it cannot be universally applied.

#### **System Policy 1**

The public transit system should be designed, operated, and maintained within the limitations of funding and other resources available to:

- 1) Provide a reasonable alternative to the private automobile for those who have a choice
- 2) Provide a reasonable level of mobility for those who do not have a choice, the transit dependent
- 3) Provide a reasonable access to as many citizens as possible

#### **System Policy 2**

All features of the system shall be oriented toward attracting and serving current and potential Patrons.

#### **System Policy 3**

Service should be designed to minimize door to door travel time for current and potential patrons

#### **System Policy 4**

Operating practices and vehicle maintenance shall be such as to promote a safe transportation mode and minimize the possibility of any kind of accident, service delay or passenger inconvenience.

**System Policy 5**

The transit system and routes should be designed to adequately serve existing patterns of land-use and reinforce desired patterns of growth as expressed in the land use goals of local and regional master plans.

**System Policy 6**

Proposals for improved transit services should be evaluated as broadly as possible, considering both tangible and intangible factors and the effects of such improvements on nonusers and transit system users.

**System Policy 7**

Vehicle Type decisions regarding vehicle size and type will be determined by:

1. The type of service to be provided (i.e. fixed route, paratransit, fixed-route deviation, demand response, express, etc.)
2. Comfort and convenience of all transit customers
3. Compatibility with the neighborhood design and current community priorities and goals.
  - a. Identifying the appropriate size vehicle is very important both to customers and to the community at large. A bus which is undersized forces passengers to stand, decreasing riding comfort. Buses which are too large appear wasteful to the non-riding public.
4. Vehicle replacement schedules. Buses will be assigned to bus routes so that the average age of the busses serving any major geographic area of the community will not vary from the system average by more than 25%.
5. Vehicle life cycle cost for all transit vehicles should be optimized. FTA defines the minimum normal service life for buses as follows (9030.1C):
  - a. Standard size Heavy-duty (35'-40") At least 12 years or 500,000 miles, Heavy-duty (30') At least 10 years or 350,000 miles, Small medium Duty (under 30") At least 7 years or 200,000 miles, Other Vehicles At least 5 years or 100,000 miles

**System Policy 8****Provision of Service**

1. Major Activity Centers - Service shall be provided and operated, wherever possible, in a manner assisting achievement of adopted local, state, and federal policies and goals, particularly in the areas of EEO, Title-VI, environmental protection (e.g., air quality, noise pollution); energy conservation and contingency plans; land-use goals; and other provisions of local and regional master plans.

All major activity centers within the urbanized area will be served, including major employment concentrations, central business district, schools, hospitals, shopping centers, commercial areas, social service and civic center locations, elderly/disabled residence concentrations, public housing, and special-use facilities (e.g. sports complexes, intercity transportation facilities, main libraries).

2. Density Standards - Service will be considered to all traffic analysis zones (TAZs) that are contiguous with the existing service area and have an average density of at least five dwelling units per acre. Provision of new service is contingent upon the cost-effectiveness of providing the service.

For areas that do not meet the requirement of five dwelling units per acre, Athens Transit shall study the feasibility of demand-responsive service instead of fixed-route service. Demand- responsive service should be effectively interfaced with fixed-route service.

#### Accessibility to Service

1. Route Spacing: Subject to terrain, street layout, pedestrian facilities, and elderly and disabled populations, bus routes will be located every 1/2 mile in urban areas (more than 3,500 persons per square mile) and every mile in suburban and rural areas (less than 3,500 persons per square mile). Service may be closer where terrain, land-use, or street patterns inhibit walking.
2. Wheelchair Lift-Equipped Buses: All vehicles shall be wheelchair lift equipped. The fleet is 100 percent accessible, buses with wheelchair lifts and ramps are provided on all fixed routes at least once per hour during all hours of service.
  - a. Wheelchair lifts and ramps in service shall be in good working order at all times.

**Park-and-Ride Lots**

Park-n-Ride lots will be developed near the edge of the transit service area. This is to provide access to transit services from areas of lower density or unsuitable street layout and to potentially reduce arterial congestion.

**Hours of Service**

Customer friendly transit service should generally be provided between 5:30 a.m. and 10:00 p.m., Monday through Friday, and Saturday and Sunday from 7:30 am until 10:00pm.

**Service Design-Directness of Travel, Minimize out-of-direction or off-line routings.**

1. Routes should not be more than 30 percent longer in distance or 40 percent longer in time than comparative trips by private automobile.
2. Route deviations should not exceed five minutes per one-way round-trip. Such deviations should achieve an average of at least five passengers per round-trip.
3. Where feasible, routes should use the same street for both directions of travel.

**Transfers**

1. Route schedules will be developed to minimize wait time. Where possible, transfer centers will be constructed to coordinate transfers between routes. Riders required to transfer should not experience average wait times greater than 15 minutes.
2. One Way Loops: Locate only at route end points and if required by street layout.

**Service Duplication**

Where two or more routes use the same or parallel streets, schedules should be staggered to maximize service.

**Route Interlining**

Routes with a common terminal and a 30 percent transfer rate may be considered for interlining if:

1. Opposite travel corridors are serviced from the terminal point

2. Frequencies and operating hours are near identical
3. Routes are stable and well established
4. Combined running time does not exceed one hour and ten minutes.
5. Route End Points should be at major activity centers to improve boarding, layover, and recovery opportunities.
6. Short Turnarounds should be considered during off-peak travel times to improve route performance and productivity.
7. Clock Headways are to improve passenger reliability, routes will be designed around clock headways (60, 30, 20, or 15 minute frequencies) when possible.

### **System Policy 9**

#### **Frequency/Capacity of Service**

**Load Factors:** The maximum passenger load should never exceed the safe or legal limit. Typically, load factors will not consistently exceed:

- A. 125 percent for peak-hour, peak-direction travel on radial and collector routes
- B. 100 percent on express routes
- C. 100 percent during midday
- D. 125 percent on individual trips

**Policy Headways/Headway Adjustments:** Established to ensure a minimum level of service, policy headways are 60 minutes. Service intervals should not exceed this time.

The adjustment of headways is one method of bringing routes into compliance with service policies and standards. Marginal and substandard routes should be considered for lengthened headways. Routes that exceed standards should be considered for more frequent service.

**45-Minute Headways** - should be considered for routes or route segments, by time of day, that achieve a passenger per revenue vehicle hour (P/PVH) equal to 80 percent of the Athens Transit system average, during Peak-service hours only.

**30-Minute Headways** - should be considered for routes or route segments, by time of day, that achieve P/RVH equal to 100 percent of the Athens Transit system average.

15 and 20 Minute Headways – should be considered for routes or route segments, by time of day, that achieve P/RVH equal to 125-150 percent of the Athens Transit system average.

#### System Policy 10 Distribution of Transit Amenities

The Athens Transit bus stop improvement program's criteria places bus stop amenities between 700 and 1200 feet apart depending on route population density, route specific points of origin and route specific destinations. The levels of improvements are based on average number of boardings a day. There are currently approximately 500 + bus stops, about 400 have completed improvements, with about 100 shelters and 200 benches. More are being planned for years 2015 -2020)

1. Level I ----- 1-9 boardings      Concrete pad, trash can, bus stop post/sign
2. Level II-----10-20 boardings      Concrete pad, two seat bench, trash can, bus stop post/sign
3. Level III --- 21 + boardings      Concrete pad, three seat bench, bus shelter, trash can, bus stop post/sign
4. Level IV ---21 + boardings or Special cases, Art shelters, site specific improvements, etc. Level V -- 21 + boardings Bus bay, with Level III improvements

#### Other criteria:

- A. Safety
  - i) Poles and signs will be located far enough from the edge of the roadway, in conformance with local jurisdiction standards, to avoid collisions with the bus or other vehicles.
  - ii) Poles and signs will be located to meet the guidelines of the Americans with Disabilities Act (ADA).
  - iii) Bus stops generally will be located at the far side of intersections, to minimize disruptions to the flow of traffic.
2. Location
  - i) In residential areas, bus stops will be placed in the following order of priority:
  - ii) Adjacent to multi-family residential structures, parks, or churches Adjacent to side yards
  - iii) On or as near as possible property line Adjacent to stop signs wherever possible.
  - iv) Before placement in a front yard location, adjacent property owners will be notified. Staff will attempt to find a property owner willing to accept the bus stop, although this may not be possible in every occurrence.

3. In commercial and industrial areas, bus stops will be placed with the following considerations:

- i) Minimize the reduction of on street parking
- ii) Avoid blocking driveways
- iii) Placement should be as near as possible to pedestrian access points
- iv) Minimize conflicts between truck and bus movements.
- v) ADA Accessible Bus Stops

All new bus stops shall meet the requirements of the Americans with Disabilities Act (ADA). Efforts shall be made to bring existing bus stops up to ADA standards during roadway maintenance projects and as part of the development review process

#### **Bus Stops Signs**

All bus stops shall have a sign. Each sign should have the Athens Transit logo and colors. Signs should show all routes serving that stop.

#### **Passenger Shelters**

An attempt will be made to provide shelters at stops with 20 or more boardings per day and placed according the Athens Transit Bus Stop Improvement Program. Special consideration will be made for stops used by a high percentage of senior citizens or persons with disabilities. If 50 percent or more of the users of a stop are elderly or disabled, the minimum requirement for shelter placement will drop to 10 boardings per day.

#### **Passenger Benches**

Passenger benches will be provided at all bus stops that have 10 or more boardings per day. Additional consideration will be made for special requests and the following types of stops.

- 1. Stops used by a high percentage of elderly or disabled patrons
- 2. Stops serving public facilities, i.e., hospitals, libraries, and schools.

#### **System Policy 11 Effectiveness of Service**

Any proposed Fare increase or service changes shall consider the following factors during the planning process:

- 1. Assess the effects of the proposed fare or service changes.

2. Assess the alternatives available for people affected by change.
3. Determine if proposals would have a disproportionately high and adverse effect on minority and low-income riders.
4. Describe the actions proposed to minimize, mitigate, or offset any adverse effects

### **Farebox Recovery Ratio**

The transit system will be evaluated annually based on its farebox recovery ratio (i.e., the ratio of revenues collected to the cost of operating the system). Steps will be taken to implement a fare policy that, when balanced against system operating costs and reduced fare programs, will achieve over time a system standard farebox ratio of 35 percent. Deviations from this policy will be considered on an annual basis based on management's guidance.

System Cost per Revenue Vehicle Hour (C/RVH) Shall increase no faster than the rate of inflation.

- a. System Average Productivity

Shall exceed 25 passengers per revenue vehicle hour and 2.0 passengers per revenue vehicle mile for fixed route, and 1.5 passengers per hour for ADA complementary paratransit service.

- b. Route Effectiveness

All transit routes will be evaluated annually using the following performance indicators:

**Total Passengers/Revenue Vehicle Mile (P/RVM)** - Measures the effectiveness of route design and scheduling in meeting ridership demand. Individual routes shall exceed 1.0 P/RVM.

**Total Passengers/Revenue Vehicle Hour (P/RVH)** - Measures the effectiveness of route design and scheduling in meeting ridership demand. Individual routes shall exceed 15 P/RVH. Any route falling under the minimum standard after one year of service initiation shall be evaluated for possible routing changes and/or increased marketing efforts.

**Cost per Passenger (C/P)** - Relates the cost of service to its utility. Individual routes cost per passenger shall exceed no more than twice the system average.

**Farebox Recovery Ratio (FRR)** - Relates to ratio of revenues collected to the cost of operating the system. Standard is 35 percent. Any route falling under the minimum standard after one year of service initiation shall be evaluated for possible routing changes and/or increased marketing efforts

- c. Service Changes

**1. Major Service Changes**

Major Service changes should not occur more than twice per year. Athens Transit staff will hold a formal public hearing for substantial changes to, or discontinuation of routes. These hearings will be advertised in locally circulated newspapers, and notices will be placed on board buses operating on the affected routes.

**2. Minor Service Changes**

Will occur as needed and should only be used to correct unexpected problems. For minor changes, no public hearing is held; however, notices will be placed on board all buses as needed.

**3. Service Expansion**

Service Expansions will be considered as demand warrants. Strategic plan updates will be developed stating specific proposals for service improvements, marketing efforts, and planning justifications as part of Athens Transit's annual budget process. New service will meet route standards within one year of implementation.

**4. Route Effectiveness**

Projected ridership, revenue, and costs shall be estimated to determine new service feasibility studies.

**5. Transit Potential**

Proposed areas for new fixed-route service should have a minimum population density of five dwelling units per acre.

**6. Reduced Service**

Reduced Service will be considered for routes that fall below acceptable ridership standards.

Athens Transit's policy requires the formal public hearings to be held for any reduction in service that affects 25 percent of a route's RVM and for advertising proposed changes a minimum of 14 days prior to implementation.

## 10.0 Appendices

- APPENDIX A FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
- APPENDIX B CURRENT SYSTEM DESCRIPTION
- APPENDIX C TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
- APPENDIX D TITLE VI SAMPLE NOTICE TO PUBLIC
- APPENDIX E TITLE VI COMPLAINT FORM
- APPENDIX F PUBLIC PARTICIPATION PLAN
- APPENDIX G LANGUAGE ASSISTANCE PLAN
- APPENDIX H OPERATING AREA LANGUAGE DATA: THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY TRANSIT SERVICE AREA
- APPENDIX I DEMOGRAPHIC MAPS
- APPENDIX J TITLE VI EQUITY ANALYSIS
- APPENDIX K TEXT FORMATTING PALETTE

## Appendix A

# FTA Circular 4702.1B Reporting Requirements for Transit Providers

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

### **General Requirements**

*All recipients must submit:*

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.**
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

### **Requirements of Transit Providers**

*All Fixed Route Transit Providers must submit:*

- All requirements set out in Chapter III (General Requirements)
- Service standards
  - Vehicle load for each mode
  - Vehicle headway for each mode
  - On time performance for each mode
  - Service availability for each mode
- Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

*Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:*

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

## Appendix B

# Current System Description

1. An overview of the organization including its mission, program goals and objectives.  
The Unified Government of Athens-Clarke County Transit's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to county residents.
2. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.  
The Unified Government of Athens-Clarke County Transit is a for profit 501(c)(3) organization. Our organization is made up of 93 full-time employees, and part-time employees. Our Director is responsible for all of the day-to-day operations of our organization and reports directly to our County Managers. Our Mayor and County Commission is committed to this program and has, therefore, incorporated our service within the County's Public Transportation Program and has therefore incorporated and funded our services as Athens Transit, the County's public transportation system since 1977.

Location(s):

Multi-Modal Transportation Center (MMTC):

775 East Broad Street, Admin: 613-3432, Information Center 613-3430

Operations and Maintenance Facility: 325 Pound Street, 613-3434

Approximately 500 bus stops throughout Athens-Clarke County including over 200 bus shelters, 200 benches and 400 trash cans

Hours of Operation:

Times for The Bus and The Lift may vary according to the route and day; however, approximate hours of operation are Monday through Saturday, 6:00 a.m. - 9:45 p.m.

Website: [www.athenstransit.com](http://www.athenstransit.com)[www.athensclarkecounty/transit](http://www.athensclarkecounty/transit)

Public Transit Services Delivered:

"The Bus" the fixed-route transit service provided on 19 routes with 31 accessible transit buses.

The frequencies of transit services are 15, 20, 30 and 60 minutes, depending on route and time of year.

“The Lift” a ‘curb to curb’ paratransit service offered within one-mile of the fixed-route services with 3 assessable vans. This is a demand response service that requires the passenger to schedule trips, sometimes as much as 14 days in advance.

Operations Division has 70 plus employees providing over 72,000 hours of public transit services annually on the two modes of transit.

Maintenance Division has 13 employees responsible for the daily maintenance, repair, and servicing of over 30 transit vehicles and support vehicles which operate in excess of 770,000 miles per year.

Administration Division has 4 employees which provide leadership, management, transit planning, and administrative support to the Operations and Maintenance divisions.

#### Annual Ridership:

Annual Fixed-Route (The Bus) Ridership is approximately 1.2 million riders, average daily ridership 4500-4800 on 24 peak service buses, operating on 20 routes, during UGA Fall/Spring semesters, summer average daily ridership is approximately 2500-3000 on 16 buses, operating on 16 routes.

Annual Demand Response (The Lift) ridership is approximately 12,000 trips.

#### MISSION & GOALS

The mission of the Transit Department is to provide safe, courteous, cost effective efficient public transportation services to the citizens of Athens-Clarke County.

#### GOALS AND OBJECTIVES

Transit is to provide transportation to employment, educational, medical, shopping, cultural, and other resource centers for community members, with special attention to those who do not have access to other modes of transportation.

- a) To identify areas with transit dependent block groups that have an above average propensity to use transit by assessing census data.
- b) Recommend change on a system wide basis to better address the needs of citizens.
- c) Emphasize regional connections for all ground transportation.
- d) Position Athens Transit as a strong alternative to automobiles by providing more frequency of service, longer hours of service, multiple transfer options, and more direct routes with shorter travel times.

Transit provides solutions to help manage transportation corridors within Athens-Clarke County that have a deficient level of service.

- a) Assess major roadways for deficient levels of service where transit can assist in maintaining or improving level of service.
- b) Identify neighborhoods that are burdened due to cut through or commuter traffic and develop service plans.
- c) Attempt to improve air quality by reducing traffic congestion along specific corridors.

Reduce the need for parking facilities within the CBD and UGA campus therefore allowing maximum utilization of land for more productive purposes.

- a) Locate parking areas that are remote from the CBD and UGA campus.
- b) Develop park-n-ride sites with direct service to the CBD and UGA campus.
- c) Educate employers, the business community and citizens about the economic benefits of Athens Transit.
- d) Encourage more partnerships with employers and business communities.

ATS operates in such a manner that is cost effective.

- a) Continue to pursue dedicated funding sources for transit services. (Examples; local option sales tax, gasoline tax, etc.)
- b) Develop alternative revenue sources that have the least impact on local community tax payers.
- c) Create a fare structure with a subsidized rate for people with low incomes.
- d) Utilize SPLOST funding to supplement capital expenses.
- e) Thoroughly investigate options using new technology to achieve operating cost savings.

Continue to foster the ATS and UGA transit services interface in order to achieve community goals.

- a) Continue to coordinate with Campus Transit to avoid duplication of transit services.
- b) Develop specific services in conjunction with Campus Transit, tailored to meet the needs of UGA affiliated passengers.

## SERVICE GOALS

### Fixed Route Service – “The Bus”

- Provide safe, timely transit services to our community and a safe service environment for customers and employees.
- Ensure that safe, clean, well-maintained vehicles are available to operate all trips as scheduled.
- Achieve a high level of rider satisfaction and an on-time performance rate that exceeds 95%.
- Maximize fare revenue, while providing economical services.
- Limit the cost of providing service by generating more revenue.
- Increase community awareness and encourage use of available transit service.
- Implement innovative route and scheduling methods to reduce cost and promote increased ridership.

### Paratransit Demand Response – “The Lift”

- Limit the increasing cost of providing service by ensuring only qualified individuals are permitted to use the service.
- Achieve a high level of rider satisfaction and an on-time performance rate that exceeds 95%.
- Optimize scheduling to effectively utilize resources.
- Implement innovative route and scheduling methods to reduce cost and promote increased ridership.

## Current System Description

1. An overview of the organization including its mission, program goals and objectives.

The Unified Government of Athens-Clarke County Transit Department's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for The Unified Government of Athens-Clarke County community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to community residents. The Unified Government of Athens-Clarke County Transit's mission is: The mission of the Athens Transit System is to exhibit excellence in all aspects of the transportation services we provide to the citizens of Athens-Clarke County. As a dedicated group of professionals, we value and support our customers and fellow employees, and are committed to the provision of our services in a safe, courteous, timely, and efficient manner.

2. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.

Athens Transit, the public transportation department of the Unified Government of Athens-Clarke County. Our department is made up of 93 full-time and part-time employees. Our Director is responsible for all of the day-to-day operations of our organization and reports directly to our County Managers. Our Mayor and County Commission are committed to this program and has, therefore, incorporated and funded our services as Athens Transit, the County's Public Transportation Program since 1977.

Number of Employees authorized: 98

Divisions:

Administration

8 FT /1 PT-NB

Operations:

61 FT /15 PT-NB

Maintenance:

13 FT /0 PT-NB

Location(s):

Multi-Modal Transportation Center (MMTC):

775 East Broad Street, Admin: 706-613-3432, Information Center 706-613-3430 Operations and Maintenance Facility: 325 Pound Street, 706-613-3434

Approximately 500 bus stops throughout Athens-Clarke County including over 200 bus shelters, 400 benches and 500 trash cans

Hours of Operation:

Times for The Bus and The Lift may vary according to the route and day; however, approximate hours of operation are Monday through Saturday, 6:00 a.m. - 9:45 p.m.

Indicate if your agency is a government authority.

Athens-Clarke County Transit Department is a department of the Unified Government of Athens- Clarke County, and operates under the direction of the Athens-Clarke County Mayor and Commission.

3. Who is responsible for insurance, training and management, and administration of the agency's transportation programs?

Athens-Clarke County Transit Department's Director is responsible for training and management of our transportation program. All safety sensitive employees are required to complete GDOT approved safety and security training course as part of their new hire orientation. All new employees are also required to complete 80 hours of on-the-road drivers training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheelchair lifts and securement devices. Athens-Clarke County is self-insured. Athens-Clarke County Safety and Risk Administration is responsible for annual renewal of all liability insurance for both FTA/GDOT and agency owned vehicles, as well as vehicle registration. It is the Athens-Clarke County Transit Director's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles.

4. Who provides vehicle maintenance and record keeping?

Maintenance on all agency vehicles is provided by Athens-Clarke County Transit Maintenance Division. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the GDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at our operations base located at 325 Pound Street, Athens, GA 30601, and are maintained by the Transit Maintenance Administrator. All records are maintained and retained for a minimum of four (4) years.

5. Number of current transportation related employees

Our transportation department has a total of 62 employees that include: 31 full-time drivers, 7 part-time drivers, 4 administrators and 13 support staff.

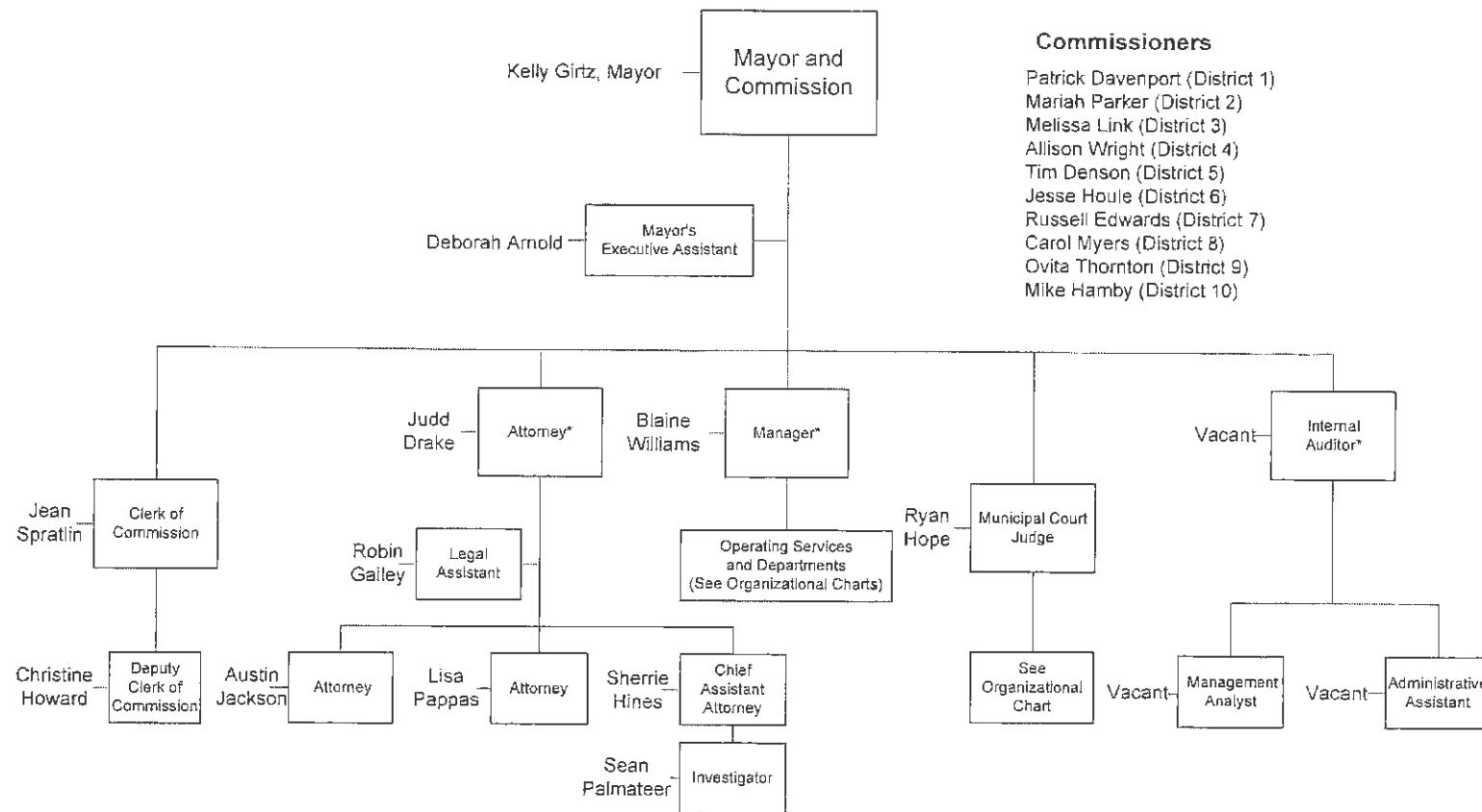
6. Who will drive the vehicle, number of drivers, CDL certifications, etc.?

Only transportation employees that have completed all of the required safety and drivers training requirements will be allowed to drive the agency vehicles. All our drivers are required to carry a Commercial Driver's License. This allows coverage of all of the larger vehicles and for the opportunity for the other drivers to fill in on service routes with the larger vehicles.

**7. A detailed description of service routes and ridership numbers**

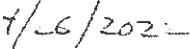
Transportation services provided through our program are available to all Athens-Clarke County residents, and visitors. Our service incorporates both fixed-route, and complementary ADA para-transit. We provide a wide range of trip purposes that include: medical, nutrition, shopping, social-service/mental health, training, employment, entertainment and recreation. Currently, we use a variety of vehicles to provide passenger services. Our fleet includes vans, modified vans, and buses. 100% of our revenue service vehicles are equipped for wheelchair service. We prioritize grouping trips and multi-loading to the maximum extent possible. We make 4,532 passenger trips per day on average and leverage our fleet resources so that all vehicles are used in a responsible manner to provide full coverage and retire the vehicles at a consistent pace and appropriate age and mileage.

## Mayor and Commission

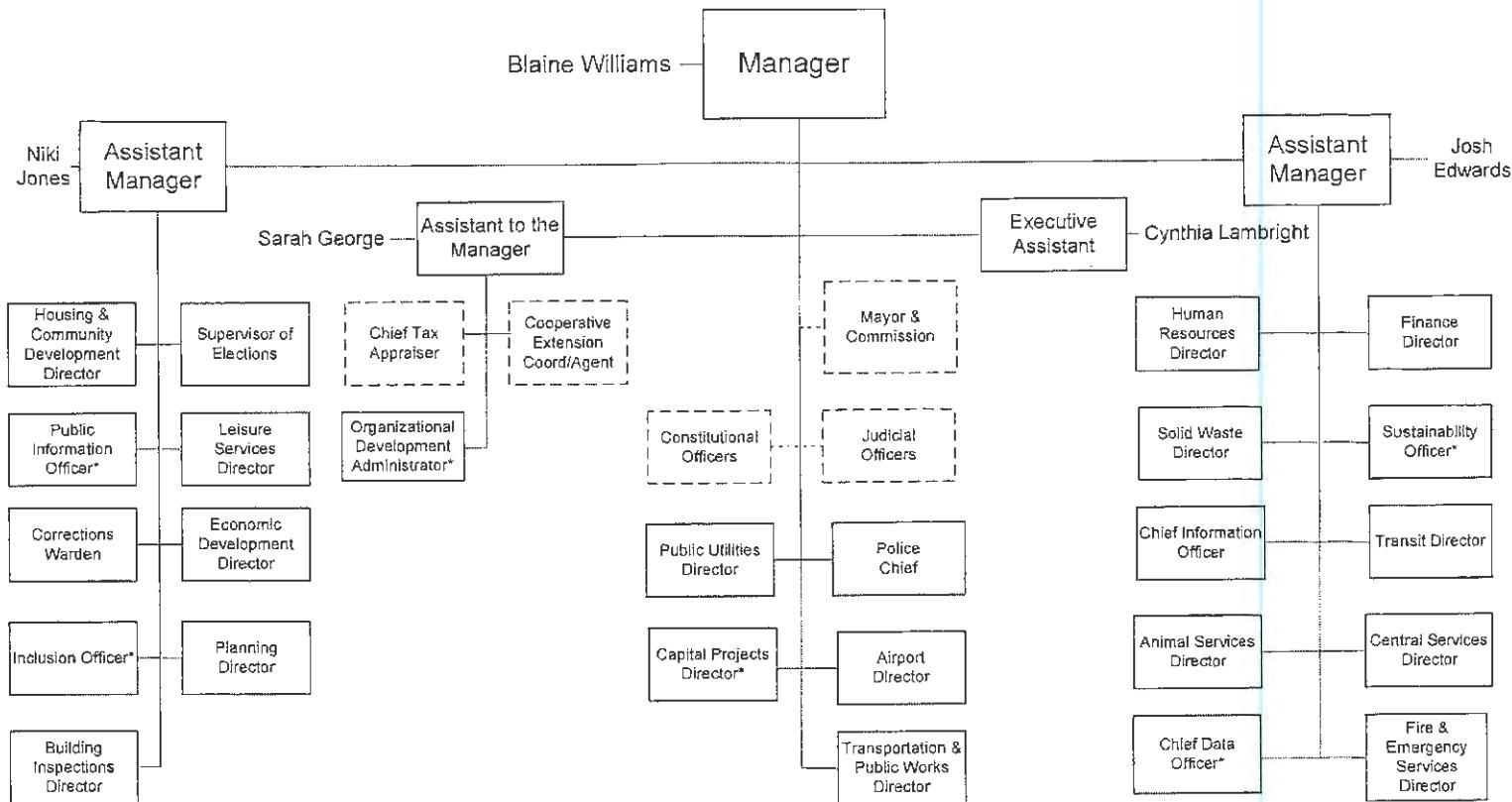


\*Charter Officers

  
Kelly Girtz, Mayor

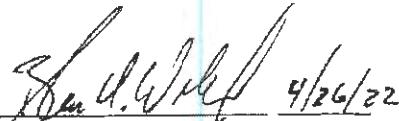
  
7/6/2022  
Date

## Manager's Office

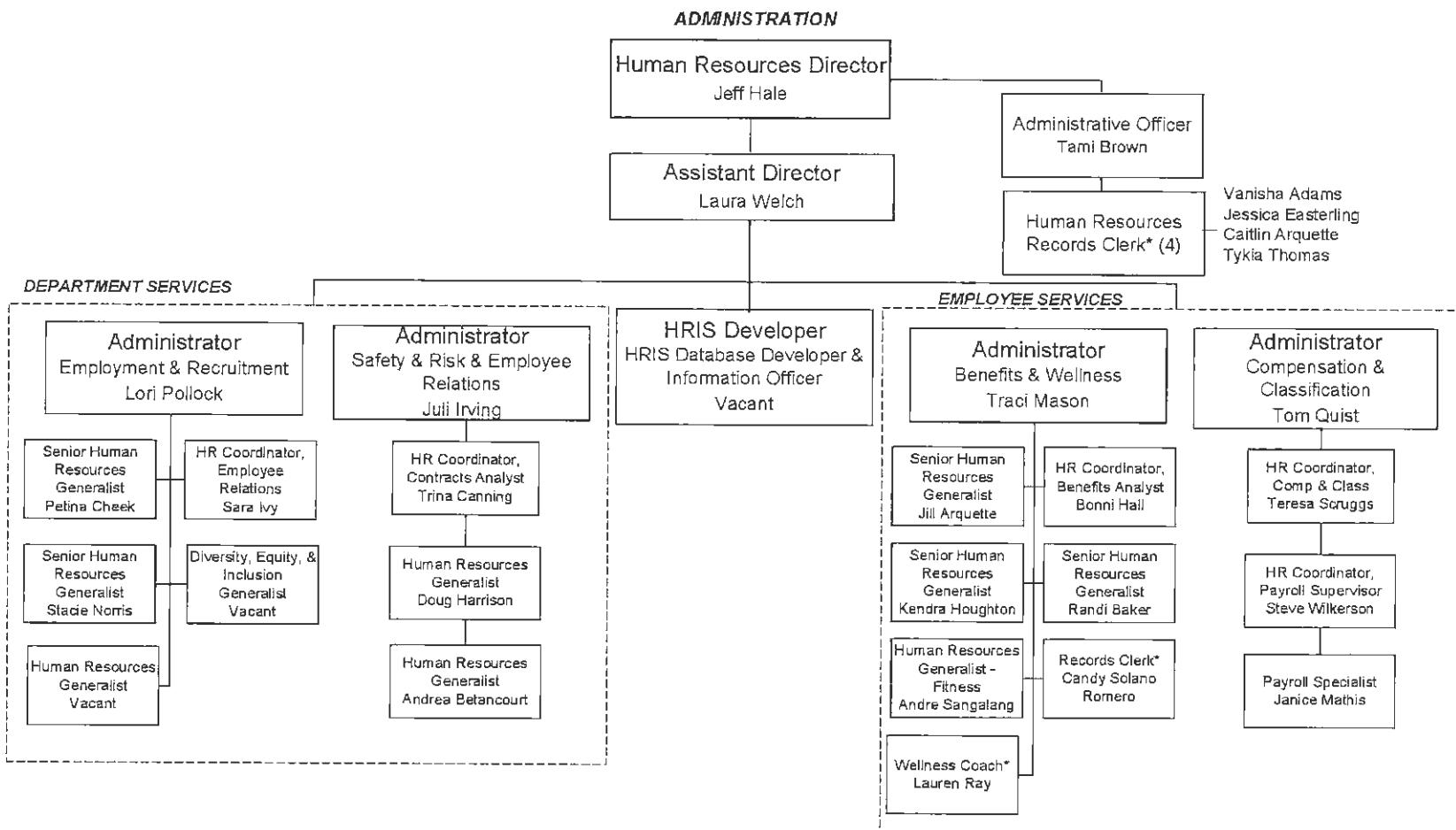


\* Sections of Managers Office

----- Appointed by others

  
 Blaine Williams  
 Unified Government of  
 Athens-Clarke County Manager  
 4/26/22  
 Date

# Human Resources Department



## Appendix C

# Title VI Plan Adoption Meeting Minutes and GDOT Concurrence Letter

Insert a copy of the Title VI Plan adoption meeting minutes and the GDOT concurrence letter.

## Appendix D

# Title VI Sample Notice to Public

**Notifying the Public of Rights Under Title VI****The Unified Government of Athens-Clarke County Transit**

- The Unified Government of Athens-Clarke County Transit operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with The Unified Government of Athens-Clarke County Transit.
- For more information on The Unified Government of Athens-Clarke County Transit's civil rights program, and the procedures to file a complaint, contact (706) 613-3432, TTY 1-800-255-0056 [victor@accgov.com](mailto:victor@accgov.com); or visit our administrative office at 775 East Broad Street Athens, GA 30601. For more information, visit [www.accgov.com/transit](http://www.accgov.com/transit).
- If information is needed in another language, contact (706) 613-3432
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

**Notifying the Public of Rights Under Title VI****Athens-Clarke County Transit Department**

- Athens-Clarke County Transit Department opera sus programas y servicios sin tener en cuenta raza, color y origen nacional, en acuerdo con el Título VI de la Civil Ley de Derechos. Cualquier persona que cree que es él o ella ha sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja con Athens-Clarke County Transit Department.
- Para obtener más información sobre el programa de derechos civiles de Athens-Clarke County Transit Department y los procedimientos para presentar una queja, comuníquese con 706- 613-3432, TTY: 1-800-255-0056, email [Ryan.Solchenberger@accgov.com](mailto:Ryan.Solchenberger@accgov.com); o visite nuestras oficinas administrativas: 775 East Broad Street, Athens, GA 30601. Para mas información, visitar: [www.accgov.com/Transit](http://www.accgov.com/Transit)
- Adicional información es disponible, teléfono: 706-613-3432
- Un demandante puede presentar una queja directamente con el Federal Transit Administration oficina de Derechos Civiles: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

## Appendix E

# Title VI Complaint Form

# The Unified Government of Athens-Clarke County Transit

## Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground 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."

Note: The following information is necessary to assist the University of Georgia Transportation and Parking Services along with the UGA EOO office in processing your complaint. Should you require any assistance in completing this form, please contact the Title VI Liaison. Complete and return this form to:

### Title VI Contact Liaison

Juli Irving, Safety and Risk Administrator 762-400-6389

[Juliana.Irving@ACCGov.com](mailto:Juliana.Irving@ACCGov.com) 375 Satula Avenue, GA 30601

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Age	
<input type="checkbox"/> Disability	<input type="checkbox"/> Family or Religious Status	<input type="checkbox"/> Other (explain)		
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against				

you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

---

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**Section IV**

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

**Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes       No

If yes, check all that apply:

Federal Agency: \_\_\_\_\_

Federal Court \_\_\_\_\_  State Agency \_\_\_\_\_

State Court \_\_\_\_\_  Local Agency \_\_\_\_\_

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

Name:

Title:

Agency:

Address:

Telephone:

**Section VI**

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

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

Signature and date required below

---

Signature

---

Date

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

**Juli Irving**  
Safety & Risk Administrator/Title VI Coordinator  
375 Satula Avenue  
Athens, GA 30601

## The Unified Government of Athens-Clarke County Transit Department

### Formulario de queja del Título VI

El Título VI de la Ley de Derechos Civiles de 1964 exige que “Ninguna persona en los Estados Unidos, por motivos de raza, color o nacionalidad, será excluida de la participación, ni se le negarán los beneficios ni será objeto de discriminación en virtud de cualquier programa o actividad que reciba asistencia financiera federal”.

Nota: La siguiente información es necesaria para ayudar a los Servicios de Transporte y Estacionamiento de la Universidad de Georgia junto a la Oficina de Igualdad de Oportunidades (EOO, por sus siglas en inglés Equal Opportunity Office) de UGA a procesar su queja. Si necesita ayuda para completar este formulario, comuníquese con la persona enlace del Título VI. Complete y devuelva este formulario a:

#### Contacto de la persona enlace del Título VI

Remy Epps, Diversity, Equity, and Inclusion Officer 706-613-3015

Remy.Epps@ACCGov.com

301 College Avenue Athens, GA 30601

<b>Sección I:</b>				
<b>Nombre:</b>				
<b>Dirección:</b>				
<b>Teléfono (Hogar):</b>		<b>Teléfono (Trabajo):</b>		
<b>Correo Electrónico:</b>				
<b>¿Requisitos de formato accesible?</b>	Letra grande		Grabación de Audio	
	TDD**		Otros	
<b>Sección II:</b>				
<b>¿Está presentando esta queja en su propio nombre?</b>		<b>Si*</b>	<b>No</b>	

\*\* Nota de traducción: Dispositivo de telecomunicación para sordos

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja. Firma y fecha requeridas a continuación

Firma \_\_\_\_\_ Fecha \_\_\_\_\_

# **Appendix F**

## **UGA & MACORTS**

### **Public Participation Plan (PPP)**

## Introduction

Unified Government of Athens-Clarke County is required to notify residents and post notifications on the Athens Transit website: [www.accgov.com/transit](http://www.accgov.com/transit). In addition, Unified Government of Athens-Clarke County participates as a partner MACORTS Public Participation Plan. Unified Government of Athens-Clarke County participates as a voting member in regional local community board meetings through MACORTS. MACORTS is responsible for implementing the 3-C (comprehensive, cooperative, and continuing) transportation planning process. The organization is composed of a Policy Committee and a Technical Coordinating Committee. MACORTS is one of 16 Metropolitan Planning Organization (MPO) in Georgia.

The Policy Committee consists of 8 Voting Members (2 non-voting members). The voting members consist of representatives from Madison County, Clarke County, Oconee County, University of Georgia, and the Georgia Department of Transportation (GDOT). The MACORTS Chairmanship is rotated between Madison County, Oconee County and Athens-Clarke County Chief Elected Officials. Meetings are held on the second Wednesday of the month, on an as needed basis.

The Technical Coordinating Committee (TCC) is composed of staff from Madison County, Athens-Clarke County, Oconee County, University of Georgia, and Georgia Department of Transportation (GDOT) and the Federal Highway Administration (FHWA). The A-CC Planning Department Director is permanent Chairman of the TCC. The TCC is a recommending body to the MACORTS Policy Committee. TCC meetings are held on the fourth Wednesday of each month on an as needed basis.

\*\* All meetings are recorded. Audio/Visual recordings of these meetings are available upon request. In order to attend or participate in the scheduled TCC/PC meetings, please contact MACORTS staff at 706-613-3515 or [macorts@acgov.com](mailto:macorts@acgov.com) for the password or to request a recording. \*\*

Athens-Clarke County Planning Department is designated as the Metropolitan Planning Organization (MPO) by the Governor of Georgia. The Planning Department, in conjunction with GDOT, is responsible for carrying out the transportation planning process as mandated under federal legislation.

Transportation Planning Process is required by federal law for all urban areas over 50,000 in population. All transportation projects in this area which utilize federal funds must go through a process in which they are adopted into a regional transportation plan / Long Range Transportation Plan. The projects that are in this plan are, overtime, put into the Transportation Improvement Program (TIP) for implementation.

- **Clarity and Relevance:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive:** The Unified Government of Athens-Clarke County Transit will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Posting information on website**

# PARTICIPATION PLAN

## MADISON ATHENS-CLARKE OCONEE REGIONAL TRANSPORTATIONAL STUDY



Prepared by:  
ATHENS CLARKE COUNTY PLANNING DEPARTMENT

In cooperation with:

*Madison County Department of Planning and Zoning  
Oconee County Planning Department  
Federal Highway Administration  
Federal Transit Administration  
Georgia Department of Transportation*

*Adopted May 12, 2021*

[www.macarts.org](http://www.macarts.org)

## MADISON ATHENS-CLARKE OCONEE REGIONAL TRANSPORTATION STUDY

### PARTICIPATION PLAN

Adopted May 12, 2021

Athens-Clarke County Planning Department  
120 W. Dougherty Street  
Athens, GA 30601  
Phone: (706) 613-3515  
Fax: (706) 613-3844  
Email: [macorts@accgov.com](mailto:macorts@accgov.com)  
Web: [www.macorts.org](http://www.macorts.org)

*The opinions, findings, and conclusions in this publication are those of the author(s) and not necessarily those of the Department of Transportation, State of Georgia, the Federal Transit Administration, or the Federal Highway Administration.*

*No person in the United States shall be excluded, on the grounds of race, color, creed, sex, age, disability, or national origin, from participation in, be denied the benefits of, or be subjected to discrimination of any kind by the Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) membership, staff, or agents.*

MADISON ATHENS-CLARKE OCONEE REGIONAL TRANSPORTATION  
STUDY  
PARTICIPATION PLAN

<u>Section</u>	<u>Content</u>	<u>Page</u>
A. Purpose of MACORTS		1
B. Introduction		1
	MACORTS Committees	2
	MACORTS Staff	3
C. Participation Strategy		3
	Consultation	3
	Public Access	4
	Public Outreach & Education	6
	Public Input	7
	Evaluation of Participation Plan	8
D. Adoption and Amendment of Participation Plan		9
<u>Appendices</u>	<u>Content</u>	<u>Page</u>
A. Resolution Adopting MACORTS Participation Plan		10
B. Comments Summary for Participation Plan		11
C. Locations – Public Notices, MACORTS Documents, & Public Meetings		13
D. Public Participation Evaluation Criteria		14
E. Public Participation Checklist		16
F. List of Resource Agencies & Consultation Contacts		17
G. STIP & TIP Amendment Process (GDOT)		19

**MADISON ATHENS-CLARKE OCONEE REGIONAL TRANSPORTATION STUDY  
PARTICIPATION PLAN**

**A. PURPOSE**

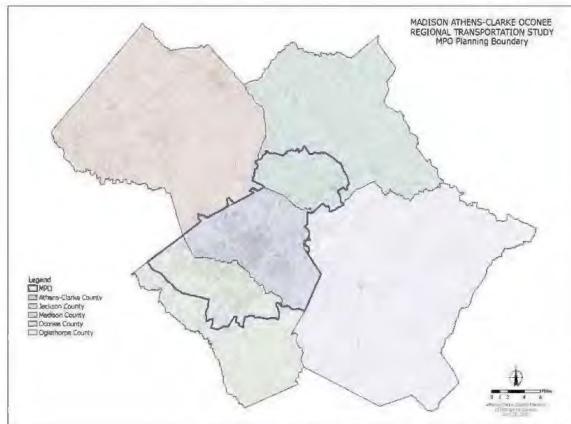
The Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) Participation Plan is designed to ensure timely and meaningful input into the metropolitan transportation planning process. The Participation Plan outlines the process to involve all interested parties in the regional transportation planning process and the development and amendment of major transportation studies undertaken as part of MACORTS. The overall objective is to provide a process that is proactive, provides complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement. This most recent version of the Participation Plan has been updated to be compliant with the latest federal transportation legislation, Fixing America's Surface Transportation (FAST) Act.

**B. INTRODUCTION**

The Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) is the transportation planning process established for the Athens, Georgia urbanized area. The Federal-Aid Highway Act of 1962 established the requirement for transportation planning in urban areas throughout the country. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), adopted in 1998, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted on August 10, 2005, MAP-21, enacted on July 6, 2012, and FAST Act, enacted on December 5, 2015, are the most recent laws extending the federal requirement for transportation planning.

In keeping with the original federal mandate, the MACORTS planning process is cooperative, continuous, and comprehensive. The MACORTS planning process is cooperative because it brings together local elected officials, state and federal transportation personnel, citizens, and other interested parties to plan and program transportation projects. MACORTS participants continuously evaluate transportation needs and plan for long-term improvements. The MACORTS process is comprehensive because it considers all modes of transportation, including cars, trucks, buses, airplanes, railroads, bicycles, and pedestrians. The MACORTS public participation process for the development of the Transportation Improvement Program (TIP) meets the Federal Transit Administration's (FTA) public participation requirements related to the development of the Section 5307 Program of Projects.

The MACORTS area includes the urbanized part of the Athens region, as defined by the U. S. Bureau of Census, plus the area expected to become urbanized over the next twenty years. The study area now encompasses all of Athens-Clarke County and portions of Oconee, Madison, Jackson, and Oglethorpe. However, Oglethorpe and Jackson Counties have chosen not to participate in the transportation planning process. Therefore, those counties are not directly included in the Participation Plan. A map of the MACORTS boundary is included on the next page.

**MACORTS Committees**

The MACORTS planning process is guided by two committees: the Policy Committee (PC) and the Technical Coordinating Committee (TCC). The Policy Committee meets monthly and is responsible for prioritizing projects and making final decisions on MACORTS planning and programming issues. The committee is comprised of local elected officials, Citizen Advisory Committee (CAC) representatives, University of Georgia representatives, representatives of the Georgia Department of Transportation (GDOT), and representatives of the Federal Highway Administration and Federal Transit Administration.

The Technical Coordinating Committee (TCC) meets monthly and is responsible for completing all technical work related to the MACORTS planning process. The TCC maintains all of the required transportation related documentation, and is a recommending body to the Policy Committee. The TCC is comprised of transportation engineers, planners, citizen representatives, transit agency representatives, and managers from the federal, state, and local levels.

The CAC, as designated in the MACORTS bylaws, provides members from each participating member county to both the PC and TCC. Currently, the CAC for Athens-Clarke County is designated as the Athens-Clarke County Planning Commission. The CAC members for Oconee County is designated by the Chairman of the Board of Commissioners. The CAC for Madison County is designated as the Madison County Planning and Zoning Commission. Therefore, the CAC membership is comprised of citizens from throughout the urbanized area.

~2~

*MACORTS Participation Plan*

[www.macorts.org](http://www.macorts.org)

*Adopted May 12, 2021*

**MACORTS Staff**

The Athens-Clarke County Planning Department houses the designated Metropolitan Planning Organization (MPO) for the MACORTS region. The Director of the Planning Department is the Executive Director of MACORTS and Chair of the TCC and is responsible for overall supervision of staff work on the planning process. In addition to designated staff of the Planning Department, employees of the Georgia Department of Transportation (GDOT) are directly involved in MACORTS planning activities. Planners with GDOT coordinate state-level aspects of any studies, assist with technical analysis, and play a major role in the development and utilization of the MACORTS travel demand model.

**C. PARTICIPATION STRATEGY**

The MACORTS Participation Plan encompasses five (5) components: Consultation, Public Access, Public Outreach and Education, Public Input and Evaluation.

**CONSULTATION**

**OBJECTIVE:** To ensure that major regional transportation documents, including the Participation Plan, are developed in consultation with the general public and other interested parties, and reflect existing and future plans for development of the region. This also involves efforts to identify and include all interested parties in the transportation planning process. The following strategies shall be used to achieve this objective:

**Consultation Strategies**

1. The MPO shall maintain and update a public mailing list composed of stakeholders and potential stakeholders. The purpose of the public mailing list is to disseminate information about MACORTS transportation plans and projects. Any member of the public will be able to sign up for the mailing list at any MPO function, via phone, e-mail, and through the MACORTS website ([www.macorts.org](http://www.macorts.org)). Special attention shall be given to include members of potentially underserved groups.
2. The MPO has identified and involved groups that are traditionally underserved in the MACORTS area in the transportation planning process. MACORTS created and maintains (through census, GIS or other similar means) to identify those communities with high concentrations of minority, low-income, disabled or elderly populations. In addition, the MPO identifies media, where possible, that serves these communities and maintains a mailing/contact list to notify these media outlets of all MACORTS public meetings.
3. Any planning products that are required to go to the public for review and comment including the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) shall be prepared and / or amended by the MPO in consultation with agencies and officials responsible for other planning activities in the study area. Consultation for these and other MACORTS documents that require public outreach shall include contacts with State,

~ 3 ~

local, Indian Tribe and private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources, conservation and historic preservation.

During the development of the MACORTS MTP and TIP the MPO will compare available plans, maps and inventories from state and local resource agencies to determine which resources will be directly or indirectly affected by the plan or program. The consultation process will include the following steps:

- An initial identification of the resources and responsible agencies likely to be affected by the plan or program
- A review of available information (plans, maps and inventories) derived from agency websites
- Consult with the responsible agency or agencies regarding the potential impact of the plan or program
- Document action taken in the consultation process, including acknowledging the receipt of comments and suggestions from resource agencies, for inclusion in the MACORTS MTP and TIP.

5. The procedures for processing administrative modifications and amendments to the MTP and TIP shall be the same as those published by the Georgia Department of Transportation in August 2013 or subsequent versions and included as Appendix G (as amended in August 2013).

#### **PUBLIC ACCESS**

**OBJECTIVE:** To ensure that the general public and other interested parties have timely and convenient access to agendas, meetings, documents and other information related to the regional transportation planning process. The following strategies shall be used to achieve this objective:

##### **Public Access Strategies**

1. All MACORTS plans and documents shall be made available for the public to review at the MACORTS office and on the MACORTS website ([www.macorts.org](http://www.macorts.org)). Copies of draft documents also will be available for public review in the planning offices of the participating member counties of MACORTS (see Appendix C for locations). Copies of the current MACORTS plans and documents shall be provided free of charge in digital and/or hardcopy upon request. Copies of the Transportation Improvement Program (TIP) and Metropolitan Transportation Plan shall be distributed to all other participating agencies.
2. Updates to the MTP and TIP will be available for a 30-day public review and comment period. A 15-day public review and comment period will be provided for amendments to the MTP and TIP.
3. Administrative modifications to the MTP and TIP are not subject to a public review period. They

~ 4 ~

are, however, reviewed and approved through the MACORTS Technical Coordinating Committee (TCC) and Policy Committee. Those meetings are open to the public, and the TCC meeting agenda includes a standing public comment item. This insures that the public has an opportunity to comment at those meetings.

4. The development of the MACORTS Participation Plan and Limited English Proficiency Plan, and any future amendments to the plans, will be subject to a 45-day public review and comment period.
5. The development of the MACORTS Unified Planning Work Program (UPWP) and amendments to the UPWP are not subject to a public review period. They are, however, reviewed and approved through the MACORTS Technical Coordinating Committee (TCC) and Policy Committee. Those meetings are open to the public, and the TCC meeting agenda includes a standing public comment item.
6. The MPO shall provide reasonable access to technical and policy information used in the development of planning products including the MTP and TIP. Committee meeting agendas and minutes shall be posted on the MACORTS website. Meeting recordings will be provided upon request.
7. The MPO shall provide, upon request and 48-hour notice, assistance to those with special needs or limited English proficiency at MACORTS meetings.
8. Pages on the MACORTS website can be translated into any of several languages as chosen by the user to assist those with limited English proficiency.
9. In-person public meetings will be held at convenient and accessible locations and times. All committee meetings, public hearings, and formal events of MACORTS shall be held in facilities that are accessible by persons with disabilities. Generally speaking, meetings will be held at public facilities (see Appendix C for locations), on weekday evenings and at locations that are handicapped accessible and served by public transit, where available.
10. As necessary, public and committee meetings may be held virtually at the discretion of the Policy Committee. In preparation for virtual public meetings, all materials to be presented in the meeting will be posted on the MACORTS website ([www.macorts.org](http://www.macorts.org)).
11. If a Final Draft version of an MACORTS document/plan differs significantly from the Draft version that was provided to the public for review and comment, that document will be provided to the public again for review and comment for a minimum of 15 days (45 days for Participation Plan). Whether a document is "significantly different" will be decided by the MPO Staff in coordination with the Georgia Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration.

- 5 -

**PUBLIC OUTREACH AND EDUCATION**

**OBJECTIVE:** To use effective tools and techniques to provide information about the regional transportation plans and issues to the general public and other stakeholders. The desired outcome is that the public provides meaningful input on a transportation plan or issue based upon accurate and complete information and the potential impact of alternative actions. The following strategies shall be used to achieve this objective:

**Public Outreach and Education Strategies**

1. All MACORTS meeting agendas will be distributed a minimum of three (3) business days in advance to all committee members, area media outlets, and other interested parties including the public mailing lists. Agendas and minutes of meetings will be posted on the MACORTS web site.
2. Public meeting notices and notices of public review and comment periods will be published at least three (3) days in advance of the meeting date or the start of the review and comment period. The notices also will be posted on the MACORTS web site.
3. The MPO will provide the media with information pertaining to the adoption, revision or amendment of all MPO plans at least three (3) days prior to the date of the final action. Notice will be provided in the form of mail-out materials to committee meetings and other interested parties.
4. The MPO will use the following tools and techniques to inform the media, general public and other interested parties about transportation plans, programs and activities:
  - a. **Press Releases** – Used to announce upcoming meetings and activities and to provide information on specific issues related to transportation planning.
  - b. **Print Display Ads** – Used to advertise public meetings and review and comment periods for transportation plans and projects. Display ads are published in area newspapers throughout the MACORTS area. When available and as time permits, advertisements will be placed in the Spanish-language publications with circulation in the MACORTS region. Virtual meetings will be advertised this way as well.
  - c. **Fact Sheets and Brochures** – Used to provide general information about MACORTS plans and programs, such as the MTP, TIP, Participation Plan, Limited English Proficiency Plan, and Unified Planning Work Program. Fact sheets will be available in print at MACORTS public meetings and in electronic format on the MACORTS website. Brochures will be used to provide summary information about MACORTS and its transportation planning activities.
  - d. **Direct Mailings** – Used to advertise public meetings and review and comment periods for transportation plans and projects, or to provide information to a targeted group or area. A public mailing list for electronic and hardcopy (US mail) communications will be maintained and used to provide information about committee

~ 6 ~

meetings and public involvement activities.

- e. **MACORTS Website** – Used to display general information about MACORTS, copies of MACORTS transportation documents, committee meeting schedules, agendas and minutes, and other information about the MACORTS planning process. The website is also used to advertise public meetings and review and comment periods for transportation plans and projects. Comments can be sent directly from the website to MACORTS staff on an on-going basis. Individuals can sign up for the MACORTS public mailing list directly from the website.
- f. **Speaking Engagements** – The MPO shall make staff available to speak to civic groups, neighborhood associations, and other interested parties about MACORTS transportation planning efforts and associated projects.

### PUBLIC INPUT

**OBJECTIVE:** To obtain meaningful and diverse input from the general public and other interested parties on regional transportation needs, plans, programs and activities. Inherent in this objective is the MPO's responsibility to provide timely response to public input, to document the input, and to recommend changes / amendments to plans based on public comment.

#### Public Input Strategies

1. **Identify Interested Parties** – An interested party or stakeholder is defined as any person or group that is affected by a transportation plan, program, or project, including those who may not be aware that they are affected. Stakeholders may include the general public, environmental, health, neighborhood, citizen, and civic organizations, as well as traditionally underserved communities such as people with disabilities, low income, and racial/ethnic minorities.
2. **Citizens Advisory Committee** – The MACORTS Citizens Advisory Committee representatives will continue to be a source of ongoing input on behalf of the general public.
3. **MACORTS Committee Meetings** – The MACORTS committee meetings, whether in-person or virtual, will be a regularly-scheduled forum for the discussion of, and updates on regional transportation needs, plans, programs and activities. The TCC meeting agenda includes a standing public comment opportunity.
4. **MACORTS Public Meetings** – MACORTS public meetings will be held in conjunction with the update or amendment of the MTP, TIP, Participation Plan, Limited English Proficiency Plan, and the during special studies related to regional transportation issues. As conditions dictate, or at the discretion of the Policy Committee, public meetings may be held virtually. All materials to be shared at the virtual meeting will be provided on the MACORTS website for the duration of the comment period. Copies will be provided to anyone who requests them in either hardcopy or digital format. This will provide the public with ample access to materials and staff beyond the traditional

~ 7 ~

public meeting format.

5. **Comment Sheets** – Comment sheets will be distributed at public meetings and available on the MACORTS website to obtain feedback on regional transportation needs, plans, programs and activities. Comment forms will be made available on the MACORTS website and at the Planning Departments in the MACORTS region during any public comment period. A comment form is available for general comments/concerns of the public on the MACORTS website to provide continuous feedback.
6. **Surveys** – Surveys will be used to obtain information from the general public and other stakeholders as to the effectiveness of the public involvement activities. Surveys will be available at all MACORTS public meetings and on the MACORTS website.
7. **Visualization Techniques** – The MPO will use GIS maps, sketches, drawings and similar tools at public meetings to both convey information and elicit public input about transportation plans and projects.
8. **MACORTS Website** – The MACORTS website will be used to provide information to the public about MACORTS and all of the transportation planning process and products. It will also provide a mechanism for dialogue with the public.

#### **EVALUATION OF PARTICIPATION PLAN**

**OBJECTIVE:** To evaluate the effectiveness of the strategies, tools and techniques used as part of the Participation Plan. The desired outcomes include increased public involvement in, and awareness of, the regional transportation planning process, and the use of tool and techniques that generate increased public input in regional transportation plans and programs.

**Evaluation Strategies** – The MPO will use the following mix of quantitative and qualitative criteria to evaluate the effectiveness of public participation tools and techniques used in the regional transportation planning process. After each update of the MTP, the Participation Plan will be evaluated for effectiveness. Results of that evaluation will be used to guide what, if any, adjustments need to be made to the Participation Plan. The table included as Appendix F summarizes how these criteria apply to the various public participation tools and techniques used by MACORTS. Some of the possible criteria for evaluating the effectiveness of the Participation Plan are listed below:

1. Number of “hits” on the MACORTS website per month, or number of “hits” on the MACORTS website during a public comment period.
2. Number and type of public comments received regarding planning products and/or projects.
3. Number of issues / concerns expressed by the Citizens Advisory Committee representatives and the response to, or change resulting from, the issue or concern.

~ 8 ~

4. Number of newspaper articles / television interviews / online posts generated by press releases and other notices to the media.
5. Number or percent of public meeting attendees indicating how they became aware of the meeting (e.g. direct mail, newspaper display ad, television, website, word-of-mouth) on public participation survey form.
6. Number of people attending public meetings regarding planning products and/or projects or accessing the MACORTS website during a public comment period.
7. Number and type of plan / project changes resulting from public comments.

**D. ADOPTION AND AMENDMENT OF PARTICIPATION PLAN**

1. The MACORTS Participation Plan shall be adopted by the MACORTS Policy Committee only after consultation with interested parties, a 45-day public review and comment period, and the consideration of any comments received from the general public and other interested parties.
2. Amendments to the MACORTS Participation Plan shall be adopted by the MACORTS Policy Committee only after consultation with interested parties, a 45-day public review and comment period, and the consideration of any comments received from the general public and other interested parties.
3. Appendices to the Participation Plan include supplemental information, such as comments received about the Participation Plan and a list of locations where MACORTS plans are available for public review. Updates to the appendices are not subject to the consultation and public review and comment requirements. Revisions to appendices will be distributed to all MACORTS committees, applicable federal, state and local agencies and other interested parties.
4. The MACORTS Participation Plan, and any amendments or updates to the plan, will be made available at the ACC Planning Department, and will also be posted on the MACORTS web site.

- 9 -

*MACORTS Participation Plan**www.macorts.org**Adopted May 12, 2021*

**APPENDIX A****MADISON ATHENS-CLARKE OCONEE REGIONAL TRANSPORTATION STUDY  
RESOLUTION OF THE POLICY COMMITTEE  
ADOPTION OF THE MACORTS PARTICIPATION PLAN****RESOLUTION BY THE MADISON ATHENS-CLARKE OCONEE REGIONAL  
TRANSPORTATION STUDY POLICY COMMITTEE ADOPTING THE  
MACORTS PARTICIPATION PLAN**

WHEREAS, federal regulations for urban transportation planning issued in June 2016, reaffirmed the requirement that the Metropolitan Planning Organization, in cooperation with participants in the planning process, develop and update as necessary the Participation Plan; and,

WHEREAS, the Athens-Clarke County Planning Department is the Metropolitan Planning Organization for the Madison Athens-Clarke Oconee Region; and,

WHEREAS, the urban transportation planning regulations require that the Participation Plan be a product of a planning process certified as in compliance with all applicable requirements of the law and regulations; and,

WHEREAS, the staff of the Athens-Clarke County Planning Department and the Georgia Department of Transportation have reviewed the organization and activities of the planning process and found them to be in compliance with the requirements of the law and regulation; and,

WHEREAS, the locally developed and adopted process for private sector participation has been followed in the development of the Participation Plan; and,

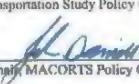
NOW, THEREFORE, BE IT RESOLVED that the Madison Athens-Clarke Oconee Regional Transportation Study Policy Committee adopts the Participation Plan dated May 12, 2021, as set forth in the document attached to this Resolution;

BE IT FURTHER RESOLVED that the MACORTS Policy Committee finds that the requirements of applicable law and regulation regarding urban transportation planning have been met and authorizes the Planning Director to execute a joint certification to this effect with the Georgia Department of Transportation, if necessary.

**CERTIFICATION**

I hereby certify that the above is a true and correct copy of a Resolution adopted by the Madison Athens-Clarke Oconee Regional Transportation Study Policy Committee.

5-12-2021  
Date

  
Chair, MACORTS Policy Committee

~ 10 ~

## APPENDIX B

**UPDATE OF DRAFT LIMITED ENGLISH PROFICIENCY PLAN FOR  
MACORTS AND ACC TRANSIT DEPARTMENT & MACORTS PARTICIPATION PLAN  
PUBLIC COMMENT RECEIVED FEBRUARY 22 – APRIL 7, 2021  
SUMMARY**

Note: Draft LEP Plan and Draft Participation Plan were posted on the MACORTS website in their entirety on February 18, 2021 along with a public comment form that could be printed or e-mailed and a comment form that could be e-mailed directly from the website. All materials were available on CD in pdf format as well as in hardcopy.

Virtual Public Meeting (March 11, 2021; 5:30 – 6:30 pm) Attendance: 0

Total Visitors to MACORTS Website During Public Involvement: 2,111  
Total Visitors to Public Involvement Tab During Public Involvement: 99

### Written Comments

Total E-mailed Comments:	1
Forms Turned In At Public Meetings:	0
Comments Mailed In:	0
Comments Faxed In:	0
<u>Other Comments:</u>	0
Total Comments:	1

**Organizations / Groups that Submitted Comments Included:**

Organ

**Comments Specific to LEP Plan:** (See attachment for exact comments)

Com

**Comments Specific to Participation Plan:** (See attachment for exact comments)

- Update websites in Appendix C to accgov.com. (1)

**General / Other Comments :** (See attachment for exact comments)

None

11

**APPENDIX C**  
**PUBLIC NOTICE OF MEETINGS & REVIEW OF MACORTS DOCUMENTS**

**LOCATIONS FOR POSTING NOTICES/ PUBLIC COMMENT MATERIALS**

1. Athens-Clarke County Planning Department – 120 W. Dougherty Street, Athens, GA
2. Athens Transit System – 775 E. Broad Street, Athens, GA
3. Madison County Planning Department – 91 Albany Drive, Danielsville, GA
4. Oconee County Planning Department – 22 N. Main Street, Watkinsville, GA
5. MACORTS website – [www.macorts.org](http://www.macorts.org)
6. Athens-Clarke Co. Planning Dept. website – [www.acgov.com/151/Planning-Department](http://www.acgov.com/151/Planning-Department)
7. Oconee County website – [www.oconeecounty.com/communitylinks/MACORTS](http://www.oconeecounty.com/communitylinks/MACORTS)

**DOCUMENT LOCATIONS (DRAFT & FINAL DOCUMENTS)**

1. Athens-Clarke County Planning Dept. – 120 W. Dougherty Street, Athens, GA
2. Athens-Clarke County Library – 2025 Baxter Street, Athens, GA (Final TIP & MTP)
3. Madison County Planning Department – 91 Albany Drive, Danielsville, GA
4. Madison County Library – Highway 98, Danielsville, GA (Final TIP & MTP)
5. Oconee County Planning Department – 22 N. Main Street, Watkinsville, GA
6. Oconee County Library – 1080 Experiment Station Road, Watkinsville, GA (Final TIP & MTP)
7. MACORTS website – [www.macorts.org](http://www.macorts.org)
8. Athens-Clarke Co. Planning Dept. Webpage – [www.acgov.com/151/Planning-Department](http://www.acgov.com/151/Planning-Department)
9. Oconee County website – [www.oconeecounty.com/communitylinks/MACORTS](http://www.oconeecounty.com/communitylinks/MACORTS)
10. Georgia Department of Transportation Project Information – [www.dot.ga.gov/BS](http://www.dot.ga.gov/BS)

**IN-PERSON PUBLIC MEETING LOCATIONS**

1. Athens-Clarke County Planning Department Auditorium – 120 W. Dougherty Street, Athens, GA
2. Danielsville Government Building Public Meeting Room – 91 Albany Avenue, Danielsville, GA
3. Oconee Veterans Park Community Room – 3500 Hog Mountain Road, Watkinsville, GA
4. Other community locations that are accessible and convenient and central to the affected community

- 12 -

**APPENDIX D**  
**EVALUATION CRITERIA AND RELATED TOOLS AND PERFORMANCE GOALS**

Public Participation Tool	Evaluation Criteria	Performance Goal(s)	Methods to Meet Goal(s)
In-Person Public Meetings	Calls, letters, and e-mails; number of attendees	Minimum 5 people per meeting	Schedule meetings at convenient times and accessible locations. Use other public involvement tools to increase awareness of meetings
Virtual Public Meetings	Number of Visits to Website; Attendance in Virtual Meeting	Increase of at least 10% over average website traffic	Have all materials on website for duration of comment period including presentation materials; Advertise as would for in-person
Display Ad	Calls, letters, and e-mails; Number of persons that it reached.	Minimum of 15% of meeting attendees /survey respondents that indicated that they saw the ad.	Pursue publication in a prominent location of the paper. Increase the size or modify the layout to make ads more visible.
E-mail Announcements /Internet Announcements	Calls, letters, and e-mails; Number of persons that it reached.	Minimum of 5% of meeting attendees /survey respondents indicated that they saw the announcement.	Increase e-mail list by advertising the availability of e-mail announcements using other public involvement tools.
Direct Mailings	Calls, letters, and e-mails; Number of persons that it reached.	Minimum of 5% of meeting attendees /survey respondents that indicated that they received the mailing.	Increase/decrease mailing to more accurately target affected areas.
TV Message Boards	Calls, letters, and e-mails; Number of persons that it reached.	Minimum of 5% of meeting attendees / survey respondents that indicated that they saw the message	Increase frequency of use of government tv channel (only available in ACC)
Posters and Flyers	Calls, letters, and e-mails; Number of persons that it reached.	Minimum of 5% meeting attendees /survey respondents indicated they saw flyer.	Increase distribution to common areas where posters will be more visible to the general public.
Press Releases	Calls, letters, e-mails from media and others	No standard. Press release format may be modified based on specific comments	Prepare and distribute press releases to advertise MACORTS meetings, review and comment periods, and milestones in specific projects.

~ 13 ~

<b>Public Participation Tool</b>	<b>Evaluation Criteria</b>	<b>Performance Goal(s)</b>	<b>Methods to Meet Goal(s)</b>
MACORTS Website	Calls, letters, and e-mails.; Number of 'hits' (visits) on the web site	Minimum of 30 hits more during public comment period vs. other times	Use other public involvement tools and document to increase advertisement of the web site.
Fact Sheets	Calls, letters, etc.; Number of persons reached.	Positive comments	
Surveys	Calls, letters, etc.; Number of responses	60% of contacted persons participate in the survey OR 20% of mail recipients return the survey.	Encourage responses by explaining the importance of receiving feedback. Offer incentives for returning surveys.



**APPENDIX E****PUBLIC PARTICIPATION CHECKLIST:  
TOOLS USED IN COMPLETING SPECIFIC WORK ELEMENT**

Project: \_\_\_\_\_ Dates: \_\_\_\_\_

Public Participation Tool	Description	Method Used Yes / No
Transportation Planning web site	Public web site for dissemination of information	
Transportation Planning Feedback Database	Database that compiles feedback for evaluation	
Identify Interested Parties or Stakeholders	Method used to identify different groups that would be affected by a project	
Display Ad	Newspaper or print advertisements	
Direct Mailings	Used to more accurately target affected areas.	
Press Releases	Press releases to announce meetings, projects, et cetera.	
TV Message Boards	Government access channel announcement board. (Available in ACC only)	
Project specific web sites	Use with other tools to provide detailed information	
Citizen Advisory Committee Representatives	Committee which is part of most planning studies.	
Small Group Meetings	Meetings that are held at the request of affected groups.	
E-mail Announcements	Used with other tools to increase public announcements	
Public Hearings	Used for the adoption of documents such as the TIP or LRTP.	
Comment Forms	Used to solicit public feedback and used for evaluation purposes.	
Surveys	Used to solicit public feedback on specific issues	
Posters and Flyers	Distributed in public areas to increase visibility	
Visualization Techniques	Drawing/sketches, aerial photography, pictures, "visual choice" surveys	
Public information	Available in an electronically accessible format (e.g. PDF documents)	
Public meetings	Held at convenient and accessible locations and times.	

- 15 -

**APPENDIX F****LISTS OF RESOURCE AGENCIES AND CONSULTATION CONTACTS****State & Local Planned Growth:**

Northeast Georgia Regional Commission  
Georgia Department of Community Affairs  
Madison County Planning & Zoning Department  
Athens-Clarke County Planning Department  
Oconee County Planning & Code Enforcement Department

**Economic Development:**

Athens-Clarke County Economic Development Department  
Oconee County Chamber of Commerce  
Madison County Chamber of Commerce  
Athens-Clarke County Area Chamber of Commerce  
Georgia Department of Economic Development

**Tourism:**

Athens Convention & Visitors Bureau  
Oconee County Department of Tourism  
Madison County Chamber of Commerce

**Natural Disaster Risk Reduction:**

Georgia Emergency Management & Homeland Security Agency  
Madison County Emergency Management Agency  
Athens-Clarke County Emergency Management Agency  
Oconee County Emergency Management Agency

**Environmental Protection:**

Georgia Forestry Commission  
Georgia Department of Natural Resources – Natural Resources Division  
Georgia Department of Natural Resources – Historic Preservation Division  
Georgia Department of Natural Resources – Environmental Protection Division  
Georgia Department of Natural Resources – Wildlife Resource Division  
Georgia Department of Natural Resources – State Parks & Historic Sites Division  
Athens-Clarke County Leisure Services  
Oconee County Parks & Recreation Department  
Madison County Recreation Department

**Airport Operations:**

Athens - Ben Epps Airport

~ 16 ~

**Freight Movement:**

McLane Trucking  
Georgia Motor Trucking Association  
SAIA Motor Freight Line Inc.  
CSX Railroad

**Private Providers of Transportation:**

Groome Transportation  
Stephens Limo Service Inc.  
Bulldog Limo Service  
Georgia Medical Transportation  
Caring Man in a Van  
Georgia Department of Human Services – Office of Facilities & Support Services  
United Taxi

**Bike / Pedestrian Facility Advocates:**

Bike Athens  
Georgia Bikes

**Disabled Population:**

Hope Haven of Northeast Georgia  
Georgia Options  
People First of GA, Inc.  
Disabled American Veterans

**Intercity Bus Operators:**

MegaBus (American Coach Lines Inc.)  
Southeastern Stages

**Appendix G****Statewide Transportation Improvement Program (STIP) and  
Transportation Improvement Program (TIP) Amendment Process**

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) issued the Final Rule to revise the Statewide and Metropolitan Transportation Planning regulations incorporating changes from the Fixing America's Surface Transportation Act (FAST). The revised regulations clearly define administrative modifications and amendments as actions to update plans and programs. 23 Code of Federal Regulations (CFR) Part 450.104 defines administrative modifications and amendments as follows:

- Administrative modification "means a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. Administrative Modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas)."
- Amendment "means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving "non-exempt" projects in nonattainment and maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process."

The following procedures have been developed for processing administrative modifications and amendments to the STIP and Metropolitan Planning Organizations (MPOs) TIPs and Long Range Transportation Plans (LRTPs). Processes described below detail procedures that are to be used to update an existing approved STIP or TIP and associated plan, if applicable. A key element of the amendment process is to assure that funding balances are maintained.

~ 18 ~

**Administrative Modifications for Initial Authorizations**

The following actions are eligible as Administrative Modifications to the STIP/TIP/LRTP:

- A. Revise a project description without changing the project scope, conflicting with the environmental document or changing the conformity finding in nonattainment and maintenance areas (less than 10% change in project termini). This change would not alter the original project intent.
- B. Splitting or combining projects.
- C. Federal funding category change.
- D. Minor changes in expenditures for transit projects.
- E. Roadway project phases may have a cost increase less than \$2,000,000 or 20% of the amount to be authorized.
  - o If the STIP amount is \$10,000,000 or less, the cost may be increased up to \$2,000,000.
  - o If the STIP amount is greater than \$10,000,000, the cost may be increased by a maximum of 20%.
- F. Shifting projects within the 4-year STIP as long as the subsequent annual draft STIP was submitted prior to September 30.
- G. Projects may be funded from lump sum banks as long as they are consistent with category definitions.

An administrative modification can be processed in accordance with these procedures provided that:

1. It does not affect the air quality conformity determination.
2. It does not impact financial constraint.
3. It does not require public review and comment.

The administrative modification process consists of a monthly list of notifications from GDOT to all involved parties, with change summaries sent on a monthly basis to the FHWA and FTA by the GDOT.

The GDOT will submit quarterly reports detailing projects drawn from each lump sum bank with remaining balance to the FHWA.

~ 19 ~

**Amendments for Initial Authorizations**

The following actions are eligible as Amendments to the STIP/TIP/L RTP:

- A. Addition or deletion of a project.
- B. Addition or deletion of a phase of a project.
- C. Roadway project phases that increase in cost over the thresholds described in the Administrative Modification section.
- D. Addition of an annual TIP.
- E. Major change to scope of work of an existing project. A major change would be any change that alters the original intent i.e. a change in the number of through lanes, a change in termini of more than 10 percent.
- F. Shifting projects within the 4-year STIP which require redemonstration of fiscal constraint or when the subsequent annual draft STIP was not submitted prior to September 30. (See Administrative Modification item F.)

Amendments to the STIP/TIP/L RTP will be developed in accordance with the provisions of 23 CFR Part 450. This requires public review and comment and responses to all comments, either individually or in summary form. For amendments in MPO areas, the public review process should be carried out in accordance with the procedures outlined in the Participation Plan. The GDOT will assure that the amendment process and the public involvement procedures have been followed. Cost changes made to the second, third and fourth years of the STIP will be balanced during the STIP yearly update process. All amendments should be approved by FHWA and/or FTA.

Notes:

1. The date a TIP becomes effective is when the Governor or his designee approves it. For nonattainment and maintenance areas, the effective date of the TIP is based on the date of U.S. Department of Transportation's positive finding of conformity.
2. The date the STIP becomes effective is when FHWA and FTA approve it.
3. The STIP is developed on the state fiscal year which is July 1 - June 30.
4. Funds for cost increases will come from those set aside in the STIP financial plan by the GDOT for modifications and cost increases. Fiscal Constraint will be maintained in the STIP at all times.

~ 20 ~

# Appendix G

## Language Assistance Plan (LAP)

### MACORTS

### Limited English Proficiency Plan

**I. Introduction**

Unified Government of Athens-Clarke County operates a transit system within the Athens-Clarke County. Unified Government of Athens-Clarke County ensures LAP in the Athens-Clarke County community through our Diversity Equity and Inclusion Office (DEI) <https://www.acgov.com/inclusion>. As part of MACORTS, The <https://www.acgov.com/inclusion> falls under the umbrella of MACORTS responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Unified Government of Athens-Clarke County service area, which is included in the Athens- Clarke County area; there are 2,872 residents or 2.784% who describe themselves as not able to communicate in English “very well” (Source: US Census). The documents below are the main work efforts of MACORTS.

## Public Participation Plan

### Strategies and Desired Outcomes

To promote inclusive public participation, the Unified Government of Athens-Clarke County will employ the following strategies, as appropriate (make these determinations based on a demographic analysis of the population(s) affected, type of plan, program and/or service under consideration, and the resources available):

- Provide for early, frequent and continuous engagement by the public
- Select accessible and varied meeting locations and times
- Employ different meeting sizes and formats
- Use social media in addition to other resources as a way to gain public involvement
- Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.
- Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

### Public Outreach Activities

The public outreach and involvement activities conducted by the Unified Government of Athens-Clarke County since the last Title VI Program submission are summarized in the table below.

Specific Public Participation activities are listed in the table below:

Event Date	Unified Government of Athens-Clarke County Staffer(s) or Department	Activity	Communication Method (Public notice, posters, social media)	Notes
1/18/2023	Staff	TDP Public Comment	In-person, Facebook, X -Formerly Twitter, Power Athens Radio, WNGC Radio, Latino X Magazine, Boom Athens Magazine, Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	Attended public sporting event at local High School. Conducted public input session for 2023 TDP
1/20/2023	Staff	TDP Public Comment	In-person, Facebook, X -Formerly Twitter, Power Athens Radio, WNGC Radio, Latino X Magazine, Boom Athens Magazine, Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	Conducted public input session for 2023 TDP University of Georgia Student Learning Center
2/6/2023	Staff	TDP Public Comment	In-person, Facebook, X -Formerly Twitter, Power Athens Radio, WNGC Radio, Latino X Magazine, Boom Athens Magazine, Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	Pinewoods Mobile Home Community
3/21/2023	Staff	TDP Public Comment	In-person, Facebook, X -Formerly Twitter, Power Athens Radio, WNGC Radio, Latino X	Conducted public input session for 2023 TDP

			Magazine, Boom Athens Magazine, Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	
On-going	Staff	Routine	A variety of media is used to include printed materials, electronic media, and in-person communication.	Our Marketing time holds public transportation education/information events weekly to further the mission of ACCT, and increase awareness/understanding of public transportation
			Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	
2/6/2023	Staff	TDP Public Comment	In-person, Facebook, X - Formerly Twitter, Power Athens Radio, WNGC Radio, Latino X Magazine, Boom Athens Magazine, Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	Pinewoods Mobile Home Community
3/21/2023	Staff	TDP Public Comment	In-person, Facebook, X - Formerly Twitter, Power Athens Radio, WNGC Radio, Latino X Magazine, Boom Athens Magazine, Zebra Magazine, Athens Banner Herald Newspaper, ACCGov.com, SMS Notification, hand bills/brochures	Conducted public input session for 2023 TDP

On-going	Staff	Routine	A variety of media is used to include printed materials, electronic media, and in-person communication.	Our Marketing time holds public transportation education/information events weekly to further the mission of ACCT, and increase awareness/understanding of public transportation
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## Language Assistance Plan

### **Plan Components**

As a recipient of federal US DOT funding, the **Unified Government of Athens-Clarke County** is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons.

Limited English Proficient (LEP) refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

The **Unified Government of Athens-Clarke County** Language Assistance Plan includes the following elements:

Item #1: The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.

Item #2: A description of how language assistance services are provided by language

Item #3: A description of how LEP persons are informed of the availability of language assistance service

Item #4: A description of how the language assistance plan is monitored and updated

Item #5: A description of how employees are trained to provide language assistance to LEP persons

### ***Four Factor Analysis Methodology***

To determine if an individual is entitled to language assistance and what specific services are appropriate, the Unified Government of Athens-Clarke County has conducted a *Four Factor Analysis* of the following areas: 1) Limited-English Proficient (LEP) Speaker Demography, 2) Contact Frequency, 3) Importance of Service, and 4) Resources and Costs.

**Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.** In addition to the number or proportion of LEP persons served, the **Insert Agency Name's** will identify:

- (a) How LEP persons interact with the recipient's agency;
- (b) Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language;
- (c) The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice; and
- (d) Whether LEP persons are underserved by the recipient due to language barriers.

**Factor 2: The frequency with which LEP persons come into contact with the program:** Identifies and assesses the frequency Unified Government of Athens-Clarke County staff comes into contact with LEP persons. Examples of contact could include:

- (a) Use of bus and rail service;
- (b) Purchase of tickets through vending machines, outlets, websites, and over the phone;
- (c) Participation in public meetings;
- (d) Customer service interactions;
- (e) Ridership surveys;
- (f) Operator surveys.

**Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.** Generally speaking, the more important the program, the more frequent the contact and the likelihood that language services will be needed.

**Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.** Resource and cost issues can often be reduced by technological advances, reasonable business practices, and the sharing of language assistance materials and services among and between recipients, advocacy groups, LEP populations and Federal agencies. Large entities and those entities serving a significant number of LEP persons should ensure that their resource limitations are well substantiated before using this factor as a reason to limit language assistance.

**Item #1 –Results of the Four Factor Analysis (including a description of the LEP population(s) served)**

**Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered.**

Of the 103,136 residents in the **Unified Government of Athens-Clarke County** service area, 2,872 residents describe themselves as speaking English less than “very well”. For the Unified Government of Athens-Clarke County service area, the latest U.S. Census Bureau data shows that among the area’s population 2.785% speak English “*less than very well*.” **For these groups** who speak English “less than very well”, ##.##% speak [insert language].

Label	Estimate	Percentage
Total:	91,092	
Speak only English	79,048	87%
Spanish:	6,021	7%
Speak English less than "very well"	1,650	2%
French, Haitian, or Cajun:	282	0%
Speak English less than "very well"	26	0%
German or other West Germanic languages:	372	0%
Speak English less than "very well"	17	0%
Russian, Polish, or other Slavic languages:	308	0%
Speak English less than "very well"	159	0%
Other Indo-European languages:	1,173	1%
Speak English less than "very well"	164	0%
Korean:	420	0%
Speak English less than "very well"	114	0%
Chinese (incl. Mandarin, Cantonese):	811	1%
Speak English less than "very well"	295	0%
Vietnamese:	219	0%
Speak English less than "very well"	3	0%
Tagalog (incl. Filipino):	251	0%
Speak English less than "very well"	17	0%
Other Asian and Pacific Island languages:	929	1%
Speak English less than "very well"	381	0%
Arabic:	474	1%
Speak English less than "very well"	46	0%
Other and unspecified languages:	784	1%
Speak English less than "very well"	0	0%

\* Source: U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates

#### Factor 2: The frequency with which LEP persons come into contact with the program.

Unified Government of Athens-Clarke County assessed the frequency with which staff and drivers have, or could have, contact with LEP persons. Unified Government of Athens-Clarke County provides approximately 1.2 million passenger trips per year. If an individual has speech limitations, the dispatcher or driver will work with the Georgia Department of Transportation, if needed, to ensure the individual receives access to the transit services.

#### Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.

All of Unified Government of Athens-Clarke County programs are important; however, those related to safety, public transit, nondiscrimination and public involvement are among the most important. The Unified Government of Athens-Clarke County is committed to providing meaningful access and will provide written translation for any of its documents, when reasonable, effective and with the available resources. In other cases, the Unified Government of Athens-Clarke County will strive to provide alternative but meaningfully accessibility. Moreover, the Unified Government of Athens-Clarke County continually evaluates its programs, services, and activities to ensure that persons who may be LEP are always provided with meaningful access. The Title VI policy, complaint form, and LEP policy are available in Spanish upon request.

**Factor 4: The resources available for LEP outreach, as well as the costs associated with that outreach.**

The Unified Government of Athens-Clarke County makes every effort to make its programs, services, and activities, accessible to LEP individuals. The Unified Government of Athens-Clarke County will use available resources, both internal and external to accommodate reasonable requests for translations.

**Item # 2 – Description of how Language Assistance Services are Provided, by Language**

The Unified Government of Athens-Clarke County has identified, developed, and uses the following:

- a) Individuals who have contact with the public are provided with “I Speak” language cards to identify language needs in order to match them with available services. Language cards verified and distributed by the Director as needed.
- b) The Unified Government of Athens-Clarke County has developed partnerships with local agencies, organizations, law enforcement, colleges/universities, local school districts and social service agencies that are available to assist with its LEP responsibilities.
- c) A list of web-based translation services can be provided by contracting the Human Resources Department.

**Item # 3 – Description of how LEP Persons are Informed of the Availability of Language Assistance Service**

In order to ensure that LEP individuals are aware of Unified Government of Athens-Clarke County language assistance measures, Unified Government of Athens-Clarke County provides the following:

- Title VI Program including the Language Assistance Plan is made available on website, if applicable, and hard copy in central office.
- Drivers and dispatchers are provided “I Speak” language cards to identify language needs in order to match them with available services.

**Item # 4 – Description of how the Language Assistance Plan is Monitored and Updated**

Unified Government of Athens-Clarke County will continue to update the LEP plan as required by U.S. DOT. At a minimum, the Title VI Plan will continue to be reviewed and updated every three (3) years in conjunction with the Title VI submission and use data from the U.S. Decennial Census or the American

Community Survey as available, or when it is clear that the concentrations of LEP individuals are present in the Unified Government of Athens-Clarke County service area.

Updates will continue to include the following:

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

<b>Item # 5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons</b>
--

The following training will continue to be provided to Unified Government of Athens-Clarke County staff:

- Information on the Unified Government of Athens-Clarke County Title VI Procedures and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of "I Speak" language cards (used to identify language preference).
- Documentation of language assistance requests.
- Use of web-based interpreter services (over the phone interpretation provider).
- How to handle a potential Title VI / LEP complaint.

Limited English Proficient (LEP) Resource Materials:

**LEP Policy**

Unified Government of Athens-Clarke County shall provide for communication for limited English proficient riders to ensure them equal opportunity to benefit from services. Family members or friends of limited English proficient riders will not be used as translators unless specifically requested by that individual. Arrangements have been made with Unified Government of Athens-Clarke County to obtain translators. The agency will also utilize web-based translator programs if available.

**If you need help with English, please call 762-400-6550.**

**Si usted necesita ayuda con el inglés, por favor llame 762-400-6550**

## “I Speak” Language Identification Card

Note: For additional languages visit the US Census Bureau website <http://www.lep.gov/ISpeakCards2004.pdf>

Mark this Box if you speak...	Language Identification Chart	Language
	Mark this box if you read or speak English	English
	Marque esta casilla si lee o habla español	Spanish
	Kos lub voj no yog koj paub twm thiab hais lus Hmoob	Hmong
	如果说中国在方框内打勾	Chinese
	Xin ñaùnh daáu vaøo oâ naøy neáu quyù vò bieát ñoïc vaø noùi ñööic Vieät Ngöö.	Vietnamese
	당신이 한국어 말할 경우이 상자를 표시	Korean
	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	Tagalog
	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen	German
	Отметить этот флајок, если вы говорите по-русски	Russian
	Означите ову кућицу ако говорите српски	Serbian
	आप हिंदी बोलते हैं तो इस बक्से को चिह्नित करें	Hindi
	پر نشان لگائیں تو اس بکس بولتے ہیں اردو اگر اپ	Urdu

Note: For additional languages visit the US Census Bureau website <http://www.lep.gov/ISpeakCards2004.pdf>

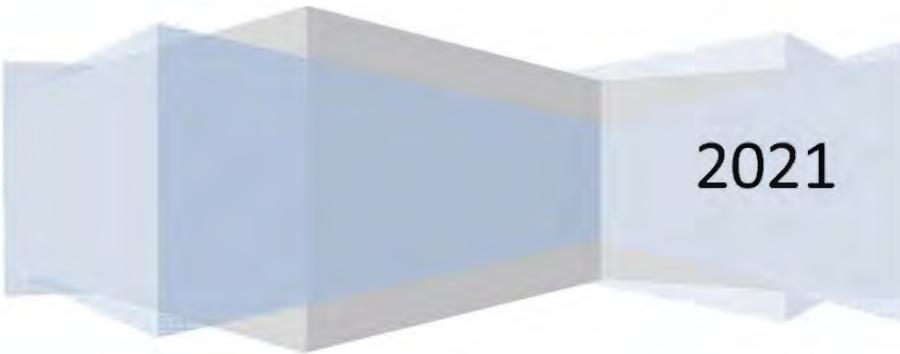
## Log of LEP Encounters

Date	Time	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

Madison Athens-Clarke Oconee Regional Transportation Study  
(MACORTS) & Athens-Clarke County Transit Department

**Limited English Proficiency Plan**  
**Adopted May 12, 2021**

Prepared by Athens-Clarke County Planning Department



2021

**RESOLUTION BY THE MADISON ATHENS-CLARKE OCONEE REGIONAL  
TRANSPORTATION STUDY (MACORTS) POLICY COMMITTEE**

WHEREAS, federal regulations require that the Limited English Proficiency Plan for urbanized areas must be completed and periodically be updated and,

WHEREAS, the Technical Coordinating Committee of MACORTS in coordination with the Federal Highway Administration, Federal Transit Administration, and the Georgia Department of Transportation has reviewed the Limited English Proficiency Plan,

WHEREAS, the Technical Coordinating Committee at its April 28, 2021 meeting recommended the approval of the Limited English Proficiency Plan for MACORTS and the Athens Transit Department:

NOW, THEREFORE, BE IT RESOLVED that the MACORTS Policy Committee concurs with the recommendation of the Technical Coordinating Committee of MACORTS to approve the Limited English Proficiency Plan.

**CERTIFICATION**

I hereby certify that the above is a true and correct copy of a Resolution adopted by the Madison Athens-Clarke Oconee Regional Transportation Study Policy Committee, at their meeting held on May 12, 2021.

Recommended by:

  
\_\_\_\_\_  
Brad Griffin  
TCC Chairman / MPO Director

May 12, 2021

  
\_\_\_\_\_  
John Daniell  
MACORTS Policy Committee Chairperson

May 12, 2021

**Limited English Proficiency Plan**

**for**

**Madison Athens-Clarke Oconee Regional Transportation Study**  
**and**  
**Athens-Clarke County Transit Department**

**Adopted**

**May 12, 2021**

**Prepared By:**

**Athens-Clarke County Planning Department**

*The Limited English Proficiency Plan (LEP) is established pursuant to and in accordance with Title VI of the Civil Rights Act and Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency."*

*The opinions, findings, and conclusions in this publication are those of the author(s) and are not necessarily those of the Federal Transit Administration, Federal Highway Administration, or Georgia Department of Transportation.*

*No person in the United States shall be excluded, on the grounds of race, color, creed, sex, age, disability, or national origin, from participation in, be denied the benefits of, or be subjected to discrimination of any kind by the Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) membership, staff, or agents.*

**Table of Contents**

Introduction.....	1
Purpose.....	1
Four Factors to Formulate an LEP Plan .....	1
Madison Athens-Clarke Oconee Regional Transportation Study .....	2
Athens-Clarke County Transit Department.....	3
Limited English Proficiency Analysis .....	4
Factor 1: Number of LEP persons served in eligible service population .....	4
Factor 2: The frequency with which LEP persons encounter the services provided .....	10
Factor 3: The nature and importance of the services and programs .....	11
Factor 4: The resources available to MACORTS, ACCTD, and Overall cost .....	11
Safe Harbor Stipulation .....	12
Language Assistance Measures.....	13
Plan Monitoring & Updating.....	13
Providing Notice to LEP Persons .....	13
Implementation of LEP Initiatives .....	14
MACORTS and ACCTD Staff Training .....	14
LEP Plan Access .....	14

**List of Tables**

1. Total Speakers by Race, Age 18+ .....	4
2. Top Ten Languages Spoken in MACORTS Region .....	5
3. Top Ten Languages Spoken in Athens-Clarke County .....	6
4. Total Limited English Proficient Speakers .....	6
5. Total Limited English Proficient Speakers by Language Group.....	7
6. Limited English Proficiency Customers of Athens-Clarke County Planning Department	10
7. Limited English Proficiency Riders of Athens-Clarke County Transit Department .....	11

**List of Figures**

1. Madison Athens-Clarke Oconee Regional Transportation Study Planning Boundary.....	2
2. Athens-Clarke County Transit Department System Map.....	3
3. LEP Persons by Census Tracts Compared to Regional Total.....	8
4. LEP Persons by Census Tracts in Athens-Clarke County with ACCTD Service Overlay	9

**Introduction**

On August 11, 2000, President William J. Clinton signed Executive Order 13166, "Improving Access to Service for Persons with Limited English Proficiency", to clarify Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the grounds of race, color, or national origin by any entity receiving federal financial assistance. Administrative methods or procedures that have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations are prohibited. The purpose of Executive Order 13166 is to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

**Purpose**

The purpose of this Limited English Proficiency (LEP) Plan is to demonstrate compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. The LEP Plan is for persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. Such persons may be eligible to receive language assistance with respect to a particular service, benefit, or encounter. This Plan will examine the services and products provided by the Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) and the Athens-Clarke County Transit Department (ACCTD). The Plan will outline current accommodations made for LEP persons and possible future accommodations that can and/or should be made to make these services and products more accessible to LEP persons.

**Four Factors to Formulate an LEP Plan**

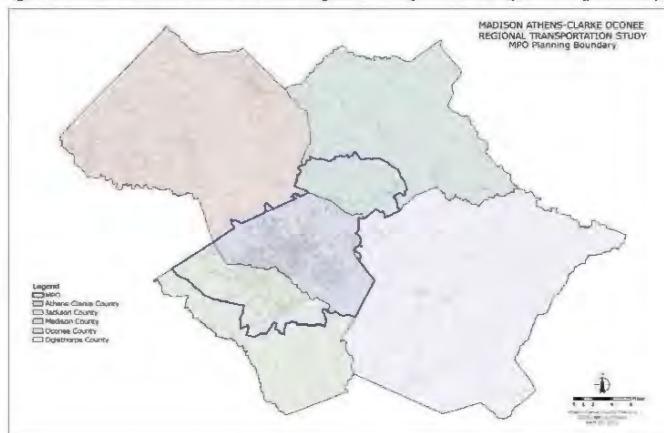
In determining how to provide effective and meaningful access for LEP customers, the U. S. Department of Transportation (DOT) has established the following four guidelines to consider in determining "reasonable steps" to be taken by MACORTS and Athens-Clarke County Transit Department:

1. The number or proportion of LEP persons served or encountered in the eligible service population.
2. The frequency with which LEP persons encounter the services, programs, or activities provided.
3. The nature and importance of the services, programs, or activities; and
4. The resources available to the program and the costs of providing interpretation/translation services.

**Madison Athens-Clarke Oconee Regional Transportation Study**

The Madison Athens-Clarke Oconee Regional Transportation Study (MACORTS) was formed in 1969 and is the Metropolitan Planning Organization for transportation planning in Athens-Clarke County and portions of Madison, Oconee, Oglethorpe, and Jackson Counties. MACORTS is responsible for implementing the 3-C (comprehensive, cooperative, and continuing) transportation planning process.

*Figure 1: Madison Athens-Clarke Oconee Regional Transportation Study Planning Boundary*



The Athens-Clarke County Planning Department, in conjunction with the Georgia Department of Transportation, is responsible for carrying out the transportation planning process as mandated under federal legislation. MACORTS products include, but are not limited to, the Metropolitan Transportation Plan, the Transportation Improvement Program, the Unified Planning Work Program, and the Participation Plan.

The Metropolitan Transportation Plan outlines the transportation planning vision for the next 20 years. The Transportation Improvement Program (TIP) is an annually updated program of projects to receive federal funding during the next 4 fiscal years for implementation. The Unified Planning Work Plan (UPWP) is the annual operating and capital budget for MACORTS. The Participation Plan outlines how and when public involvement activities will be conducted. These documents are the main work efforts of MACORTS.

**Athens-Clarke County Transit Department**

Athens-Clarke County Transit Department (ACCTD) provides public transportation for Athens-Clarke County with 32 buses on 20 bus routes throughout the county. ACCTD offers fixed route bus service that operate Monday – Saturday from approximately 6:00 am to 10:00 pm, depending on the route, day, and time of year. In FY 2020, the ACCTD provided over 1.3 million rides on the fixed route service. All fixed route vehicles are ADA-accessible.

Athens-Clarke County Transit Department offers a Demand Response transportation option for people with a mobility impairment called "The Lift". This service is provided for those patrons who cannot ride the fixed route bus service. In FY 2020, the ACCTD provided 5,398 rides on demand response service. Additionally, ACCTD has a "Bus-N-Bike" program which makes daily commuting much easier, safer, and more convenient for cyclists to ride the bus. All fixed route vehicles are equipped with a three-position bicycle rack mounted to the front of the bus.

Figure 2: Athens-Clarke County Transit Department System Map



### Limited English Proficiency Analysis

This plan uses the four factors outlined by the US Department of Transportation to determine the level and extent of language assistance necessary to reasonably ensure meaningful access to public transit and MACORTS services within the MPO area. Data used in this analysis was obtained from the U.S. Census Bureau, specifically the American Community Survey's 5-year estimates. Due to the constraints of the available data, the member counties were analyzed at the Census Tract level, which does not conform completely to the MACORTS boundary. Therefore, it should be noted that the number of LEP persons within the MACORTS area is smaller than this data suggests. Recommendations are based on the results of the analysis including the available data.

#### Factor 1: The number of LEP persons served in the eligible service population

The MPO has developed a demographic profile of the population in the MACORTS region and ACCTD service area (Athens-Clarke County). As illustrated in Table 1, the MPO region has a total population (over 18 years of age) of 160,212 individuals. This total represents the Census Tracts within Athens-Clarke, Madison, Oconee, Oglethorpe, and Jackson Counties with any part in the MPO area. This area is larger than the area within the MACORTS boundary. Athens-Clarke County total population (over 18 years of age) is 111,568. The race and ethnic breakout is as follows:

Table 1 – Total 'Speakers' by Race Age 18 & Over

Census Source	Race	Athens-Clarke Co.	Madison Co.	Oconee Co.	Oglethorpe Co.	Jackson Co.	Total
B01001A	White	68,232	7,606	22,461	3,955	5,897	108,151
B01001B	African American	25,722	1,231	1,365	705	825	29,848
B01001C	American Indian	138	11	6	9	0	164
B01001D	Asian	4,311	123	1,070	0	38	5,542
B01001E	Hawaiian / Islander	83	0	0	0	5	88
B01001F	Other Race	2,022	304	90	133	57	2,606
B01001G	Two or More Races	2,440	68	321	51	43	2,923
B01001I	Hispanic	8,620	559	1,072	334	305	10,890
	Total	111,568	9,902	26,385	5,187	7,170	160,212

Source: US Census Bureau, American Community Survey, B01001A-G & B01001I, 5 year Average 2014 - 2018, Sex by Age by Race

The LEP Analysis is based upon the Census data reported for persons ages 18 and up. This age group represents the potential 'customers' of ACCTD and MACORTS. Services and documents provided by ACCTD and MACORTS have a greater impact on the lives of this age group. MACORTS documents, particularly, are not written for an audience under 18 years of age. Children would generally have guidance from adults on navigating the ACCTD system.

Table 2 shows the 10 most prevalent languages spoken in the MACORTS region as reported by the U.S. Census Bureau. This data includes all age brackets from 5 years old and up. A more detailed breakdown of the data was not available from the U.S. Census Bureau. This limitation of the available data inflates the number individuals reported in each age group by including those under 18 years of age.

**Table 2 – Top Ten Languages Spoken in MACORTS Region**

	5 yrs and over Population	176,455
English	153,464	86.97%
Spanish or Spanish Creole	13,811	7.82%
Other Indo-European	2,122	1.20%
Chinese	1,907	1.08%
Other Asian/Pacific Islander	1,067	0.60%
Other & Unspecified	785	0.44%
Korean	763	0.43%
German	653	0.37%
Arabic	507	0.29%
French, Haitian, or Cajun	455	0.26%
Total	175,534	99.48%

*Source: U.S. Census Bureau, American Community Survey 5-yr Estimate: 2014 - 2018; C16001 – Language Spoken by All Ages*

Table 3 shows the 10 most prevalent languages spoken in Athens-Clarke County as reported by the U.S. Census Bureau. This data includes all age brackets from 5 years old and up. A more detailed breakdown of the data was not available from the U.S. Census Bureau. This limitation of the available data inflates the number individuals reported in each age group by including those under 18 years of age.

**Table 3 – Top Ten Languages Spoken in Athens-Clarke County**

5 years and over population	117,825	
English	99,947	84.83%
Spanish or Spanish Creole	10,828	9.18%
Other Indo-European	1,546	1.31%
Chinese	1,362	1.16%
Other Asian/Pacific Islander	746	0.63%
Other & Unspecified	746	0.63%
Korean	694	0.59%
German	511	0.43%
Arabic	491	0.42%
French, Haitian, or Cajun	274	0.23%
Total	117,145	99.42%

*Source: U.S. Census Bureau, American Community Survey 5-yr Estimate: 2014 – 2018; C16001 – Language Spoken by All Ages*

The Census Bureau has four classifications for how well people speak English. The classifications are 'very well', 'well', 'not well', and 'not at all'. For the purposes of the LEP Plan, people who were categorized as speaking English 'not well' or 'not at all' by the U.S. Census Bureau have been considered to be Limited English Proficient persons. As Table 4 shows, Oglethorpe County has the highest percentage of LEP individuals with 3.26%, while the entire region has approximately 2.78% of the population categorized as having limited English proficiency.

**Table 4 – Total Limited English Proficient Speakers  
18 years of age and over By County**

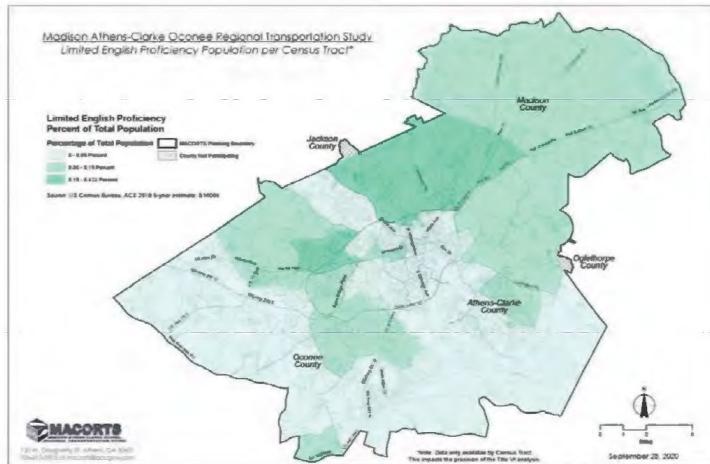
	Total Speakers	Total LEP Individuals	Total % LEP Individuals
<b>Athens-Clarke Co.</b>	102,948	3,221	3.13%
<b>Madison Co.</b>	9,343	262	2.80%
<b>Oconee Co.</b>	25,313	378	1.49%
<b>Oglethorpe Co.</b>	4,853	158	3.26%
<b>Jackson Co.</b>	6,865	133	1.94%
<b>Total</b>	149,322	4,152	2.78%

*Source: U.S. Census Bureau, American Community Survey 5-yr Estimate: 2014 – 2018; B16004 – Age by Language Spoken at Home by Ability*

Label	Estimate	Percentage
Total:	91,092	
Speak only English	79,048	87%
Spanish:	6,021	7%
Speak English less than "very well"	1,650	2%
French, Haitian, or Cajun:	282	0%
Speak English less than "very well"	26	0%
German or other West Germanic languages:	372	0%
Speak English less than "very well"	17	0%
Russian, Polish, or other Slavic languages:	308	0%
Speak English less than "very well"	159	0%
Other Indo-European languages:	1,173	1%
Speak English less than "very well"	164	0%
Korean:	420	0%
Speak English less than "very well"	114	0%
Chinese (incl. Mandarin, Cantonese):	811	1%
Speak English less than "very well"	295	0%
Vietnamese:	219	0%
Speak English less than "very well"	3	0%
Tagalog (incl. Filipino):	251	0%
Speak English less than "very well"	17	0%
Other Asian and Pacific Island languages:	929	1%
Speak English less than "very well"	381	0%
Arabic:	474	1%
Speak English less than "very well"	46	0%
Other and unspecified languages:	784	1%
Speak English less than "very well"	0	0%

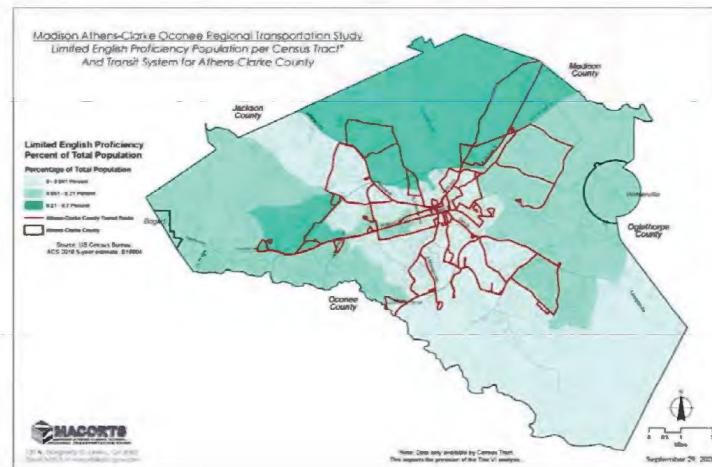
\*Source: U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates

Figure 3: Concentrations of LEP persons (18+ years of age) by Census Tract within the MACORTS planning area counties compared to regional totals



8 | Page

Figure 4: Shows the concentrations by Census Tracts of LEP Persons (15+ Years of Age) in Athens-Clarke County with Athens-Clarke County Transit Department System Map



**Factor 2: The frequency with which LEP persons encounter the services provided.**

To date, MACORTS has had very little contact with LEP persons in the course of MPO business. Athens-Clarke County Transit Department (ACCTD) has more contact with LEP persons due to the nature of services provided and number of persons with whom the staff interacts with on a weekly basis, but the percentage is still quite small. ACCTD and MACORTS planning staff were surveyed in regards to their interactions with LEP individuals in an average week. The MACORTS staff have had no requests for assistance from LEP persons in the last 15 years. Anecdotally, MPO staff noted only interacting less than 5 times in the last 20 years with LEP individuals during the course of their public interactions or day-to-day business. The remainder of the Athens-Clarke County Planning Department staff, who are housed with the MPO staff, indicated that they encounter an average of less than 2 LEP persons per week per planner. The office-wide total was 12 LEP customers encountered of the 256 customer interactions for the week surveyed (4.7%). Usually, these people bring another person with them who speaks English to assist them, according to the survey. Table 6 shows the Athens-Clarke County Planning Department number of customers and the number of LEP persons on an annual basis. LEP individuals make up approximately 4.7% of the customers annually.

**Table 6 – Limited English Proficiency Customers of Athens-Clarke County Planning Department**

LEP Persons Per Week	Extrapolated LEP Persons Per Year	Total Customers Per Week	Extrapolated Customers Per Year	Weekly Percentage LEP Customers	Annual Percentage LEP Customers
14	728	256	13,312	5.47%	5.47%

*Additional Notes: This data came from a survey of employees of the Athens-Clarke County Planning Department. They were asked how many LEP persons were encountered in an average week. This office handles zoning, land use and plans review. The MPO, MACORTS, is administered out of this department. The number of customers per year was extrapolated from a survey of total customers during the week of September 21 – 25, 2020.*

The staff of the Athens-Clarke County Transit Department was surveyed as well. They were asked how many LEP persons they encounter in the average week. Responses ranged from zero to 12 persons per week. The informal accounting of LEP persons was extrapolated to annual totals and compared to the number of people that ride ACCTD by route and by the total annual ridership. Table 7 illustrated that the highest percentage by route was on Route 7 – Prince Avenue with 0.73% of ridership being classified as LEP. When compared to the total annual ridership, the percentage of LEP persons system-wide is approximately 0.17%.

**Table 7 – Limited English Proficiency Riders of Athens-Clarke County Transit Department**

Bus Rts	Average Annual Number of LEP Riders	2020 Annual Ridership	LEP Annual Percentage	Bus Rts	Average Annual Number of LEP Riders	2020 Annual Ridership	LEP Annual Percentage
1	52	68,847	0.08%	20	52	122,895	0.04%
2	104	52,390	0.20%	21	208	33,562	0.62%
3	0	26,653	0.0%	22	0	24,489	0.0%
5	52	98,877	0.05%	23	0	2,521	0.0%
6	0	102,148	0.0%	24	364	50,337	0.72%
7	520	71,072	0.73%	25	104	80,874	0.13%
8	208	82,330	0.25%	26	52	47,055	0.11%
9	52	53,046	0.10%	27	104	141,855	0.07%
12	0	161,637	0.0%	28	0	21,092	0.0%
14	208	79,965	0.26%	30	104	16,426	0.63%
Any / All*	96			Total	2,280	1,338,071	0.17%

\*Some drivers indicated that they drove different routes every day, so their responses couldn't be attributed to any particular route.

**Factor 3: The nature and importance of the services and programs.**

MACORTS is responsible for regional transportation planning. Denial or delay of access to services or information provided by the MPO would not have life threatening or even serious implications on an LEP individual. This is especially true if compared to services such as healthcare, emergency transportation, water, sewer, fire protection, police protection, and other essential services.

Athens-Clarke County Transit Department provides public transportation to the Athens-Clarke County area giving people access to work, healthcare, and other programs and/or services. Without access to public transportation, many of these individuals would not be able to take advantage of other services that could potentially be life changing or life sustaining. Therefore, lack of public transportation services could have an adverse effect on LEP individuals.

**Factor 4: The Resources Available to the MACORTS, ACCTD, and Overall Cost**

MACORTS serves a very small percentage of LEP persons, less than 2.8 % or approximately 4,152 in the region and has limited funds available for LEP services. Providing translation

assistance to LEP persons would be funded entirely from existing MACORTS operating funds and would compete with other operational requirements for funding. MACORTS's annual federal allocation is approximately \$188,000 for a total base grant amount of approximately \$235,000. The total budget varies from year to year slightly.

Given the small number of LEP people within the region and the MACORTS budget, it would be burdensome to produce written translations for the core MACORTS documents. The expense and time required to provide these translated documents could jeopardize the mandated objectives of the transportation planning program. It is appropriate, however, for MACORTS to provide translated summaries of core products as requested by LEP persons. A translation option is provided on each page of the MACORTS website ([www.macorts.org](http://www.macorts.org)) so that pages from the website can be translated into any of several languages (Chinese, Dutch, French, German, Greek, Italian, Japanese, Korean, Portuguese, Russian, or Spanish and others).

The Athens-Clarke County Transit Department (ACCTD) has been very proactive in their treatment of LEP persons. ACCTD has funding available through federal grants and the local government to continue to enhance their services for the LEP population.

#### **Safe Harbor Stipulation**

Federal law provides a "Safe Harbor" stipulation so that recipients of federal funds can ensure with greater certainty that they comply with their obligations to provide written translations in languages other than English. A "safe harbor" means that if a recipient provides written translations in certain circumstances, such action will be considered strong evidence of compliance with the recipient's written-translation obligations under Title VI. The established threshold for the inclusion of a safe harbor for each eligible LEP language group that constitutes 5% of the service area population or 1,000 LEP persons, whichever is less.

Within the MACORTS region, approximately 2.78% of the population over 18 years of age is considered LEP. Of the total LEP population, Spanish is the only one LEP language group that meets the population threshold for which written translations of vital documents should be provided to meet the safe harbor standard. Based on the small percentage of LEP persons encountered doing MACORTS business and the limited MACORTS Staff (2) and budget, it is deemed that written translations of core documents would be so burdensome as to defeat the objectives of the programs. MACORTS has taken measures to provide appropriate accommodations and keep with the spirit of the regulations.

Within Athens-Clarke County, the ACCTD service area, approximately 3.13% of the population over 18 years of age is considered LEP. Of the total LEP population, Spanish is the only one LEP language group that meets the population threshold for which written translations of vital documents should be provided to meet the safe harbor standard. ACCTD has taken measures to provide essential information in Spanish either orally or in print.

### Language Assistance Measures

Language measures currently used and planned to be used by the MACORTS MPO and the Athens-Clarke County Transit Department include the following:

- Translation of summary of vital documents in Spanish via the MACORTS website
- Translation of vital documents in their entirety in Spanish, upon request
- Posting advertisements / public notices in Spanish-language publications locally circulated
- Providing Transit literature in Spanish (ie schedules, route guides, point-of-sale signage, Rider's Guide)
- Provide oral interpreter services at any meeting or public hearing, with advance notice of 3-7 calendar days. Interpreter to include foreign language and the hearing impaired.
- Posting notices in appropriate languages informing LEP persons of available services on the MACORTS website
- Spanish-speaking staff are available at ACCTD to assist LEP persons
- ACCTD buses have on-board announcements in English and Spanish
- ACCTD provides bi-lingual outreach to the local Hispanic Community actively engaging them in several areas related to public transit.
- ACCTD is currently engaging the local Hispanic Community in a promotional campaign with the objective to increase transit ridership for this community.
- ACCTD provides a monthly bilingual 'How to Ride the Bus' program (English/Spanish).
- E-ink (tablet information mounted on bus shelters) displays have Braille instructions, Spanish capability, and read-aloud options
- ACCTD uses the Token application for passengers to buy bus passes and use them from their phones. The app is available in English and Spanish.
- ACCTD utilizes the myStop application to provide route information in English and Spanish.

### Plan Monitoring & Updating

MACORTS and ACCTD will update the LEP Plan on the required schedule for Title VI materials, currently every 3 years. As part of the triennial update, census data will be reviewed and analyzed for changes in demographics. Staff will evaluate whether the current language assistance measures are sufficient and recommend adjustments accordingly.

### Providing Notice to LEP Persons

MACORTS will provide statements offering language assistance in public information, public notices, and on the MACORTS website to those persons requiring language assistance or special accommodations. MACORTS and ACCTD provide the technology to translate their websites into several languages. ACCTD has translated public materials, such as route guides and schedules, so that they are available in Spanish.

**Implementation of LEP Initiatives**

With advance notice of three to seven calendar days, MACORTS will provide interpreter services at the Technical Coordinating Committee meetings, Policy Committee meetings, or other public meetings. Interpreters will provide services for both the foreign language and hearing impaired. Public notices will provide the contact information for this service. "I Speak" cards or a list of identifiers in the various languages will be provided for use at all public meetings to help identify the needs of LEP persons attending. Public meetings notices are published in Spanish in a local Spanish-language publication for all MACORTS public meetings and public comment periods.

The Athens-Clarke County Transit Department is providing many services to LEP persons currently. ACCTD schedules are available in Spanish and Braille. A picture book was developed that shows how to ride the bus for non-English speakers. The ACCTD website includes a mechanism to translate the content into one of several languages. There are currently several ACCTD staff members that speak Spanish fluently and are available to assist in interpretation as needed. These staff members are operators who would be available to drive along the routes with the highest LEP demand. ACCTD actively markets to the Spanish-speaking population.

**MACORTS and ACCTD Staff Training**

MACORTS staff members are provided training on the requirements for providing meaningful access to services for LEP persons. Additional training opportunities will be taken advantage of as they become available.

ACCTD staff members receive training regarding the Limited English Proficiency regulations and available resources as part of the Sensitivity Training at New Employee Orientation. Periodic refresher courses are provided as part of ACCTD monthly staff meetings. ACCTD staff has access to take classes in Command Spanish through the Unified Government of Athens-Clarke County periodically. Staff are trained on the technology/tools used to provide passenger information in English and Spanish.

**LEP Plan Access**

MACORTS and ACCTD will post the LEP Plan on their websites at [www.macorts.org](http://www.macorts.org) and [www.accgov.com/Transit](http://www.accgov.com/Transit), respectively. Anyone with internet access will be able to access the plan. For those without internet service, several area libraries offer free Internet access. Digital versions or hardcopies of the LEP Plan will be provided to MACORTS members, the Georgia Department of Transportation, Federal Highway Administration, the Federal Transit Administration, and any person or agency requesting a copy free of charge.

Any questions or comments regarding this plan should be directed to the MACORTS staff:

Athens-Clarke Planning Department - 120 W. Dougherty Street, Athens, GA 30601  
Phone: (706)-613-3515; E-mail: [macorts@acgov.com](mailto:macorts@acgov.com)

# Appendix H

## Operating Area Language Data:

### MACORTS

**Language Data for MACORTS Area - US Census Bureau, American Community Survey, C16001, 2015-2019 5-Year Estimate - Language Spoken at Home by Ability to Speak English for Population 5 years and Up**

<u>Language</u>	<u>MACORTS Total</u>	<u>Percent of Population</u>
Total	165439	
Speak only English	143169	86.5%
Spanish or Spanish Creole	13641	8.2%
Speak English "very well"	7037	4.3%
Speak English less than "very well"	6604	4.0%
French (incl. Haitian, Cajun)	503	0.3%
Speak English "very well"	457	0.3%
Speak English less than "very well"	46	0.0%
German or West German Languages	612	0.4%
Speak English "very well"	570	0.3%
Speak English less than "very well"	42	0.0%
Russian, Polish, or Slavic Languages	305	0.2%
Speak English "very well"	287	0.2%
Speak English less than "very well"	18	0.0%
Other Indo-European Languages	1757	1.1%
Speak English "very well"	1465	0.9%
Speak English less than "very well"	292	0.2%
Chinese (including Mandarin, Cantonese)	1544	0.9%
Speak English "very well"	972	0.6%
Speak English less than "very well"	572	0.3%
Korean	787	0.5%
Speak English "very well"	498	0.3%
Speak English less than "very well"	289	0.2%

**Language Data for MACORTS Area - US Census Bureau, American  
Community Survey, C16001, 2015-2019 5-Year Estimate - Language Spoken  
at Home by Ability to Speak English for Population 5 years and Up**

<u>Language</u>	<u>MACORTS Total</u>	<u>Percent of Population</u>
Vietnamese	297	0.2%
Speak English "very well"	251	0.2%
Speak English less than "very well"	46	0.0%
Tagalog	373	0.2%
Speak English "very well"	279	0.2%
Speak English less than "very well"	94	0.1%
Other Asian & Pacific Island languages	1039	0.6%
Speak English "very well"	545	0.3%
Speak English less than "very well"	494	0.3%
Arabic	647	0.4%
Speak English "very well"	427	0.3%
Speak English less than "very well"	220	0.1%
Other and unspecified languages	765	0.5%
Speak English "very well"	639	0.4%
Speak English less than "very well"	126	0.1%

# **Appendix I**

## **Demographic Maps**

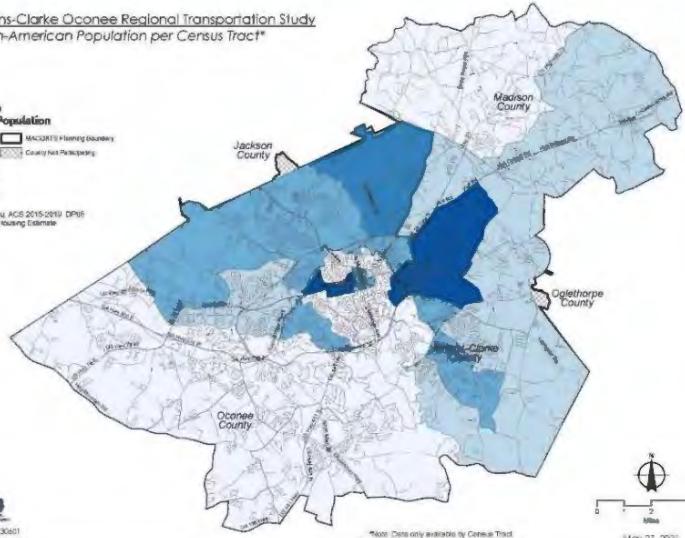
### **(2015-2019) Date-ACS 5 Year Estimates**

Madison Athens-Clarke Oconee Regional Transportation Study  
African-American Population per Census Tract\*

**African-American  
Percent of Total Population**

- 0 - 16 Percent
- 16.01 - 30 Percent
- 30.01 - 43 Percent
- 43.01 - 56 Percent
- 56.01 - 68 Percent

Source: US Census Bureau, ACS 2015-2019 DP-05 Demographic & Housing Estimate



\*Note: Data only available by Census Tract. This impacts the precision of the Title VI analysis.

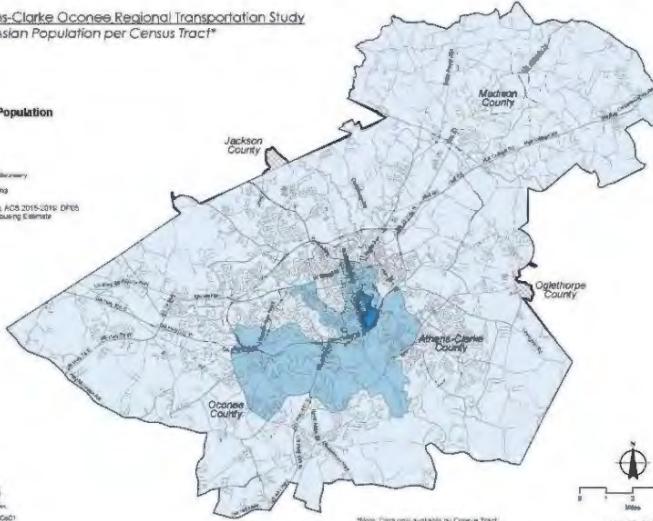
May 27, 2021  
rowe@macorts.com

Madison Athens-Clarke Oconee Regional Transportation Study  
Asian Population per Census Tract\*

**Asian  
Percent of Total Population**

- 0 - 3 Percent
- 3.01 - 15 Percent
- 15.01 - 40 Percent
- MACORTS Housing Boundary
- County Not Participating

Source: US Census Bureau, ACS 2015-2019 DP-05 Demographic & Housing Estimate



\*Note: Data only available by Census Tract. This impacts the precision of the Title VI analysis.

May 27, 2021  
rowe@macorts.com

**Madison Athens-Clarke Oconee Regional Transportation Study**  
Population Below Poverty Level per Census Tract\*

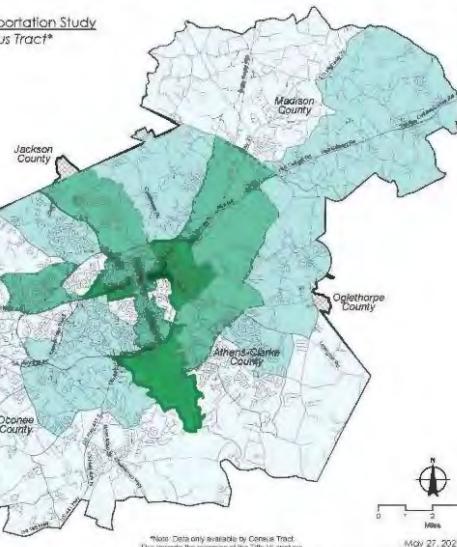
**Below Poverty Level**

Percent of Total Population

0 - 15 Percent	MACORTS Planning Boundary
15.01 - 25 Percent	County not participating
25.01 - 45 Percent	
45.01 - 65 Percent	
65.01 - 85 Percent	

Source: US Census Bureau,

ACS 2015-2019 5-Year Estimate, B1701



Map 27, 2021  
[www.wesmaps.com](http://www.wesmaps.com)

**Madison Athens-Clarke Oconee Regional Transportation Study**  
Disabled Population per Census Tract\*

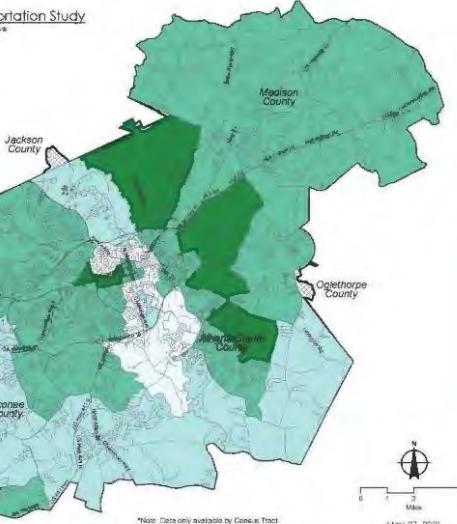
**Disabled**

Percent of Total Population

0 - 7 Percent	MACORTS Planning Boundary
7.01 - 11 Percent	County not participating
11.01 - 16 Percent	
16.01 - 21 Percent	

Source: US Census Bureau,

ACS 2015-2019 5-Year Estimate, B1910



Map 27, 2021  
[www.wesmaps.com](http://www.wesmaps.com)

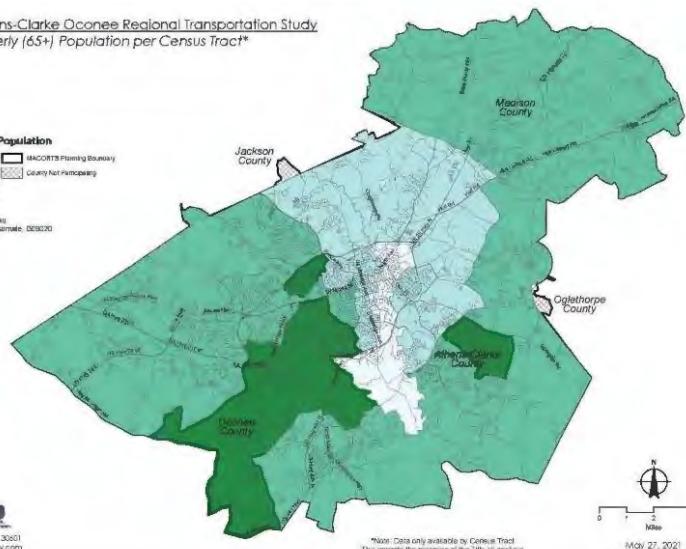
Madison Athens-Clarke Oconee Regional Transportation Study  
Elderly (65+) Population per Census Tract\*

**Elderly**  
Percent of Total Population

- 0 - 5 Percent
- 5.01 - 11 Percent
- 11.01 - 17 Percent
- 17.01 - 25 Percent

Source: US Census Bureau

ACS 2015-2019 5 Year Estimate, 00000



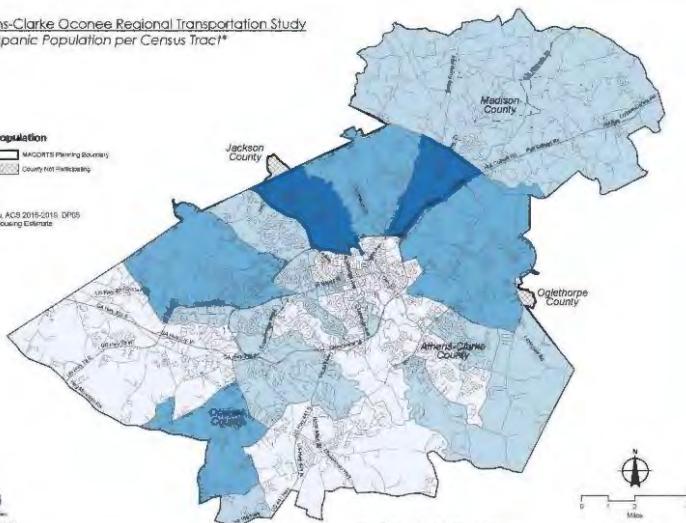
Madison Athens-Clarke Oconee Regional Transportation Study  
Hispanic Population per Census Tract\*\*

**Hispanic**  
Percent of Total Population

- 0 - 5 Percent
- 5.01 - 11 Percent
- 11.01 - 25 Percent
- 25.01 - 50 Percent

Source: US Census Bureau, ACS 2015-2019, DP05

Demographics & Housing Estimate

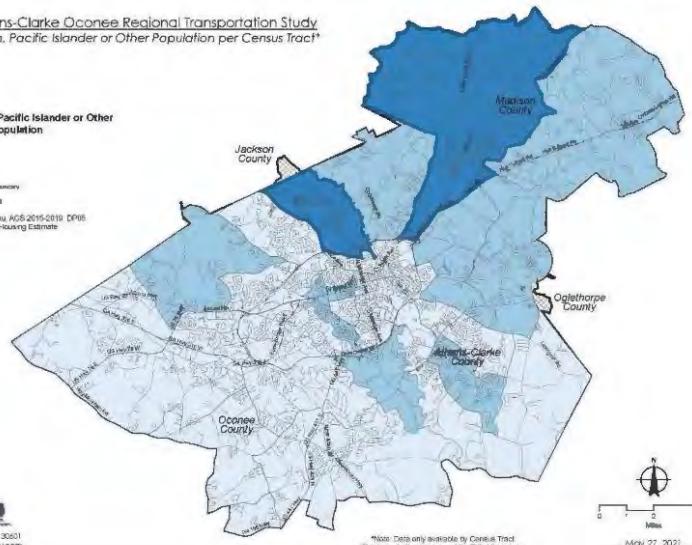


Madison Athens-Clarke Oconee Regional Transportation Study  
Native American, Pacific Islander or Other Population per Census Tract\*

Native American, Pacific Islander or Other  
Percent of Total Population

- 0 - 2 Percent
- 2.0 - 6 Percent
- 6.0 - 16 Percent
- MACORTS Planning Boundary
- County Not Participating

Source: US Census Bureau, ACS 2015-2019, DP08,  
Demographic & Housing Estimates

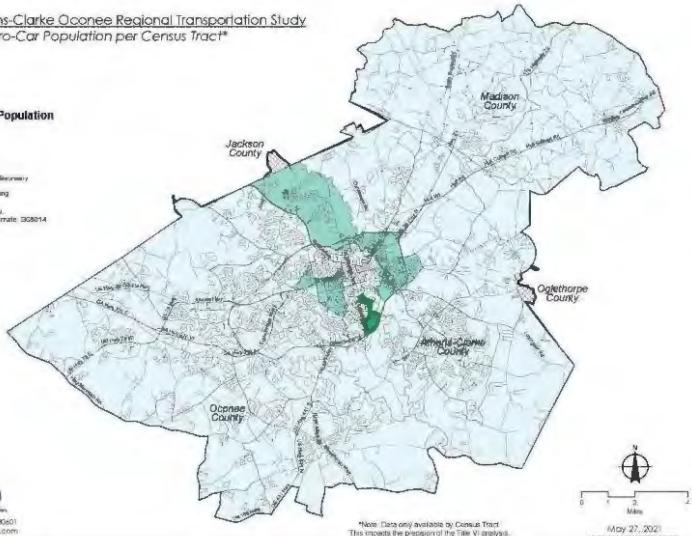


Madison Athens-Clarke Oconee Regional Transportation Study  
Zero-Car Population per Census Tract\*\*

Zero-Car  
Percent of Total Population

- 0 - 3 Percent
- 3.0 - 7 Percent
- 7.0 - 11 Percent
- MACORTS Planning Boundary
- County Not Participating

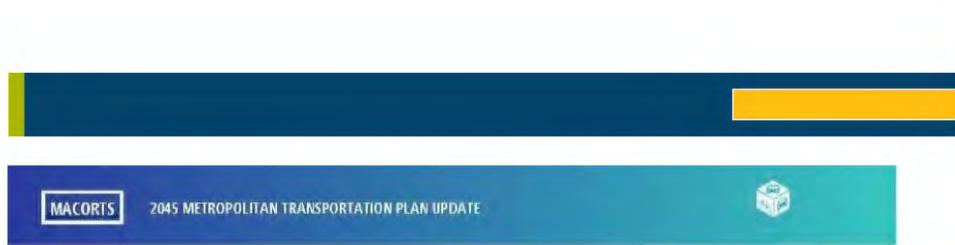
Source: US Census Bureau,  
ACS 2015-2019 5 Year Estimate, DG0814



# **Appendix J**

## **Title VI Equity Analysis**

University of Georgia Transportation and Parking Services has not recently built any new facilities, therefore, a Title VI Equity Analysis has not been performed. However, included in this document is an excerpt from MACORTS 2045 Long Range Transportation Plan approved October 9, 2019 containing the Title VI Analysis for the MACORTS region of which University of Georgia Transportation and Parking Services is located.

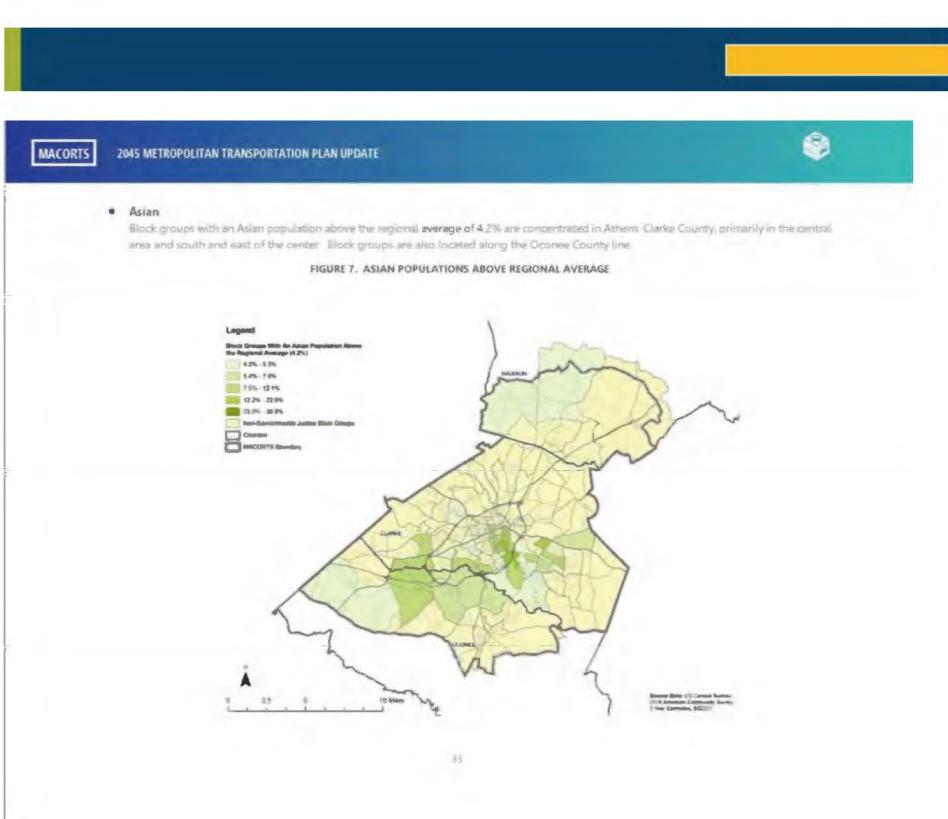


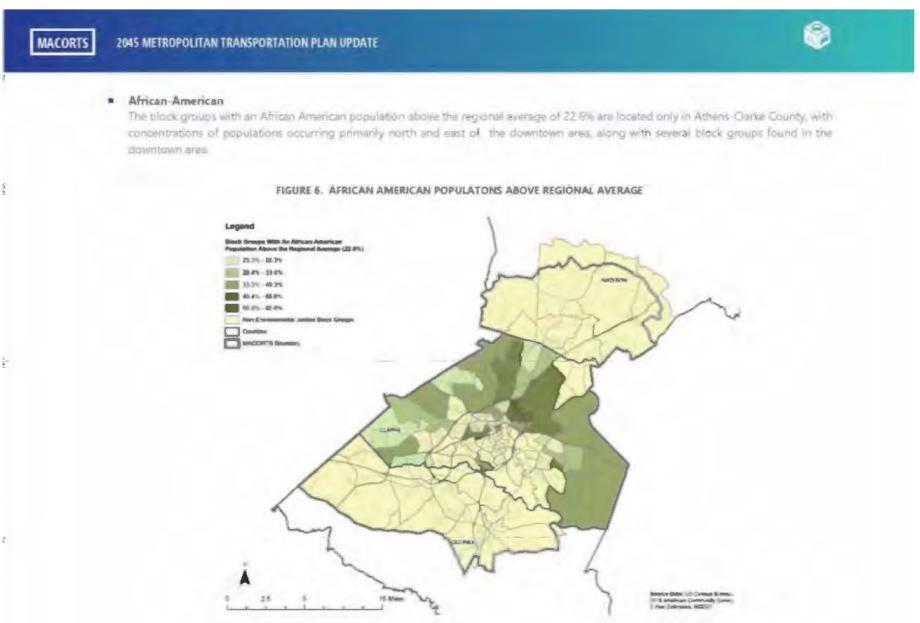
#### *Title VI and Environmental Justice*

Title VI of the Civil Rights Act of 1964 states that no person on the grounds of race, color, or national origin shall be subject to discrimination under any program or activity receiving federal financial assistance. In addition, the focus on Environmental Justice (EJ) states that federal agencies shall identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs, policies, and activities on minority populations and low-income populations. As the recipients of federal transportation dollars, the planning process must incorporate the Title VI and EJ analysis, as these populations often experience significant transportation and mobility challenges. These challenges were reported by the public during the public involvement phases of the development of this Plan (see Public and Stakeholder Engagement section beginning on page 89.) The US Census Bureau American Community Survey data from 2016 was used to update the identification and location of the Title VI and EJ populations from the previous plan.

Using this Census geography of block groups and tracts, any area was identified with populations above the overall regional average of 4.3%. The northwestern area of the MPO in Madison County does have block groups with EJ populations that are greater than the 4.2% regional average, but less than 5.3%. Regionally, the highest concentrations of EJ populations are found in the more central areas of Athens-Clarke County and in the block groups along the Oconee/Athens-Clarke County line. Based on the Census data, the regional average for each of the following categories was calculated; maps of the categories are shown in Figures 6 through 13.



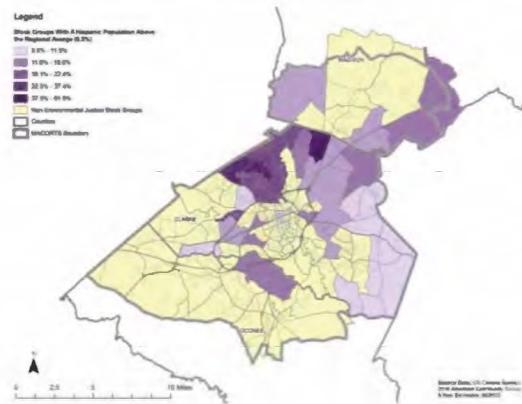




**Hispanic**

The largest concentrations of the Hispanic populations occur in northeastern Athens-Clarke County at the Madison County line and in the northern portions of the county near the Jackson County line.

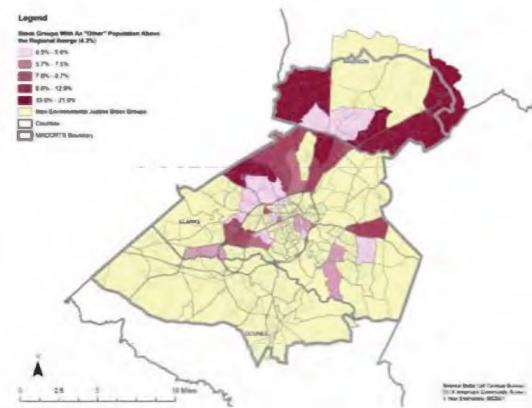
FIGURE 8. HISPANIC POPULATION ABOVE REGIONAL AVERAGE

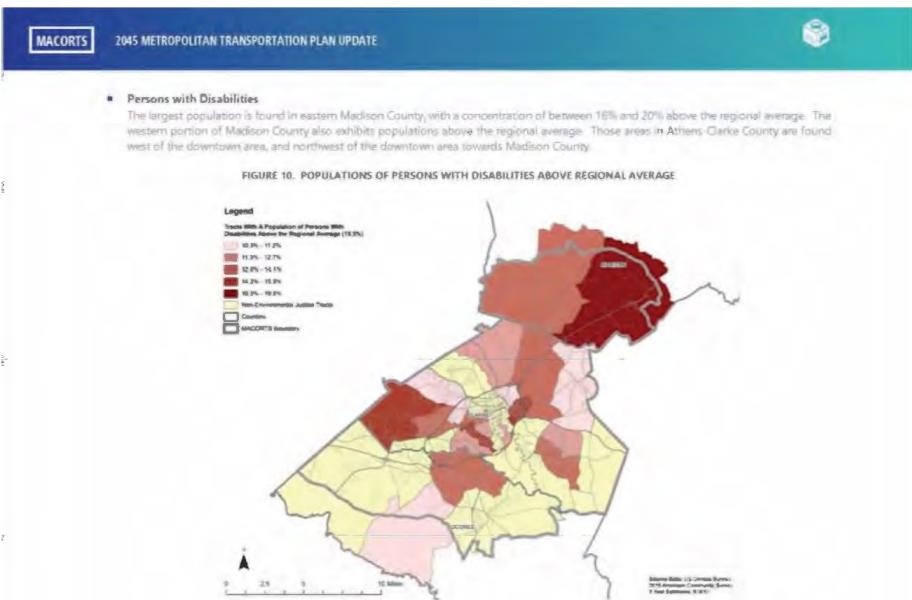


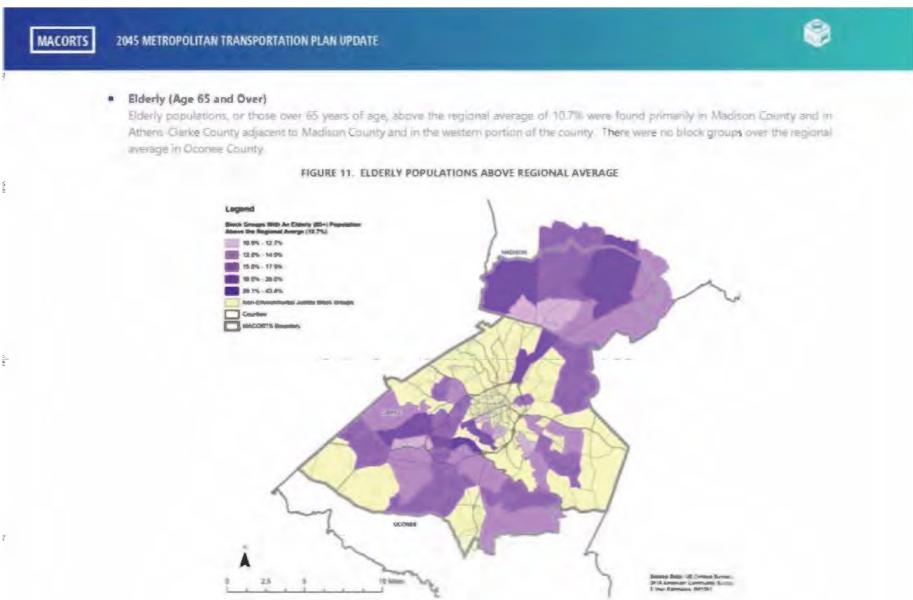


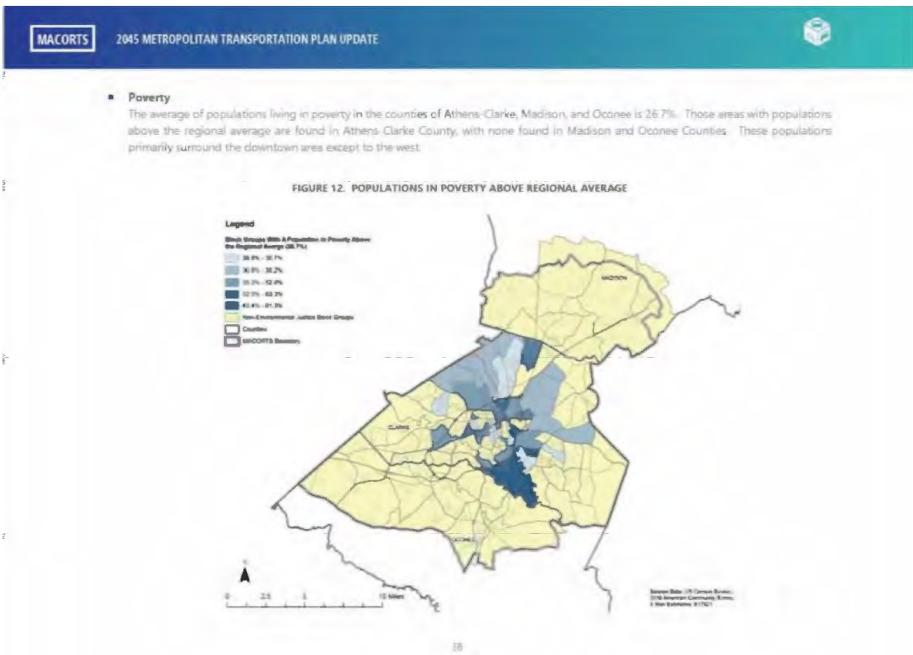
- **Other Race not Caucasian, African American or Asian**  
The block groups with the heaviest concentrations occur in southern Madison County adjacent to Oglethorpe and Athens-Clarke Counties and in western Madison County adjacent to Jackson County. Concentrations in Athens-Clarke County are found primarily in the northern areas adjacent to Madison and Jackson Counties. In addition, there are smaller concentrations found west of the downtown area

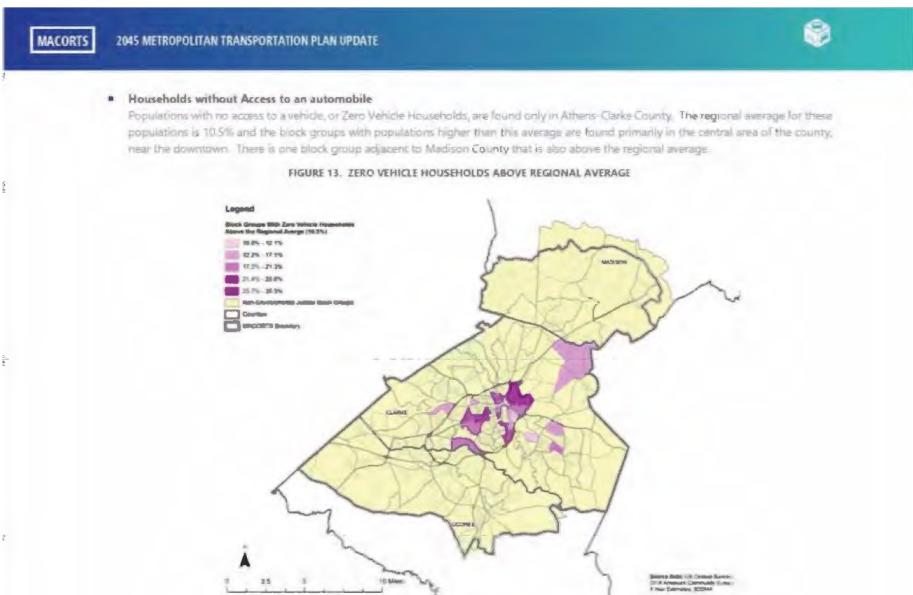
FIGURE 9. OTHER POPULATIONS ABOVE REGIONAL AVERAGE













Service Option	Annual Operating Costs	Capital Costs
Route 20 Frequency	\$502,952	\$450,000
Route 21 Frequency	\$756,902	\$450,000
Route 22 Frequency	\$756,913	\$450,000
Route 27 Frequency	\$679,286	\$450,000
Route 28 Frequency	\$317,316	\$450,000
<b>Long Term Subtotal</b>	<b>\$7,231,917</b>	<b>\$4,620,000</b>
<b>Total</b>	<b>\$12,984,612</b>	<b>\$10,440,000</b>

Since the adoption of the TDP, all routes that circulated through the University of Georgia campus were rerouted to accommodate campus construction. In addition, the realignments of Routes 5, 6, and 7 have been implemented, as well as the new service on US 29/Danielsville Road.

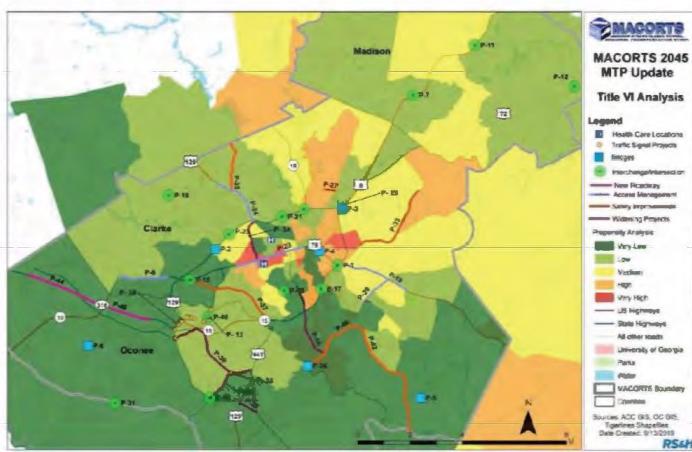
#### **Environmental Mitigation**

In order to understand how the impacts of the identified projects, the project map was overlaid with the Environmental Justice communities, as well as with the natural and community resources. The projects that are adjacent to, or within, the identified Environmental Justice communities, which include minority populations, concentrations of elderly populations, populations living in poverty and those without access to a vehicle, were reviewed to ensure better access and mobility, as well as minimal to no community impacts.

The map in Figure 43 displays the locations with the highest concentrations of Environmental Justice communities overlaid with the identified projects. The projects that are within, or adjacent to those areas with the highest concentrations of Environmental Justice populations all include new and/or enhanced bicycle and pedestrian facilities, as well as configurations to enhance both the safety, as well as the aesthetics of the facility. These projects include access management techniques that improve safety for motorists, as well as other modal users, provide pedestrian refuges with the inclusion of medians, and provide opportunities for landscaping and streetscaping. Each of these projects is aligned with the MACORTS commitment to provide all populations with efficient mobility, access and connectivity.

MACORTS 2045 METROPOLITAN TRANSPORTATION PLAN UPDATE

FIGURE 43. TITLE VI PROJECT ANALYSIS





**The Unified Government of  
Athens-Clarke County, Georgia  
TITLE VI PROGRAM PLAN**

Federal Assistance Programs and Activities

# The Unified Government of Athens-Clarke County Title VI Plan

## Table of Contents

Section I: Policy Statement and Authorities .....	3
Section II: Organization and Plan Administration.....	5
Section III: Subcontracts and Vendors .....	7
Section IV: ACCGov Title VI Activities Related to Transportation .....	8
Section V: Sub-Recipient Review and Remedial Action Procedures.....	12
Section VI: ACCGov Title VI Activities Related to Transit .....	14
Section VII: ACCGov Title VI Activities Related to Housing and Community Development ...	15
Section VIII: Complaint Procedures.....	16
Section IX: Title VI Investigations, Complaints, and Lawsuits .....	19
Section X: Education and Training.....	20
Exhibit 1: Title VI Notice to the Public .....	21
Exhibit 2: Title VI Assurances.....	22
Appendix A: Organizational Chart .....	31
Appendix B: Title VI Public Involvement Questionnaire .....	36
Appendix C: Title VI Complaint Form.....	37
Appendix D: Minority Business Enterprise Statement.....	39
Appendix E: Equal Employer Opportunity Policy Statement.....	40
Appendix F: Limited English Proficiency (LEP) Plan .....	41

## Section I: Policy Statement and Authorities

### A. Policy Statement

The Unified Government of Athens-Clarke County (ACCGov) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. ACCGov assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. ACCGov further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities whether or not those programs and activities are federally funded. In addition, ACCGov will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

When ACCGov enters into a contract with another entity utilizing federal aid funds, ACCGov will include Title VI language in all written agreements and will monitor for compliance.

ACCGov's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other ACCGov responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.



Kelly Girtz, Mayor  
The Unified Government of Athens-Clarke County

## **B. Authorities**

### **Title VI of the Civil Rights Act of 1964**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

### **The Civil Rights Restoration Act of 1987**

Broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not.

### **Federal Aid Highway Act of 1973**

No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

### **Age Discrimination Act of 1975**

No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

### **Americans with Disabilities Act of 1990 (ADA & ADAAA)**

No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district or other instrumentality of a state or local government.

### **Section 504 of the Rehabilitation Act of 1973**

No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

### **Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency**

## Section II: Organization and Plan Administration

### A. Organization

The Unified Government of Athens-Clarke County (ACCGov) is a unified city/county government located in the northeast section of the state of Georgia and is approximately sixty (60) miles northeast of Atlanta, Georgia. In 1990, the citizens of the City of Athens and Clarke County voted to unify their governments. In doing so, Athens-Clarke County became the second consolidated government in Georgia and the 28<sup>th</sup> in the nation. Athens-Clarke County is the most urbanized area in the region, and as such, can be considered the center of employment, culture, education, and business activity. ACCGov serves an area population of approximately 128,711 with annual growth projected at 0.92% per year and provides a multitude of local, state, and federally funded services, which includes, but is not limited to public safety, utilities, courts, corrections, tax, transportation, and transit services.

ACCGov's organization is shown in Appendix A ("Organizational Chart"), attached hereto and incorporated herein by reference. The ACCGov Human Resources Director, on behalf of the ACCGov Mayor and Commission, is responsible for the overall management of the Title VI programs. The day-to-day administration of the program lies with the Title VI Coordinator.

### B. Plan Administration

The ACCGov Human Resources Director shall serve as the Plan Administrator (the "Administrator") and shall implement the Plan and ensure compliance with provision of ACCGov's policy of non-discrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. Grants compliance and Title VI coordination shall be performed under the authority of the Administrator.

The ACCGov Safety & Risk Administrator shall act as the Plan Coordinator (the "Coordinator") and administer the Plan. The Coordinator reports directly to the Administrator. The Coordinator's duties and responsibilities are as follows:

1. **Program Administration** – Administer the Title VI program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations, as required, to the Administrator.
2. **Title VI Plan Update** – Review and update the Title VI Plan as needed or required for approval by the Administrator.
3. **Data Collection** – Ensure that statistical information is gathered and maintained on race, color, national origin and sex of participants in and beneficiaries of programs funded through federal funding sources (e.g., relocates, impacted citizens, and affected

communities). Review the statistical data gathering process periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.

4. **Public Dissemination** – Work with ACCGov staff to develop and disseminate Title VI program information to staff, recipients, sub-recipients, including contractors, sub-contractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the ACCGov’s Title VI Policy Statement in newspaper(s) having a general circulation, and informational procurements. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.
5. **Environmental Impact Statements** – As required, work with the ACCGov department staff to ensure that available census data are included as part of all Environmental Impact Statements/Assessments (EIS/EIA) for projects receiving Federal Highway Administration or other federal assistance.
6. **Elimination of Discrimination** – Establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination discovered in any of ACCGov’s processes.
7. **Complaints** – Review written Title VI complaints that may be received by ACCGov following the procedural guidelines in Section VIII (“Complaint Procedures”). Ensure every effort is made to resolve informally at the local or regional level.
8. **Training Programs** – Work with internal and external agencies to conduct training programs on Title VI issues and regulations for ACCGov employees.
9. **Legislative and Procedural Information** – Maintain and update the Plan and Annual Accomplishment and Goal Report as necessary to comply with federal laws, rules and regulations, GDOT guidelines, Department of Treasury guidelines, and other resource information pertaining to implementation and administration of Title VI. Make information available to other ACCGov departments or the public as requested or required.
10. **Annual Accomplishment and Goal Report** – If any complaints are received, prepare a Title VI Annual Accomplishment and Goal Report for the preceding fiscal year. Identify accomplishments from the preceding fiscal year and goals and objectives for the upcoming year, as required, and submit by June 30 of each year.

### **Section III: Subcontracts and Vendors**

All subcontractors, subaward recipients, subrecipients, and vendors who receive payments from ACCGov where funding originates from any federal assistance are subject to the provisions of the Title VI of the Civil Rights Act of 1964 as amended.

Written contracts will contain non-discrimination language, as relevant and appropriate, either directly or through the bid specification package, which becomes an associated component of the contract.

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## **Section IV: ACCGov Title VI Activities Related to Transportation**

### **A. Planning**

1. Invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning process by disseminating written program information to minority media and ethnic organizations, and providing public service announcements for all local media, when requesting public involvement or attendance at public information meetings.
2. Obtain demographic data at community meetings and public hearings pertaining to the transportation design project. Coordinate the gathering of information using the voluntary Title VI Public Involvement Questionnaire provided in Appendix B.
3. Conduct public meetings in a variety of community buildings throughout Athens-Clarke County to ensure access to public meetings, including those along transit routes; ensure translation services are available if anticipated; and ensure public meetings are held in predominately minority communities when transportation projects will specifically impact those communities.

### **B. Research**

1. Prioritize research projects based upon ACCGov needs and available funding.
2. Gather and maintain necessary data and documentation required for completion of ACCGov's Title VI Update Annual Report.
3. Select capable institution to perform research sufficient for ACCGov to make an informed decision about the transportation problem. Ensure the diversification in the selection of the institution.
4. Ensure that all research contracts include the requirements in Exhibit 2 of the Title VI Assurances.

### **C. Pre-Construction Environmental**

1. Recommend consultant firms for final selection, negotiation and award; administer awarded consultant contracts.
2. Request qualifications from consulting engineering firms specializing in various aspects of civil engineering which may relate to ACCGov projects and the development of construction plans and special provisions for roads and bridges, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for ACCGov projects. Ensure consultant

selection is consistent with ACCGov vendor policies and adheres to GDOT regulations.

3. Comply with ACCGov's Minority Business Enterprise (MBE) statement when selecting consultants and contractors; include Title VI assurances and provision language in all federally funded consultant contracts and periodically review to ensure compliance with current laws and regulations. Provide a copy of the award letter to the Coordinator for use in preparing the Annual Accomplishment and Goal Report.
4. Ensure ACCGov's responsibility for transportation Capital Improvement Program (CIP) and environmental permitting for projects. Perform studies to assess various environmental factors as they relate to the implementation of ACCGov's transportation projects, including evaluating demographic data.
5. Adhere to the National Environmental Policy Act (NEPA), as required, depending on the scope, complexity, and impacts of the project.
6. Complete NEPA Categorical Exclusion and NEPA Environmental Assessment as required. Monitor compliance with Title VI requirements in all aspects of conducting Environmental Impact Statements (EIS) or Assessments (EIA) and provide a comprehensive summary of the demographic and environmental data elements to be considered by the EIS/EIA process to the Coordinator, including updated summary lists as applicable. Provide at least two weeks for the Coordinator to review and comment. Ensure there are no violations of the federal Civil Rights Act, as amended, as a result of ACCGov's federal aid projects.
7. Ensure dissemination of information and foster participation from affected populations. Place public notices in applicable general and minority media; select accessible locations and times for public hearings or meetings, and arrange for translation services as needed; particularly in projects impacting predominately minority communities. Ensure the public has information pertaining to their rights to call or write ACCGov to view plans and discuss environmental problems.
8. Obtain demographic data at community meetings and public hearings pertaining to the transportation design project. Coordinate with GDOT to generate a map of the federal-aid transportation projects and include demographic data of the neighborhoods affected by the projects.
9. Assist in incorporating environmental considerations and regulatory requirements into projects.

10. Provide technical expertise for project analysis and utilize environmental policies, procedures, manuals and training.
11. Study and evaluate all necessary environmental aspects of proposed projects, including social and economic aspects.

**D. Right-of-Way**

1. Manage and coordinate the appraisal and acquisition of real property and relocation assistance services for public works projects. Include appraisal of property, negotiation of terms and conditions for acquisition, and assistance in the relocation of displaced individuals, businesses, farm operations, nonprofit organizations, and property management.
2. Ensure equal opportunity in all aspects of procuring real estate services contracting and appraisal agreements and adhere to ACCGov vendor procurement policies in the acquisition of contracted services.
3. Utilize current GDOT directories for a list of certified fee appraisers when seeking services, maintain data on awards to minority and female appraisers, and provide data to the Coordinator.
4. Follow the guidelines and applicable laws and regulations, including Title VI and Section 504 for property acquisition.
5. Ensure affected property owners, tenants, and others involved in right-of-way acquisition are apprised of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process. Provide copies of relocation assistance literature produced by GDOT.
6. Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business. Coordinate the preparation of deeds, permits and leases to ensure the inclusion of the appropriate clauses, including Title VI Assurances.
7. Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.
8. Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process.
9. Maintain statistical data including race, color, national origin, and sex on all relocates affected by federally funded projects.

## **E. Construction**

1. Administer all new construction contracts. Administer and supervise transportation construction projects.
2. Review all federally funded projects for application of the DBE statement. As appropriate, include DBE provisions in those projects with the designated statement. Include Title VI language in bid announcements and applicable construction documents, as stipulated in the Agency's Title VI Policy Statement and Assurances.
3. Award construction contracts on the basis of most qualified, lowest responsive bidder, as well as meeting DBE requirements. Include Title VI language in prime contract award letters to encourage utilization of DBE subcontracts and vendors.
4. Ensure that prime contractors with DBE requirements award contracted work to qualified DBEs which perform commercially useful functions.
5. Monitor all construction to ensure nondiscrimination throughout all operations.
6. Coordinate the gathering of construction information regarding DBE participation for the Annual Title VI Report and provide this information to the Coordinator.

## **Section V: Sub-Recipient Review and Remedial Action Procedures**

### **A. Title VI Review of Sub-recipients of Federal Aid Highway Funds**

The Coordinator and ACCGov staff will assist GDOT to periodically conduct Title VI compliance reviews. The Coordinator and ACCGov staff will review select sub-recipients of federal aid highway or other federal funds to ensure adherence to Title VI requirements. ACCGov will work cooperatively to periodically confirm operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

### **B. Post-Grant Reviews**

The Coordinator and ACCGov staff will conduct periodic post grant reviews of select sub-recipients of federal highway funds or other federal funds, for roads, sidewalks, bridges, construction, etc. to ensure adherence to Title VI requirements. The Coordinator and ACCGov staff will periodically confirm that operational guidelines provided to consultants, contractors and sub-recipients include Title VI language and provisions and related requirements, where applicable.

### **C. Remedial Action**

When irregularities occur in the administration of federal-aid highway programs at either ACCGov or sub-recipient levels, corrective action will be taken to resolve identified Title VI issues. ACCGov will seek the cooperation of the consultant, contractor and other sub-recipient in correcting deficiencies found during periodic reviews. ACCGov will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient. When conducting Title VI compliance reviews, ACCGov will document and provide to GDOT any recommended remedial action agreed upon by ACCGov and the sub-recipient within a period not to exceed forty-five (45) calendar days.

Sub-recipients placed in a deficiency status will be given a reasonable time, but not to exceed ninety (90) days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a sub-recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, ACCGov will submit to GDOT copies of the case files and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted within one hundred eighty (180) days of the initial review to ascertain if the sub-recipient has complied with the Title VI requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, ACCGOV and GDOT may, with FHWA's concurrence, initiate sanctions pursuant to 49 CFR 21, including but not limited to:

1. Withholding of payments to the contractor under the contract until the contractor complies; and/or
2. Cancellation, termination, or suspension of the contract in whole or in part.

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## **Section VI: ACCGov Title VI Activities Related to Transit**

Transit Department receives federal funds from the Federal Transit Administration (FTA) via the Georgia Department of Transportation (GDOT) Office of Intermodal Programs. Both FTA and GDOT Title VI guidelines for the Transit Department meet or exceed the requirements found within this document. The Transit Department complies with all Federal statutes and regulations, follows applicable Federal directives, and complies with the certifications and assurances as required by the Federal Transit Administration (FTA) in FTA Circular FTA C 4702.1B and 49 CFR part 21, and by the Georgia Department of Transportation (GDOT) Office of Intermodal Programs guidelines, in regard to the Title VI programs.

The Transit Department has a stand-alone Title VI plan that has been approved by GDOT. See Addendum D.

## **Section VII: ACCGov Title VI Activities Related to Housing and Community Development**

ACCGov Housing and Community Development Department (HCD) receives federal funds from the U.S. Department of Housing and Urban Development (HUD). HCD Title VI guidelines for the Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME), and Supportive Housing Program (SHP) meet or exceed the ACCGov requirements found within this document. The ACCGov HCD Department complies with all Federal statutes and regulations, follows applicable Federal directives and Executive Orders, and complies with the certifications and assurances as required by HUD regulations for CDBG at 24 CFR 570, for HOME at 24 CFR 92.504, and for SHP at 24 CFR, Part 583 in regard to the Title VI programs.

## **Section VIII: Complaint Procedures**

### **A. Overview**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, and Civil Rights Restoration Act of 1987 relating to any program or activity administered by ACCGov, as well as by sub-recipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

### **B. Right to File Formal Complaints**

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints informally at the ACCGov and sub-recipient level. The option of informal mediation meeting(s) between the affected parties and a designated mediator/the Title VI Coordinator may be utilized for resolution.

### **C. Procedures**

1. Any individual, group of individuals, or entity that believes it has been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written formal complaint with ACCGov's Title VI Coordinator using ACCGov's Title VI Complaint Form found in Appendix C. The formal complaint must be filed in writing or in person by the complainant and/or his/her/their representative no later than 180 calendar days after the alleged discrimination occurred or after the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s).
  - b. Include the date of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
  - c. Present a detailed description of the issues, including but not limited to names and job titles of those individuals perceived as parties in the complained-of incident.
  - d. Generally, the Title VI Coordinator will acknowledge receipt of a complaint within 10 days of it being submitted and inform the complainant of action taken or any possible action to process the complaint; provided that the complaint must first provide the identity(ies) of the complainant(s) and affirm its intent to proceed with the complaint.

- e. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her/them to complete, sign, and return to the Title VI Coordinator for processing.

Failure of the complainant to respond to requests for information may result in dismissal of the complaint.

2. Upon receiving the written complaint, ACCGov will determine its jurisdiction, acceptability of the complaint, need for additional information, and the investigative merit of the complaint. In some situations, ACCGov may request GDOT's Office of Equal Employment Opportunity, or other relevant authoritative agency, to conduct the investigation. In the event GDOT handles the investigation, GDOT will follow its adopted procedures for investigating discrimination complaints, per its current Title VI Plan.
3. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - c. The complainant cannot be located after reasonable attempts.
4. If the complaint is against a sub-recipient, consultant, or contractor, under contract with ACCGov, the appropriate sub-recipient, consultant, or contractor shall be notified of the complaint within fifteen (15) calendar days of ACCGov receiving the complaint.
5. Once ACCGov decides its course of action, the complainant and the respondent will be notified in writing of such determination within five (5) calendar days. The complaint will be logged in the Title VI Coordinator's records along with the basis for the allegation identified and the race, color, national origin, handicap/disability, age and sex of the complainant.
6. In cases where ACCGov assumes investigation of the complaint, the Title VI Coordinator will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days upon receipt, to furnish the Title VI Coordinator with his/her/their response to the allegations.
7. Within sixty (60) calendar days of acceptance of the complaint, the Title VI Coordinator (or GDOT investigator) will prepare a written investigative report. The

interrogations should be conducted in accordance with established practices administered by the Department of Justice. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.

8. The investigative report will be reviewed by ACCGov Attorney's office (the "Attorney"). The Attorney may discuss the report and its recommendations with the Title VI Coordinator and other staff as appropriate. The report will be modified as needed and made final for its release to the complainant and respondent.
9. Once the investigative report becomes final, briefings will be scheduled with the complainant and respondent within fifteen (15) calendar days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.
10. A copy of the investigative report and a copy of the complaint will be forwarded to the Georgia Department of Transportation Office of Equal Employment Opportunity, or other relevant and appropriate oversight entity, within sixty (60) calendar days of the completion of the briefings.
11. If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminator practice(s), he/she/they shall be advised of his/her/their rights to appeal ACCGov's decision to GDOT, the United States Department of Transportation (USDOT), U.S. Department of Justice (USDOJ), or other entity as appropriate. The complainant has one hundred eighty (180) calendar days after ACCGov's briefing to appeal. Unless new facts not previously considered come to light, reconsideration of ACCGov's opinion will not be available.
12. A Complaints Log shall be maintained annually by ACCGov. The Complaints Log will contain the following information for each complaint filed:
  - The name and address of the person filing the complaint
  - The date of the complaint
  - The basis of the complaint
  - The disposition of the complaint
13. ACCGov departments will not be allowed to investigate a formal complaint against itself.

## Section IX: Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), the Unified Government of Athens-Clarke County (ACCGov) must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by the Unified Government of Athens-Clarke County in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to GDOT or other funding agency.

ACCGov has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

**Table 1: Summary of Investigations, Lawsuits, and Complaints**

	Date (MM/DD/YYYY)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
<b>Complaints</b>				
1.				
2.				
3.				
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				

## **Section X: Education and Training**

In keeping with the ACCGov Policy of Nondiscrimination, procedures will be established or followed for ACCGov employees to have equal access to applicable educational and training opportunities. The Title VI Coordinator will work with ACCGov staff to maintain program administration documentation and data necessary for preparation of the Annual Accomplishment and Goal Report. ACCGov staff will routinely supply the necessary data to the Title VI Coordinator.

### **1. National Highway Institute (NHI) Education**

The Title VI Coordinator will establish policy for the selection of participants interested in taking part in the National Highway Institute Training workshops to ensure that no one is denied participation or subjected to discrimination on the basis of race, color, sex, or national origin. A report will be completed and forwarded to the Title VI Coordinator upon completion of each educational seminar or course throughout the course of the year, which shall include the name of each participant, his/her/their title, department, sex and ethnicity for use in completing the annual Title VI accomplishment report.

### **2. Title VI Training**

The Coordinator may organize and facilitate the provision of Title VI training sessions for consultants, contractors, and subcontractors. GDOT's Office of Equal Employment Opportunity may be asked to provide applicable training.

### **3. Selection of Instructors**

The Coordinator will ensure ACCGov policy is followed in the selection of instructors for ACCGov training courses/workshops, and ensure equal opportunity in the selection process for all training contracts. If an outside training contract is needed, ACCGov will provide accessibility to Minority/Women/Disadvantaged Business Enterprise consulting and training firms to compete for training contracts, in accordance with the Disadvantaged Business Enterprise (DBE) statement.

## **Exhibit 1: Title VI Notice to the Public**

U.S. Department of Justice regulations, 28 Code of Federal Regulations, Section 42.405, Public Dissemination of Title VI Information, require recipients of Federal financial assistance to publish or broadcast information in news media. Advertisements must state that the program is an equal opportunity program and/or indicate that Federal law prohibits discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by the program. The following is the public notice used by ACCGov:

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The Unified Government of Athens-Clarke County, Georgia (ACCGov) hereby gives public notice that it is the policy of ACCGov to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. It is our policy that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs or activities.

Any person who believes he/she has been subjected to unlawful discriminatory practice under Title VI has a right to file a formal complaint. The formal complaint must be filed in writing or in person with the ACCGov Title VI Coordinator within one hundred-eighty (180) days from the date of the alleged discriminatory act or upon notice of the discriminatory act. Title VI Discrimination Compliant Forms may be obtained by going to the ACCGov's website or by calling the ACCGov Title VI Coordinator at (706) 613-3090.

## **Exhibit 2: Title VI Assurances**

### **A. Title VI Assurances for the Unified Government of Athens-Clarke County**

The Unified Government of Athens-Clarke County, Georgia Mayor and Commission (hereinafter referred to as the “Recipient”), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Georgia Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Section 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its federal aid highway program.

1. That the Recipient agrees that each “program” and each “facility” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements:

“The Unified Government of Athens-Clarke County, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d-42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract

entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not discriminate against bidders on the grounds of race, color, sex, or national origin in consideration for an award.”

3. The Recipient shall insert the clauses of Section B of this Assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Section C of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient received federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, or under, such property.
7. That the Recipient shall include the appropriate clauses set forth in Section D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest thereon or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program by the Secretary of Transportation, or the official to whom is delegated specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other

participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

9-13-2022

(Date)

Unified Government of  
Athens-Clarke County, Georgia

(Recipient)

By:



(Signature of Authorized Official)

## **B. Title VI Assurances for Consultants, Contractors, Subcontractors, Suppliers and Manufacturers**

The text below, in its entirety, shall be incorporated in all contracts entered into by ACCGov related to transportation projects utilizing Federal funding sources. All of the text, except the final section, entitled “Incorporation of Provisions,” should be included in any contract entered into by any ACCGov contractor related to transportation projects.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “Contractor”), agree as follows:

### **1. Compliance with Regulations**

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as “DOT”), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made part of this contract.

### **2. Nondiscrimination**

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

### **3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment**

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.

### **4. Information and Reports**

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by ACCGov or the Georgia Department of Transportation (GDOT) or

the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to ACCGov, GDOT, or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

#### 5. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, ACCGov and GDOT shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- Cancellation, termination, or suspension of the contract, in whole or in part.

#### 6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontractor or procurement as ACCGov, GDOT, or the Federal Highway Administration may direct as a means of enforcing such provision, including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request ACCGov to enter into such litigation to protect the interests of ACCGov and, in addition, the Contractor may request GDOT to enter into such litigation to protect the interest of the State and/or the United States to enter into such litigation to protect the interest of the United States.

## **C. Granting and Habendum Clauses**

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures, or improvements thereon, or interest therein from the United States.

### **1. Granting Clause**

NOW, THEREFORE, the Unified Government of Athens-Clarke County is authorized by law, and upon the condition that the state of Georgia will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, and Regulations for the Administration of Federal Aid for Highways; the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation; and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 USC 2000d to 2000d-4) – does hereby remise, release, quitclaim, and convey unto ACCGov all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

### **2. Habendum Clause**

TO HAVE AND TO HOLD said lands and interests therein unto the Unified Government of Athens-Clarke County, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Unified Government of Athens-Clarke County, its successors, and assigns.

The Unified Government of Athens-Clarke County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree, as a covenant running with the land for itself, its successors and assigns, that (1) no person shall, on the grounds of race, color, sex, disability, national origin, age, or religion, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed\*, (2) that the Unified Government of Athens-Clarke County shall use the lands, and interests in lands so

conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination of Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the agency shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in, and become absolute property of, the Department of Transportation and its assigns as such interest existed prior to this instruction.<sup>1</sup>

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<sup>1</sup> Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

#### **D. Lease/Deed Provisions**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by ACCGov pursuant to the provisions of Assurance 6:

The (PURCHASER/LESSEE/PERMITTEE), for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (DEED/LEASE/PERMIT), for a purpose for which a Unified Government of Athens-Clarke County program or activity is extended, or for another purpose involving the provision of similar services or benefits, the (PURCHASER/LESSEE/PERMITTEE) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the Unified Government of Athens-Clarke County shall have the right to terminate this (DEED/LEASE/PERMIT), and to reenter and repossess said land and the facilities thereon, and hold the same as if said (DEED/LEASE/PERMIT) had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by ACCGov pursuant to the provisions of Assurance 6:

The (PURCHASER/LESSEE/PERMITTEE), for himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree as a covenant running with the land, that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (PURCHASER/LESSEE/PERMITTEE) shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code

of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the Unified Government of Athens-Clarke County shall have the right to terminate the [LICENSE/LEASE/PERMIT] and to reenter and repossess said land and the facilities thereon, and hold the same as if said [LICENSE/LEASE/ PERMIT] had never been made or issued.

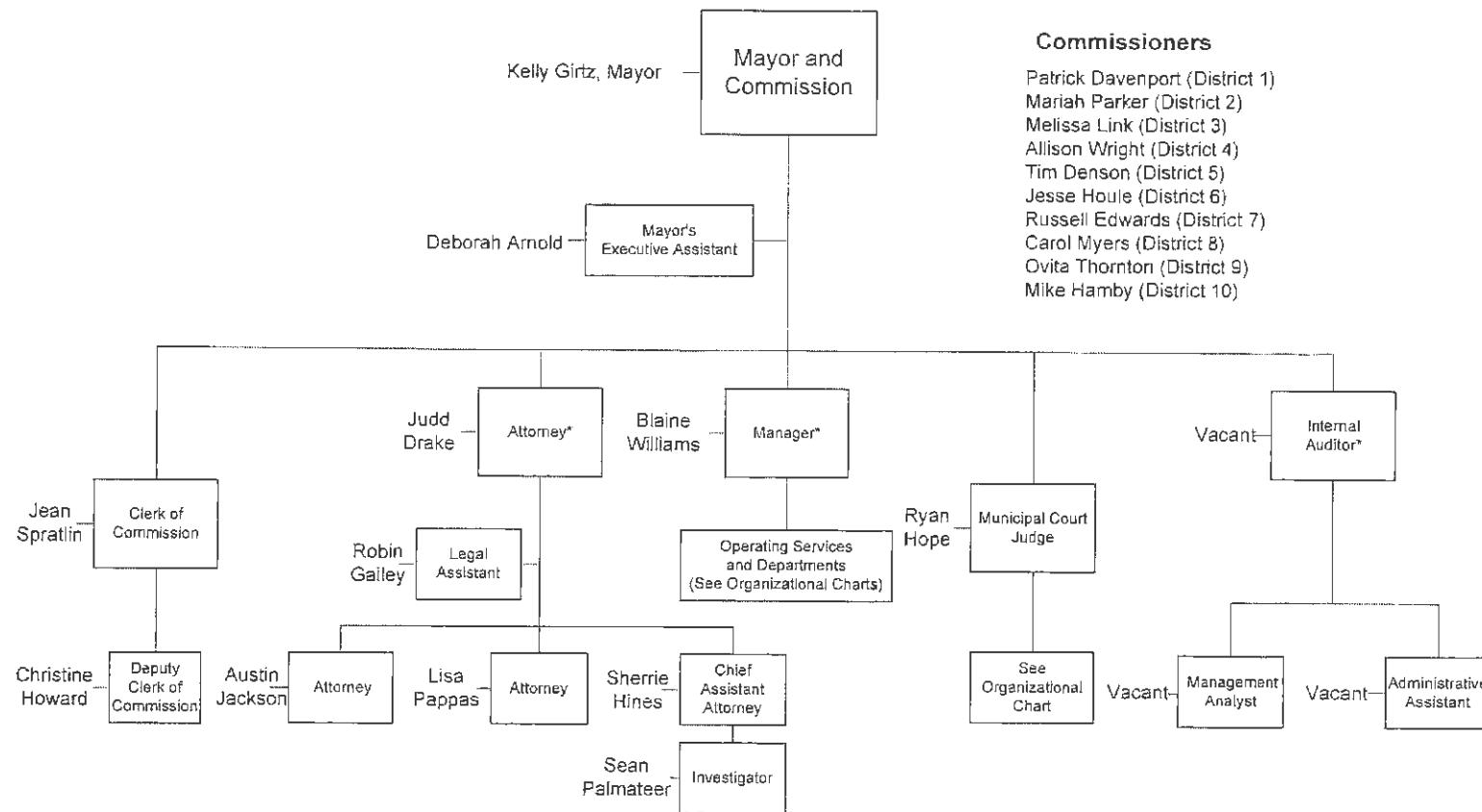
That in the event of breach of any of the above nondiscrimination covenants, the Unified Government of Athens-Clarke County shall have the right to reenter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Unified Government of Athens-Clarke County and its assigns.

## **Appendix A: Organizational Chart**

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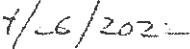
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## Mayor and Commission

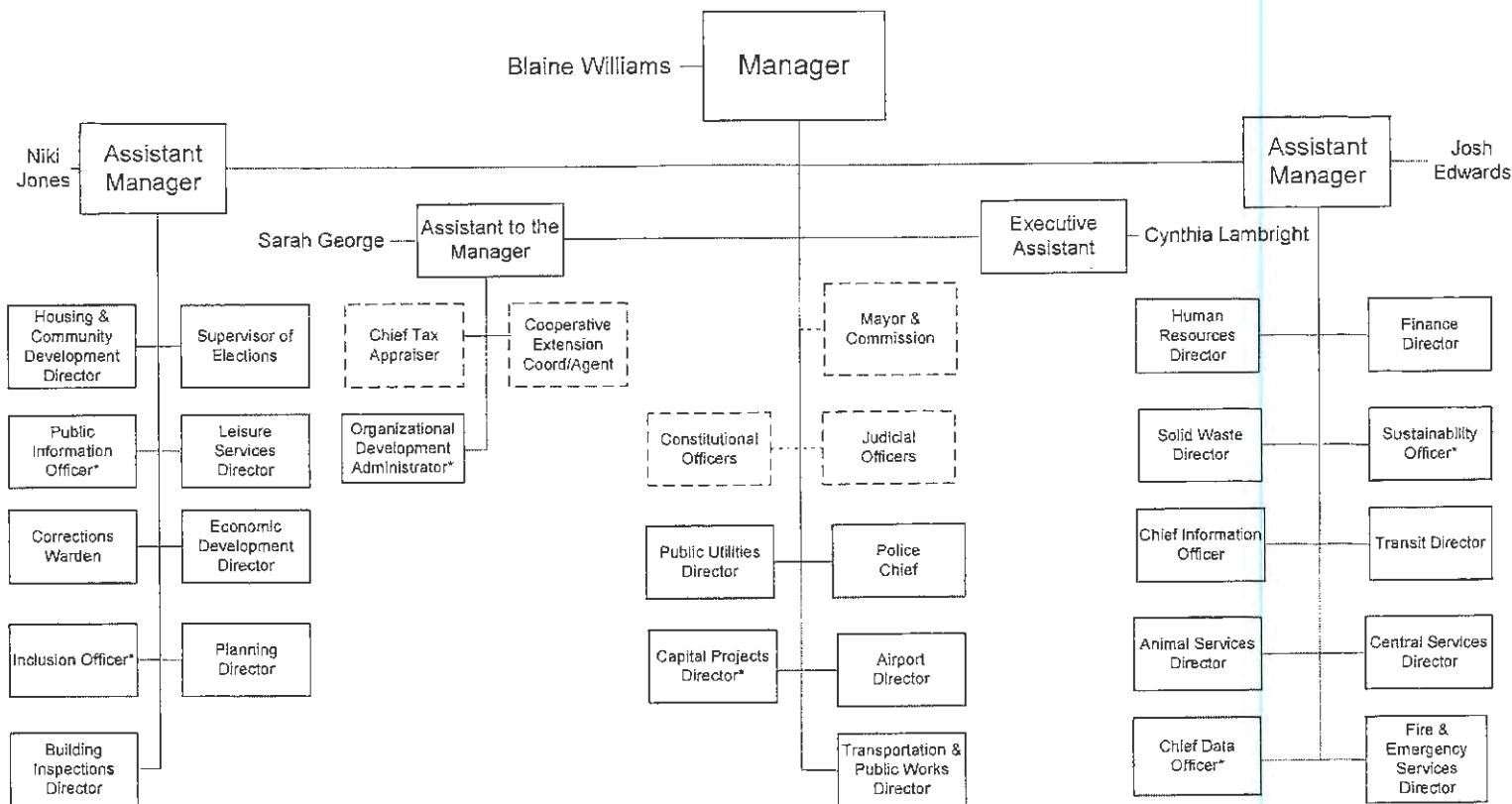


\*Charter Officers

  
 Kelly Girtz, Mayor

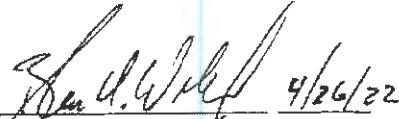
  
 7/6/2022  
 Date

## Manager's Office

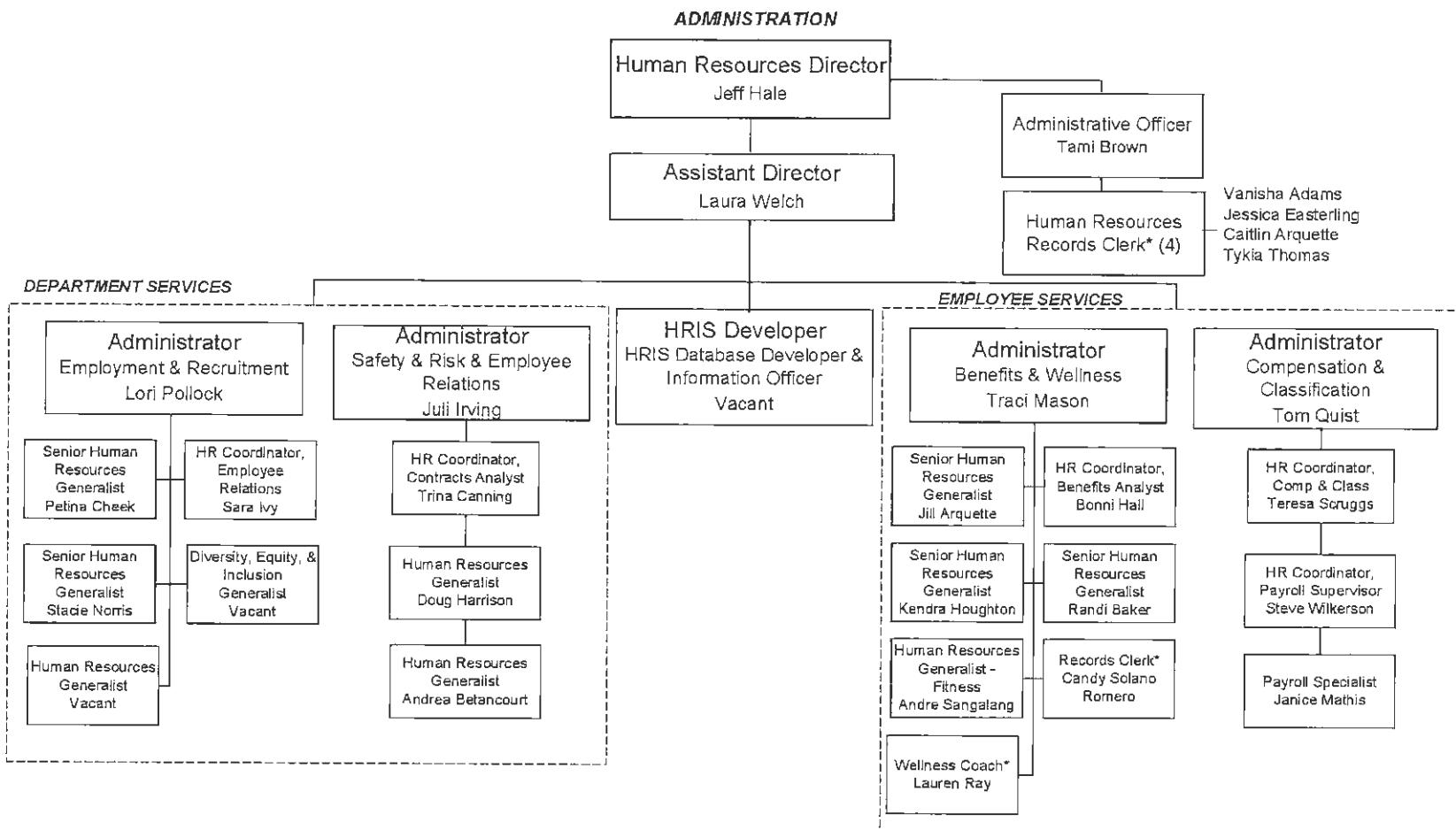


\* Sections of Managers Office

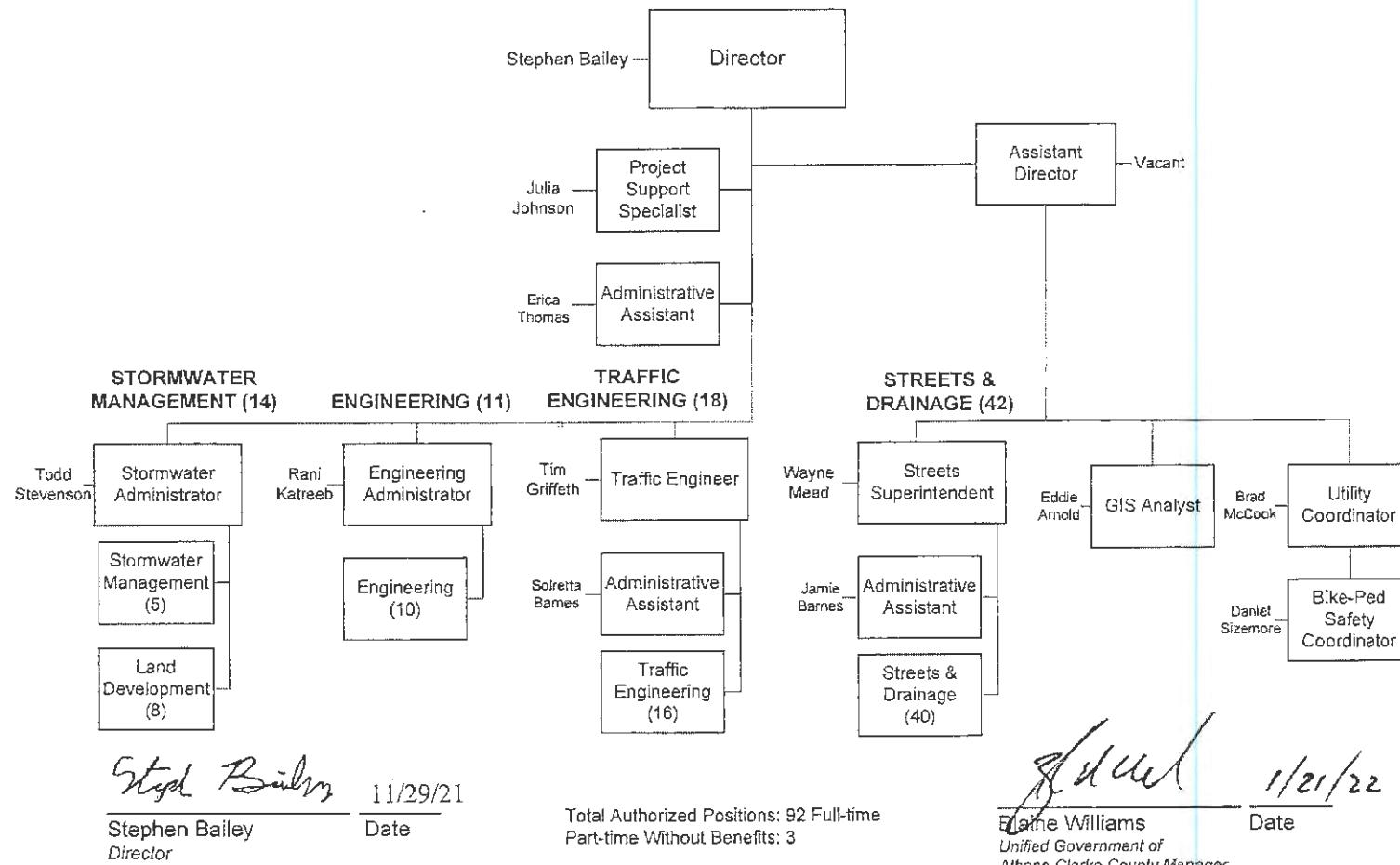
----- Appointed by others

  
 Blaine Williams  
 Unified Government of  
 Athens-Clarke County Manager  
 4/26/22  
 Date

# Human Resources Department



## Transportation and Public Works Department



## Appendix B: Title VI Public Involvement Questionnaire

Title VI of the Civil Rights Act of 1964 requires ACCGov to be sure that everyone in the affected project areas has a chance to be heard and to respond to programs and activities that may affect their community.

To help with that, we ask that you voluntarily provide us information about your race, ethnicity, gender, and/or disability. **You are not required to disclose the information requested in order to participate in this meeting. The completion of this questionnaire is strictly voluntary, and completion is not required by law.**

For further information regarding this process, please contact Juli Irving, Human Resources Department, Safety & Risk Administrator / Title VI Coordinator, Human Resources Department, 375 Satula Avenue, Athens, Georgia 30601, phone 706-613-3090, or by email at [Juliana.Irving@accgov.com](mailto:Juliana.Irving@accgov.com).

Please respond to the following questions:

Project Name	Date
Location of Public Meeting	
Name (Optional) (Please print)	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
General Ethnic Identification Categories (Check as many as apply)	
<input type="checkbox"/> African American <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander	
<input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Other _____	
Race and/or Color	National Origin
Any Disability? Circle: Yes No Please explain:	

After you have completed this form, please place it inside the designated box on the registration table.

**Thank you for your participation!**

## **Appendix C: Title VI Complaint Form**

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground 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."

Note: The following information is necessary to assist the Unified Government of Athens-Clarke County (ACCGov) in processing your complaint. Should you require any assistance in completing this form, please contact the Title VI Coordinator. Complete and return this form to Juli Irving, Safety & Risk Administrator/Title VI Coordinator, Human Resources Department, 375 Satula Avenue, Athens, Georgia 30601, phone 706-613-3090, or by email at [Juliana.Irving@accgov.com](mailto:Juliana.Irving@accgov.com).

1. Complainant's Name \_\_\_\_\_
2. Address \_\_\_\_\_
3. City, State and Zip Code \_\_\_\_\_
4. Telephone Number (home) \_\_\_\_\_ (business) \_\_\_\_\_
5. Person discriminated against (if someone other than the complainant)

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

6. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:
  - a. Race/Color \_\_\_\_\_
  - b. National Origin \_\_\_\_\_
  - c. Other \_\_\_\_\_
7. What date did the alleged discrimination take place? \_\_\_\_\_
8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.  
\_\_\_\_\_  
\_\_\_\_\_

9. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, check all that apply:

Federal agency       Federal court       State agency  
 State court       Local agency

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

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_

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

---

Complainant's Signature

---

Date

## Appendix D: Minority Business Enterprise Statement

### The Unified Government of Athens-Clarke County Minority Business Enterprise Statement

June 30, 2015

The MBE Policy statement has remained as current practice and is listed on all bid documents, which says....

*"It is the policy of the Athens-Clarke County government that no person or business shall be excluded from participation, denied the benefits of, or otherwise discriminated against in relation to the award and performance of any contract or subcontract on the grounds of race, color, creed, national origin, age, or sex. This policy will be incorporated in all bid announcements and contract requirements."*

## Appendix E: Equal Employer Opportunity Policy Statement

### The Unified Government of Athens-Clarke County

### Equal Employer Opportunity Policy Statement

August 29, 2019

The EEO Policy statement has remained as current practice and is listed on [www.accgov.com](http://www.accgov.com), which says....

#### Equal Employment / Diversified Workforce Statement

*It is the policy of the Athens-Clarke County Unified Government (ACC) to provide equal opportunity to any applicant or employee in all aspects of the personnel system and employment process. Employment with ACC is based upon personal capabilities and qualifications without regard to race, color, sex, sexual orientation, gender identity, religion, national origin, citizenship, age, disability, or pregnancy. Exceptions may be made where a specific age, sex, or physical requirement constitutes a bona fide occupational qualification necessary to proper and efficient administration.*

*The personnel system shall at all times be conducted in accordance with the guidelines of the U.S. Civil Service Commission and the regulatory provisions of the Civil Rights Acts. It is the intention of ACC to fully comply with all applicable federal laws. As such, the government will not discriminate against qualified individuals on the basis of a disability in consideration of any terms and conditions of employment or in admission and access to programs, services, and activities. In achieving compliance, the government may provide reasonable accommodations to enable an otherwise qualified employee to perform the essential requirements of his or her job.*

*It is also the policy of ACC to provide a diversity program in order to create and maintain a positive environment where the differences of all ACC employees are recognized, understood, and valued. Through this process, ACC employees may fully participate in achieving their full potential to maximize their contribution to ACC and the community.*

*For more information on our policy, contact us at 706-613-3090.*

## Appendix F: Limited English Proficiency (LEP) Plan

On August 11, 2000, President William J. Clinton signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency, to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language. This executive order stated that individuals who do not speak English well and who have a limited ability to read, write and speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, “LEP,” or Limited English Proficient. The Executive Order states that: “Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

The Unified Government of Athens-Clarke County’s Limited English Proficiency (LEP) Plan<sup>2</sup> is a distinct from the Title VI plan and has been provided.

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<sup>2</sup> ACCGov anticipates updating the LEP plan between 2022-2023.

**Unified Government of Athens-Clarke County (ACCUG)**

**Limited English Proficiency Plan**

**Draft June 30, 2015**

**2015**

**Limited English Proficiency Plan  
for the  
Unified Government of Athens-Clarke County**

**Draft**

**June 30, 2015**

**Prepared By:**

**The Unified Government of Athens-Clarke County**

*The Limited English Proficiency Plan (LEP) is established pursuant to and in accordance with Title VI of the Civil Rights Act and Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency."*

*The opinions, findings, and conclusions in this publication are those of the author(s) and are not necessarily those of the Federal Transit Administration, Federal Highway Administration, Georgia Department of Transportation, or other federal or state agency.*

## Table of Contents

Introduction.....	1
Purpose.....	1
Four Factors to Formulate an LEP Plan .....	1
Unified Government of Athens-Clarke County .....	2
Limited English Proficiency Analysis .....	4
Factor 1: Number of LEP persons served in eligible service population .....	4
Factor 2: The frequency with which LEP persons encounter the services provided .....	8
Factor 3: The nature and importance of the services and programs .....	9
Factor 4: The resources available to ACCUG and overall cost .....	9
Providing Notice to LEP Persons .....	9
Implementation of LEP Initiatives .....	9
ACCUG Staff Training .....	10
LEP Plan Access .....	10

## **List of Tables**

1. ACCUG Departments/Offices & Number of Employees	3
2. Total Speakers by Race, Age 5 – 65+	4
3. Total Speakers by Race, Age 18 – 65+	5
4. Top Ten Languages Spoken in Athens-Clarke County	6
5. Total Limited English Proficiency Speakers	6
6. Limited English Proficiency Customers of ACCUG	8

## **List of Figures**

1. Map of Athens-Clarke County	2
2. LEP Persons by Census Tracts in Athens-Clarke County	9

## **Introduction**

On August 11, 2000, President William J. Clinton signed Executive Order 13166, “Improving Access to Service for Persons with Limited English Proficiency,” to clarify Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the grounds of race, color, or national origin by any entity receiving federal financial assistance. Administrative methods or procedures that have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations are prohibited. The purpose of Executive Order 13166 is to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

## **Purpose**

The purpose of this Limited English Proficiency (LEP) Plan is to demonstrate compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. The LEP Plan is for persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. Such persons may be eligible to receive language assistance with respect to a particular service, benefit, or encounter. This Plan will examine the services and products provided by the Unified Government of Athens-Clarke County (ACCUG). The Plan will outline current accommodations made for LEP persons and possible future accommodations that can and/or should be made to make these services and products more accessible to LEP persons.

## **Four Factors to Formulate an LEP Plan**

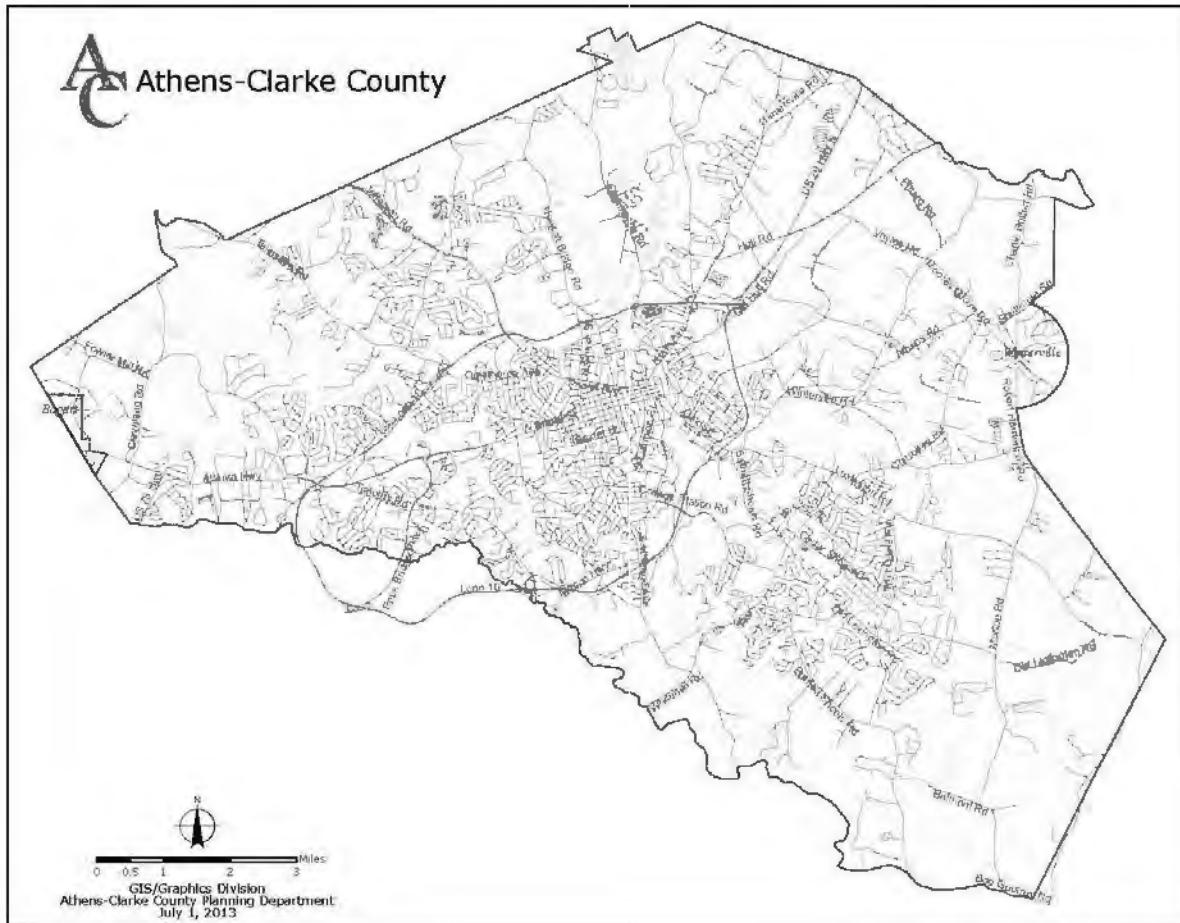
In determining how to provide effective and meaningful access for LEP customers, the U. S. Department of Transportation (DOT) has established the following four guidelines to consider in determining “reasonable steps” to be taken by ACC:

1. The number or proportion of LEP persons served or encountered in the eligible service population;
2. The frequency with which LEP persons encounter the services, programs, or activities provided;
3. The nature and importance of the services, programs, or activities; and
4. The resources available to the program and the costs of providing interpretation/translation services.

## Unified Government of Athens-Clarke County

The city of Athens was chartered in 1872. Athens and Clarke County were unified under one government in 1990. The Unified Government of Athens-Clarke County (ACCUG) serves an area of only 122 square miles, but it is home to approximately 130,000 and serves as a regional commercial and cultural center. With almost 35,000 University of Georgia students living in ACC, the community is highly educated and youthful. The median age of a resident of ACC is 25.9 years.

*Figure 1: Map of Athens-Clarke County*



ACCUG provides products and services to its citizens through 39 departments / offices and approximately 1,600 employees. Table 1 shows the current departments / offices and number of employees as of FY 2014.

**Table 1 – Athens-Clarke County Departments / Offices in ACC and Employees**

Department	Number of Positions	Department	Number of Positions
Attorney	6	Planning	20
Auditor	3	Police	302
Mayor & Commission	1	Public Utilities	195
Clerk of Commission	2	Solid Waste	66
Public Information	2	Transit	60
Superior Court	26	Transportation & Public Works	92
State Court	10	Board of Elections	3
Magistrate Court	11	Cooperative Extension	1
Probate Court	5	Tax Assessor	13
Municipal Court	10	SPLOST	3
Juvenile Court	4	Manager's	5
District Attorney	13	Leisure Services	73
Solicitor General	15	Human Resources	20
Clerk of Superior Court	18	Housing & Community Dev.	8
Tax	19	Organizational	3

Commissioner		Development	
Sheriff	183	Finance	27
Airport	7	Corrections	43
Building Inspections	23	Economic Dev.	3
Computer Information Services	19	Fire & Emergency Services	187
Central Services	85	<b>TOTAL</b>	<b>1,586</b>

## Limited English Poficiency Analysis

This plan uses the four factors outlined by the US Department of Transportation to determine the level and extent of language assistance necessary to reasonably ensure meaningful access to local government services within Athens-Clarke County. Data used in this analysis was obtained from the U.S. Census Bureau, either from the decennial Census or the American Community Survey's 5-year estimate. Recommendations are based on the results of the analysis including the available data.

### Factor 1: The number of LEP persons served in the eligible service population

The demographic profile of the population in Athens-Clarke County is illustrated in Table 2. ACC has a total population of 128,906 according to the Census Bureau's racial breakdown. The racial and ethnic breakout is as follows:

**Table 2 – Total ‘Speakers’ by Race Age 5 – 65+**

Census Source	Race	Athens-Clarke Co.
QT-P4	Caucasian	72,238
QT-P4	African American	30,988
QT-P10	Hispanic	12,192
QT-P4	Other Race	5,763
QT-P4	Asian	4,869
QT-P4	Two or More Races	2,525
QT-P4	American Indian	247
QT-P4	Hawaiian / Islander	84
	Total	128,906

*Source: US Census Bureau 2010, SF1 – Forms QT-P4 (Race, Combination of Two Races, and Not Hispanic or Latino) and QT-P10 (Hispanic or Latino by Type)*

Though the total number of speakers for Athens-Clarke County is 128,906, the LEP analysis is based upon the Census data reported for persons ages 18-65. This age group represents the ‘customers’ of ACCUG. Services and products provided by ACCUG impact the lives of all ages within Athens Clarke-County. However, it is the 18 – 65+ age group that represent the target audience and customer base of products developed by ACCUG. Table 3 shows the number of total speakers in the 18 - 65+ age group broken out by race in ACCUG. The number of total speakers in the 18 – 65+ age group is 104,224. This is the total that was used as a basis for the analysis of the number of LEP individuals in ACC.

**Table 3 - Total 'Speakers' by Race Age 18 - 65+**

Census Source	Race	Athens-Clarke County
P10	Caucasian	63,968
P10	African American	22,492
P11	Hispanic	7,933
P10	Asian	4,290
P10	Other Race	3,669
P10	Two or More Races	1,632
P10	American Indian	181
P10	Hawaiian / Islander	59
Total		104,224

*Source: US Census Bureau, Census 2010, SF1 – Form P10 (Race for the Population 18 years and over) and P11 (Hispanic or Latino by Race for the Population 18 years and over)*

Table 4 shows the 10 most prevalent languages spoken in Athens-Clarke County as reported by the U.S. Census Bureau. This data includes all age brackets from 5 years old and up. A more detailed breakdown of the data was not available from the U.S. Census Bureau.

**Table 4 – Top Ten Languages Spoken in Athens-Clarke County**

5 years and over population	107,985	
English	93,550	86.6%
Spanish or Spanish Creole	8,963	8.3%
Chinese	1,067	1.0%
Korean	638	0.6%
French (incl. Patois, Cajun)	462	0.4%
Arabic	389	0.4%
Other Indo-European Langs	366	0.3%
German	296	0.3%
Other Indic Langs	275	0.3%
African Langs	228	0.2%
Total	106,234	

*Source: U.S. Census Bureau, American Community Survey 5-yr Estimate: 2006 – 2010; B16001 – Language Spoken at Home By Ability to Speak English for Population 5 years and older (county level)*

The Census Bureau has four classifications for how well people speak English. The classifications are ‘very well’, ‘well’, ‘not well’, and ‘not at all’. For the purposes of the LEP Plan, people who were categorized as speaking English ‘not well’ or ‘not at all’ by the U.S. Census Bureau have been considered to be Limited English Proficient persons. As Table 5 shows, Athens-Clarke County has 3.5% of the 18 year old and over population identified as LEP individuals.

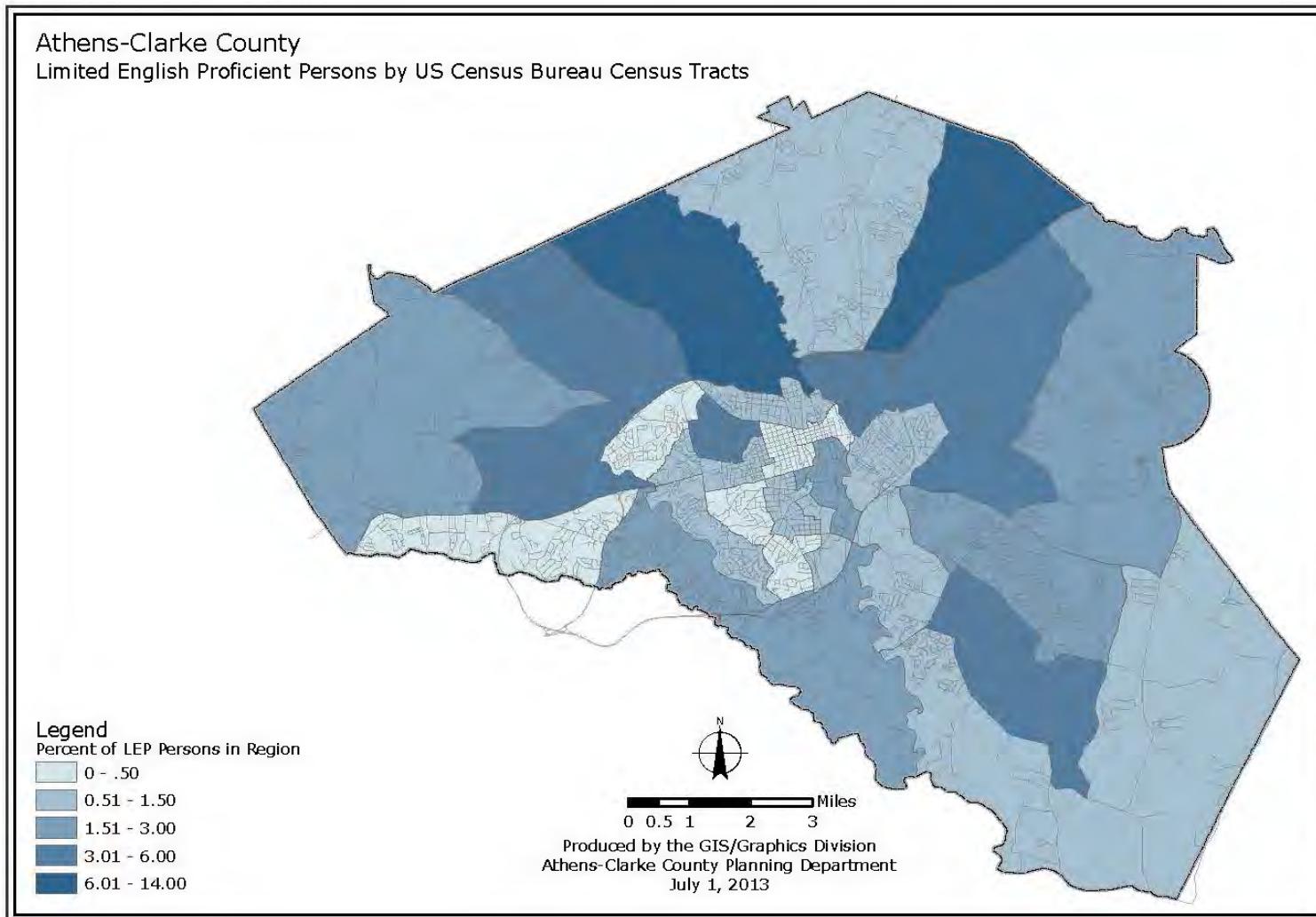
**Table 5 – Total Limited English Proficient Speakers  
18 years of age and over**

Total Speakers	Total LEP Individuals	Total % LEP Individuals
<b>Athens-Clarke Co.</b>	104,224	3,649

*Source: U.S. Census Bureau, American Community Survey 5-yr Estimate: 2006 – 2010; B16004 – Age by Language Spoken at Home by Ability*

Figure 2 on the following page illustrates graphically the density of LEP persons by census tract in Athens-Clarke County.

Figure 2: Concentrations of LEP persons (18+ years of age) by Census Tract within Athens-Clarke County



## Factor 2: The frequency with which LEP persons encounter the services provided.

ACCUG has relatively little contact with LEP persons in the course of local government business, although some departments have more frequent contact than others. ACCUG departments were voluntarily surveyed in regards to their interactions with LEP individuals during an average week. Table 6 shows the ACCUG number of customers and the number of LEP persons on a weekly basis. LEP individuals make up approximately 1.5% of the total ACCUG customers weekly.

**Table 6 – Limited English Proficiency Customers of ACCUG**

Department	People Encountered Weekly	LEP Persons Encountered Weekly	% LEP
Sheriff / Jail	10,420	419	4.0%
Transit	34,270	70	0.2%
Airport	0	0	0.0%
CIS	0	0	0.0%
Trans & Public Works	700	10	1.4%
Finance	100	3	3.0%
Superior Court	500	10	2.0%
Clerk of Commission	75	2	2.7%
Tax Commissioner	2,450	20	0.8%
Planning	700	2	0.3%
Building Inspections	275	5	1.8%
Housing & Comm. Dev.	0	0	0.0%
Corrections	20	0	0.0%
Public Information	75	2	2.7%
SPLOST	37	1	3.4%
Tax Assessor	150	25	16.7%
Leisure Services	1,800	20	1.1%
Juvenile Court	200	7	3.5%
State Court	125	2	1.6%
Solid Waste	30	0	0.0%
Human Resources	200	1	0.5%
Police	5,000	68	1.4%
Central Services	300	10	3.3%
Board of Elections	75	5	6.7%
Magistrate Court	708	65	9.2%
Economic Development	75	0	0.0%
Municipal Court	750	150	20.0%
Cooperative Extension	60	1	1.7%
Fire/EMS	685	6	0.9%
<b>Grand Total</b>	<b>59,780</b>	<b>904</b>	<b>1.5%</b>

### **Factor 3: The nature and importance of the services and programs.**

Being a consolidated government, ACCUG is responsible for all local government services within Athens Clarke County, with the exception of the cities of Bogart and Winterville. Local government services attend to some of the basic needs of citizens, including public safety, transportation, infrastructure, and quality of life. Denial or delay of access to services or information provided by ACCUG could have an adverse effect on LEP individuals.

### **Factor 4: The Resources Available to the ACCUG and Overall Cost**

ACCUG serves a very small percentage of LEP persons overall on a regular basis, less than 1.5 % or of the total population. Providing translation assistance to LEP persons would be funded entirely from the General Fund and would compete with other operational requirements for funding.

Given the small number of LEP people within Athens Clarke County budget, it would be burdensome and not effective to hire full-time interpreters. It is appropriate, however, particularly for those departments with higher interactions with LEP persons, to have periodic staff training in Spanish, and to have key documents or process translated into Spanish.

### **Providing Notice to LEP Persons**

ACCUG will provide statements offering language assistance in public information, public notices, and on the ACCUG website to those persons requiring language assistance or special accommodations.

### **Implementation of LEP Initiatives**

With advance notice of three to seven calendar days, ACCUG will provide interpreter services at public meetings. Interpreters will provide services for both foreign language needs and the needs of the hearing impaired. Public notices will provide the contact information for this service.

The Athens Transit System (ATS) is providing many services to LEP persons currently. ATS schedules are available in Spanish and Braille. A picture book was developed that shows how to ride “The Bus” for non-English speakers. The ATS website includes a mechanism to translate the content into one of several languages. There are currently four ATS staff members that speak Spanish fluently and are available to assist in interpretation as needed. ATS actively markets to the Spanish-speaking population.

### **Athens-Clarke County Unified Government Staff Training**

ACCUG staff members are provided training on the requirements for providing meaningful access to services for LEP persons as part of their employee orientation. Additional training opportunities will be provided periodically to ACCUG employees, including ongoing Workplace

Spanish classes, particularly for those departments with more frequent interaction with LEP persons.

Athens Transit Service (ATS) staff members receive training regarding the Limited English Proficiency regulations and available resources as part of the Sensitivity Training at New Employee Orientation. Periodic refresher courses are provided as part of ATS monthly staff meetings. ATS staff has access to take classes in Command Spanish through the Unified Government of Athens-Clarke County periodically. Twenty copies of Rosetta Stone's Spanish class have been purchased by ATS for use by employees who desire to learn Spanish voluntarily. It is available for use by all ACCUG employees, and is located at the ATS Operations and Maintenance Facility.

## **LEP Plan Access**

ACCUG will post the LEP Plan on their website at [www.athensclarkecounty.com](http://www.athensclarkecounty.com). Anyone with internet access will be able to access the plan. For those without personal Internet service, several area libraries offer free Internet access. Digital versions or hardcopies of the LEP Plan will be provided to the public through the ACCUG Human Resources Department. Copies will be provided to the Georgia Department of Transportation.

Any questions or comments regarding this plan should be directed to the Office of the Internal Auditor of the Unified Government of Athens-Clarke County staff:

Unified Government of Athens-Clarke County  
Office of the Internal Auditor  
301 College Avenue  
Athens, GA 30605  
Phone (706) 613-3012  
Email: [auditor@athensclarkecounty.com](mailto:auditor@athensclarkecounty.com)

# **TITLE VI NON-DISCRIMINATION AGREEMENT**

**The Georgia Department of Transportation  
and**

Unified Government of Athens-Clarke County (ACCGov)

*Name of Recipient*

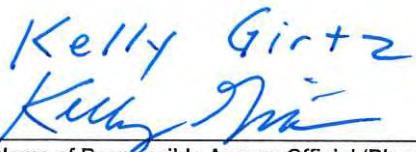
## **Policy Statement**

The (*Name of Recipient*) Unified Government of Athens-Clarke County, hereinafter referred to as the "Recipient" assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Recipient further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not.

In the event the Recipient distributes federal aid funds to a sub-recipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

The Recipient's (*Name of person/division*) Juliana Irvin, Safety & Risk, is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation 21.



Name of Responsible Agency Official (Please Print)

Maryan

Title

9-13-2022

Date

# Title VI Program

## Organization and Staffing

Pursuant to 23 CFR 200, (*Name of Recipient*) Unified Government of Athens-Clarke Cty has appointed a Title VI Specialist who is responsible for **Attachment 1**, which describes the hierarchy for (*Name of Recipient*)'s Unified Government of Athens-Clarke Cty Title VI Program, including an organization's chart illustrating the level and placement of Title VI responsibilities.

## Assurances

### 49 CFR Part 21.7

The Unified Government of Athens-Clarke County, hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, and sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient regardless of whether those programs and activities are Federally funded or not. Activities and programs which the recipient hereby agrees to carry out in compliance with Title VI and related statutes include but are not limited to:
  - List all major programs and activities of the recipient and Title VI responsibilities for each one of them. Include information as **Attachment 2** to this Nondiscrimination Agreement.
2. That it will promptly take any measures necessary to effectuate this agreement.
3. That each program, activity, and facility as defined at 49 CFR 21.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.
4. That these assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Georgia Department of Transportation (GDOT) under the Federally-Funded Program and is binding on it, other recipients, subgrantees, contractors, sub-contractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.
5. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federally-Funded programs and, in adapted form all proposals for negotiated agreements.

*The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.*

6. That the Recipient shall insert the clauses of Appendix A of this Agreement in every contract subject to the Act and the Regulations.
7. That the Recipient shall insert the clauses of Appendix B of this Agreement, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
8. That the Recipient shall include the appropriate clauses set forth in Appendix C of this Agreement, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.
9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

# Implementation Procedures

This agreement shall serve as the recipient's Title VI plan pursuant to 23 CFR 200 and 49 CFR 21.

For the purpose of this agreement, "Federal Assistance" shall include:

1. grants and loans of Federal funds,
2. the grant or donation of Federal property and interest in property,
3. the detail of Federal personnel,
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
5. any Federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

The recipient shall:

1. Issue a policy statement, signed by the head of the recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by GDOT or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The head of the recipient shall be held responsible for implementing Title VI requirements.
3. Establish a civil rights unit and designate a coordinator who has a responsible position in the organization and easy access to the head of the recipient. This unit shall contain a Title VI Specialist, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. Adequately staff the civil rights unit to effectively implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the recipient's report

of investigation, will be forwarded to GDOT's Office of Equal Employment Opportunity (OEOO) within 10 days of the date the complaint was received by the recipient.

6. Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the programs and activities conducted by the recipient.
7. Conduct Title VI reviews of the recipient and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
8. Conduct training programs on Title VI and related statutes.
9. Prepare a yearly report of Title VI accomplishments for the last year and goals for the next year.
  - a) **Annual Work Plan**  
Outline Title VI monitoring and review activities planned for the coming year; state by which each activity will be accomplished and target date for completion.
  - b) **Accomplishment Report**  
List major accomplishments made regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI Specialist and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews (internal or external) conducted by the Title VI Specialist. List any major problem(s) identified and corrective action taken. Include a summary and status report on any Title VI complaints filed with the recipient.

## Discrimination Complaint Procedure

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the recipient. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the recipient's Title VI Specialist for review and action.
2. In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:
  - a) The date of alleged act of discrimination; or
  - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI Specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the recipient's investigative procedures.
4. Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as GDOT and USDOT.
5. The recipient will advise GDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to GDOT:
  - a) Name, address, and phone number of the complainant.
  - b) Name(s) and address (es) of alleged discriminating official(s).
  - c) Basis of complaint (i.e., race, color, national origin or sex)
  - d) Date of alleged discriminatory act(s).
  - e) Date of complaint received by the recipient.
  - f) A statement of the complaint.

- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.

6. Within 60 days, the Title VI Specialist will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the recipient. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

7. Within 90 days of receipt of the complaint, the head of the recipient will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with GDOT, or USDOT, if they are dissatisfied with the final decision rendered by the Recipient. The Title VI Specialist will also provide GDOT with a copy of this decision and summary of findings upon completion of the investigation.

8. Contact for GDOT's Title VI staff is as follows:

Georgia Department of Transportation  
Office of Equal Opportunity, Title VI/ Program  
600 West Peachtree Street, N.W. 7<sup>th</sup> Floor  
Atlanta, GA 30308  
(404) 631-1497

## Sanctions

In the event the recipient fails or refuses to comply with the terms of this agreement, the GDOT may take any or all of the following actions:

- a) Cancel, terminate, or suspend this agreement in whole or in part;
- b) Refrain from extending any further assistance to the recipient under the program from which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.
- c) Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.
- d) Refer the case to the Department of Justice for appropriate legal proceedings.

**SIGNED FOR THE GEORGIA DEPARTMENT  
OF TRANSPORTATION:**

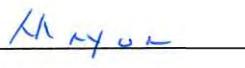
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Signature

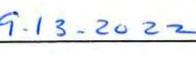
\_\_\_\_\_  
EEO Director  
Title

\_\_\_\_\_  
Date

**NAME OF RECIPIENT:**

\_\_\_\_\_  
  
Signature

\_\_\_\_\_  
  
Title

\_\_\_\_\_  
  
Date

# **Appendix A**

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

## **1. Compliance with Regulations**

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

## **2. Non-discrimination**

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

## **3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment**

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

## **4. Information and Reports**

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to GDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

## **5. Sanctions for Non-compliance**

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- Cancellation, termination, or suspension of the contract, in whole or in part

## **6. Incorporation of Provisions**

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request GDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

## Appendix B

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

### GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Georgia will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with an in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation GDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1064 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remise, release, quitclaim, and convey unto the state of Georgia all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

### HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Georgia, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Georgia, its successors, and assigns.

The state of Georgia, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)\* (2) that the state of Georgia, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.<sup>1</sup>

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<sup>1</sup> Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

## Appendix C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by (Recipient) pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Georgia State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

