SUBRECIPIENT INFORMATION

Subrecipient: City of Ithaca
Submittal Date: 2013
Expiration Year: 2016
Grantee No.: 5475

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SUBMISSION OF CIVIL RIGHTS ASSURANCE

The City of Ithaca has developed the following Title VI and LEP Plan for the Commons Repair and Upgrade Project, pursuant to and in compliance with Federal Transit Administration ("FTA") regulations.

By the submission of this plan, City of Ithaca's Common Council ("subrecipient") certifies that, as a condition of receiving Federal financial assistance under various programs administered by the Federal Transit Administration, it will insure that:

No person, including persons with limited English proficiency (LEP) will be subjected to discrimination in the level and/or quality of transportation services and transit-related benefits on the basis of race, color, or national origin.

The City of Ithaca will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1B, dated October 1, 2012, and in compliance with the Department of Transportation's Title VI regulations at 49 CFR Section 21.7(a).

The City of Ithaca will submit a Title VI assurance every three years as part of the annual Certification and Assurance submission to the primary recipient Tompkins County and the Federal Transit Administration (FTA).

The City of Ithaca will make it known to the public that those persons or persons alleging discrimination on the basis of race, color, or national origin as it relates to the access to or provision of transportation services and transit-related benefits may file a complaint with the City of Ithaca, Tompkins County Human Rights Commission, U.S. Department of Transportation and/or the Federal Transit Administration.

INTRODUCTION

Title VI of the Civil Rights Act of 1964 (Title VI) ensures 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 from the Federal Transit Administration. The City of Ithaca has prepared and submitted this document to ensure compliance with both the spirit and the letter of the requirements set forth in FTA Circular 4702.1B. Hereinafter, please be advised that all references to the City shall mean the City of Ithaca, New York.

GENERAL REPORTING REQUIREMENTS

1. List of Transit-Related Active Investigations, Complaints, and Lawsuits
   Requirement: All applicants, recipients, and subrecipients shall maintain and submit a list of any active lawsuits or complaints naming the applicant that alleges discrimination on the basis of race, color, or national origin with respect to service or other transit benefits.
   Response: There are neither investigations/complaints nor lawsuits alleging discrimination on the basis of race, color, or national origin with respect to service or other transit benefits available through the City of Ithaca.

2. Pending Applications for Assistance
   Requirement: All applicants, recipients, and subrecipients shall maintain and submit a description of all pending applications for financial assistance, and all financial assistance currently provided by other Federal Agencies.
   Response: The City currently has an application for State of Good Repair funding from the Federal Transit Administration (FTA) for the Intermodal Transportation Hub-Accelerating Community Access Ithaca Project (known as, "Ithaca Commons Project"), as a subrecipient of Tompkins County New York Grantee#5475, in the amount of $7,500,000 (Federal Share $4,965,000 and Local Share $2,535,000).
3. Summary of Civil Rights Compliance Reviews

**Requirement:** All applicants, recipients, and subrecipients shall maintain and submit a summary of all Civil Rights Compliance reviews conducted by other local, state, or federal agencies in the last three years.

**Response:** There are no Civil Rights Compliance transit related reviews from any outside agency for the City of Ithaca in the last three years.

4. FTA Civil Rights Assurance & DOT Title VI Assurance

**Requirement:** All applicants, recipients and subrecipients shall maintain and submit a signed FTA Civil Rights Assurance that all of the records and other information required have been filed or will be complied, as appropriate.

**Response:** The FTA Civil Rights Assurance shall be incorporated in the Annual Certifications and Assurances submitted to FTA through the Transportation Electronic Award and Management (TEAM) system through primary recipient, Tompkins County, New York Grantee #5475. The City's annual certification and assurance is attached as Appendix C.

5. Fixed-Facility Impact Analysis

**Requirement:** For construction projects, all applicants, recipients, and subrecipients shall conduct a fixed-facility impact analysis to assess the effects on minority communities. This information can be included in the environmental assessment or environmental impact statement.

**Response:** The City has not undertaken any FTA-funded construction projects in the past three years.

6. Title VI Complaint Procedures

In compliance with 49 CFR §21.9(b), City of Ithaca has developed procedures for filing, investigating, and tracking Title VI complaints filed against them. Such procedures shall be made available to the public upon request. City of Ithaca complaint procedures and forms are included as Appendix A.

7. Title VI Public Notification

The City shall provide information to the public and employees regarding its commitment to Title VI. This will serve to inform members of the public and City staff of the protections afforded by Title VI. This will be accomplished by:

- publishing the City’s nondiscrimination (Title VI) policy on the City’s website and in the CityScene newsletter;
- posting Title VI notices in public billboards on the Commons and within Ithaca City Hall;
- providing Title VI notices for publication to Ithaca Town Hall and non-governmental organizations such as the Human Services Coalition 211 Information and Referral service, Ithaca Downtown Alliance, Chamber of Commerce; and
- Public service announcements via local radio stations and newspapers when indicated.

The City's notice includes:

(a) a statement that the City operates programs without regard to race, color, and national origin; (b) information on how the public can request additional information about the City’s non-discrimination policy; and (c) information about whom to contact if discriminatory action is perceived and how to file a formal discrimination complaint against City of Ithaca. The City’s public notice is included as Appendix B.

8. Inclusive Public Participation Plan

The City's public participation and outreach strategies for the Ithaca Commons Project were initiated throughout Pre-Design, Pre-Concept, and Final Design of the project. The City of Ithaca utilized public meetings, survey questionnaires, advisory board meetings, information tables at public events, and citizen interviews. Locations included City Hall, Southside Community Center, and the Downtown Commons.

Future outreach plans to communicate changes, updates, and/or to illicit feedback on the Ithaca Commons Project Title VI and LEP plan will be accomplished by public posting to the City’s website, in City Buildings, and on the Commons.
To further outreach efforts, the City will provide notices, updates, and other communications via e-mail to local community centers, faith-based organizations, human services organizations, and other government/educational agencies so that such organizations may disseminate the information to their clientele. Examples of such organizations may include the Ithaca Downtown Alliance, Tompkins County Library, Titus Towers, Town Hall, Ithaca Housing Authority, Tompkins Community Action, Ithaca City School District, BOCES, Catholic Charities Immigrant/Refugee Center, Human Services Coalition, Tompkins County Diversity Consortium, neighborhood associations, and local affinity group listservs. Information may also be communicated via public service announcements in local TV, radio, and newspapers. The Commons Project Management Team will determine when these communication strategies are indicated.

The City shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of its programs and activities for individuals with Limited English Proficiency (LEP). Although the most recent survey data from the 2010 U.S. Census Bureau and the 2007-2011 American Community Survey (ACS) indicates that the population of LEP individuals in the City is likely 27.4%, the City will make every effort to provide interpreters and document translation upon request. Efforts are detailed in our LEP plan, which is included in this report. The City of Ithaca will continue to monitor the need and explore additional outreach efforts based on the U.S. Census and other data sources, as well as based on encounters with LEP community members.

10. Membership Non-Elected Transit-Related Planning and/or Advisory Boards
The City designated the Board of Public Works and the Commons Advisory Board as the non-elected advisory boards for this plan. The racial memberships of the advisory boards are as follows:

<table>
<thead>
<tr>
<th>Demographics</th>
<th>Board of Public Works</th>
<th>Commons Advisory Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>African-American/Black</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>American Indian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asian</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Caucasian</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Native Hawaiian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pacific Islander</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Diversity and inclusive participation by community members on all City of Ithaca’s advisory boards and committees is encouraged. To achieve that end goal, the City’s outreach strategies include notifying local newspapers, affinity organizations, public service announcements on radio and local television, posting to local listservs, as well as soliciting focus groups and community leaders to facilitate the identification of potential applicants.

11. Sub-recipients Monitoring Process
The City of Ithaca shall comply with FTA Title VI and LEP program requirements, maintain all necessary records, and submit to primary recipient and/or FTA compliance review process.

12. Additional Information
The City recognizes that it may be asked at the discretion of the FTA, for information other than that required by FTA Circular 4701.1B to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI. The City regards any complaint as serious and merits investigation, and will strive to provide any requested information in a swift and accurate manner.
LIMITED ENGLISH PROFICIENCY (LEP) PLAN

INTRODUCTION

This Limited English Proficiency (LEP) Plan has been prepared to address the City’s responsibility as a sub-recipient of federal financial assistance as it relates to meeting the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which states that no person shall be subjected to discrimination on the basis of race, color, or national origin. Executive Order 13166, titled Improving Access to Services for Persons with limited English proficiency, indicates that differing treatment based upon a person’s inability to speak, read, write or understand English is a type of national origin discrimination and directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place; this order applies to all state and local agencies which receive federal funds.

This plan outlines: (a) how the City identifies person(s) who may need language assistance; (b) strategies to provide language assistance; (c) employee training and resources utilized by the City to provide timely and reasonable language assistance; and (d) how the City notifies LEP persons that language assistance is available. In preparing this plan, the City employed the U.S. Department of Transportation’s Four-Factor LEP analysis. A summary of the results is described in the following section.

FTA FOUR-FACTOR ANALYSIS

Factor One: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.

OVERVIEW: LEP POPULATION

The City used formal data obtained from the 2010 U.S. Census and American Community Survey (ACS)\(^1\) to ascertain the number or proportion of LEP persons who may come in contact with Ithaca Commons Project.

The City’s 2010 U.S. Census population is 30,014. Of the overall population, 4,854 (16.2%) identify as Asian, 2,057 (6.9%) as Hispanic or Latino, 1,971 (6.6%) as African-American, 115 (0.4%) as American Indian/Alaska Native, and 1,891 (6.3%) identify as being of “Some Other Race and/or Two or More Races”.

The City reviewed recent ACS data to obtain estimated percentages of the LEP population and corresponding representative languages spoken at home within the City. As determined by the 2009-2011 ACS, the percentage of individuals who speak a language other than English in the City is 27.4%.\(^2\) Among individuals who speak English as a second language at home, the 2009-2011 ACS found that the following percentages reflect the languages spoken by LEP individuals in Ithaca: Spanish (4.3%), Indo-European (7.8%), Asian and Pacific Islander (14.4%) and other languages (0.9%). After reviewing the 2010 U.S. Census, ACS data, and additional community sources\(^3\), the City determined that LEP persons who may be served by the Ithaca Commons Project and speak English less than “very well”, are likely to speak one the following languages: Burmese, French, Korean, Japanese, Mandarin, Russian, or Spanish.

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\(^1\) American Community Survey, 2007-2011 Data Set, Table B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER – Universe: Population 5 years and over.

\(^2\) American Community Survey, 2009-2011 Data Set, Table S1601: LANGUAGE SPOKEN AT HOME – Universe: Population 5 years and over.

\(^3\) Tompkins County Sources: Ithaca City School District, Tompkins County Planning Department, Tompkins County Human Rights Commission, Ithaca Asian American Association, Cornell University Public Service Center Translator Interpreter Program, BOCES ESOL program, Finger Lakes Independent Center, and City of Ithaca.
City of Ithaca

**Factor Two:** The frequency with which LEP persons come in contact with City of Ithaca programs, activities, or services.

The City of Ithaca assessed the frequency with which staff have and may have contact with LEP individuals. City Senior Staff were asked the following questions:

1. On a monthly basis, how often do you interact with a customer/citizen that has limited English language proficiency in speaking, reading, and writing skill-sets?
2. How many times per month does your department use interpreter services? Which language interpreters were utilized?
3. Do LEP individuals bring a friend or family member to assist versus use an interpreter?

Nine out of fourteen departments responded to the survey. Based upon the responses it was clear that departments that have more interface with the public (City Clerk's Office, Ithaca Police Department, Youth Services, City Chamberlain's Office) interacted with individuals that had limited English proficiency. The highest frequency reported was approximately 6 - 10 times a month. Use of interpreter services was smaller with the highest frequency about once per month. It was reported that generally, the citizen would bring a family member or friend along to help with interpretation. Representative languages of LEP individuals were identified as Burmese, Mandarin, and Spanish.

As it relates to the Commons Repair and Upgrade Project and based upon our evaluation of past service requests by LEP persons for language assistance, the City anticipates that, if there is contact with LEP persons, the most frequent contact would be with the Department of Public Works, City of Ithaca Police Department, Clerk's Office, and City Chamberlain's Office.

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

The central business district for the City and Tompkins County is known as the Ithaca Commons, a two-block pedestrian mall in downtown Ithaca. Its boundaries are Green Street to the south, Cayuga Street to the west, Seneca Street to the north, and Aurora Street to the east. The Commons sits at the intersection of Tioga and State Streets.

The Commons is considered the center of Ithaca and Tompkins County civic life. The City and Town of Ithaca government buildings border the Commons, and many legislators have their offices either on the Commons or near it. Trees, flowers, restaurants, movie theaters, galleries, shops, apartments, and a multitude of artworks line the Common's two-block radius. Ithaca is home to several annual festivals and many musical, theater, and street entertainment events which take place in the three pavilions on the Commons.

The Tompkins Consolidated Area Transit, or TCAT, bus network's main hub is located just off the southwest corner of The Commons on Green Street near the Tompkins County Library. With some exceptions, most routes originate, terminate, or stop at Green Street, and the Green Street bus stop is also a frequent connection point between the various routes.

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

The following services and resources are available for LEP outreach:

1. **Translator Interpreter Services:** City staff shall request services on behalf of LEP persons from the Cornell University Public Service Translator Interpreter Program (TIP). Historically, the City uses interpreters for the following languages: Mandarin, Spanish, Russian, Burmese, Cantonese and Vietnamese. Accordingly, the City shall continue to utilize Cornell University TIP services, and additionally, post its Title VI statement in English, Burmese, French, Korean, Japanese, Mandarin,
Russian, and Spanish at various physical locations. The Title VI notice will be posted at locations including, but not limited to, all City Hall, on the four quadrants of the Common and other applicable City buildings.

In addition, the City of Ithaca’s Clerk’s Office, Human Resources and Civil Service Department, Department of Public Works, and Ithaca Police Department, and line staff are trained to use the Language Line Personal Interpreter Services to immediately connect with interpreters via 1-800-774-4344.

2. City of Ithaca Website - Google Translator: The City’s website www.cityofithaca.org page can be translated via Google Translator. Accordingly, Title VI Notice to the Public will be electronically translated in English, Burmese, French, Korean, Japanese, Mandarin, Russian, and Spanish.

3. LEP Persons with Special Needs: The Finger Lakes Independence Center is a not-for-profit Ithaca agency which assists community members and organizations in accessing resources for individuals with special needs. In an effort to capture all LEP persons in need of services, the City is committed to providing enlarged documents and a list of available magnification and speech software programs for LEP persons with visual and hearing impairments. The Finger Lakes Independence Center identified approximately 500 individuals within Tompkins County who require reasonable accommodations, of which, 300 individuals utilize services through outside agencies to assist with daily living activities. The exact number of LEP persons with special needs has yet to be identified; however, the City of Ithaca is committed to providing an inclusive program for all of its citizens.

Staff Training

The City participates in a continuous-learning training process from orientation through annual learning and refresher programs (e.g. Sexual Harassment Prevention, Violence in the Workplace Prevention and Anti Harassment /Discrimination Training).

- Designated Title VI Coordinators, Investigators and support staff will receive annual training and updates on Title VI procedures and LEP responsibilities.
- City staff who work directly with the public will receive information and annual training on language assistance services offered to the public, how to access Cornell University Public Service Center Translator Interpreter Program, and Language Line Personal Interpreter services.

Program Costs

The translation services provided by Cornell and Google translator services are available free of charge. If notices or other documents require a paid translation service the cost per language is approximately fifty dollars. Other anticipated costs include the printing of the notices and possibly some costs related to additional training beyond what FTA offers on their website free of charge.
LEP PLAN SUMMARY

After reviewing the 2010 U.S. Census, ACS data, and additional community sources\(^4\), the City determined that the following languages are representative of persons who may be served by the Ithaca Commons Project and speak English less than "very well": Burmese, French, Korean, Japanese, Mandarin, Russian, and Spanish.

As it relates to the Commons Repair and Upgrade Project and based upon our evaluation of past service requests by LEP persons for language assistance, the City anticipates that, if there is contact with LEP persons, the most frequent contact would be with the Department of Public Works, City of Ithaca Police Department, Clerk’s Office, and City Chamberlain’s Office.

LEP PROGRAM EVALUATION

The City of Ithaca will update the LEP plan as required. At a minimum, the plan will be reviewed and updated when relevant data from the decennial census and the three-year and five-year American Community Survey (ACS) is updated and available. Further evidence of higher concentrations of LEP individuals present in the City of Ithaca will also serve to prompt assessments and evaluation of the current language assistance program. Updates will include the following:

- Evaluation of the current LEP population in the service area.
- The number of documented LEP person contacts encountered by City staff annually.
- Documentation of where these contacts occur.
- How the needs of LEP persons have been addressed.
- Determination how the need for translation services has changed.
- Determination whether local language assistance programs have been effective and whether they will be sufficient to meet the revised service needs.
- Determination if the City’s financial resources are sufficient to meet identified language assistance needs.
- Determination whether this LEP Plan adequately identifies and addresses language assistance needs.
- Determine whether the City of Ithaca has fully complied with the goals of this LEP plan.
- Determine whether any complaints that may have been received regarding the needs of LEP individuals have been satisfactorily addressed.

DISSEMINATION OF THE CITY OF ITHACA’S TITLE VI AND LEP PLAN

A link to the City’s LEP Plan and the Title VI information and complaint procedures is included on the City’s website; any person or agency with internet access will be able to access and download the plan from the website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. The City will make reasonable efforts to provide a translated plan at no cost to LEP individuals upon request.

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\(^4\) Tompkins County Sources: Ithaca City School District, Tompkins County Planning Department, Tompkins County Human Rights Commission, Ithaca Asian American Association, Cornell University Public Service Center Translator Interpreter Program, BOCES ESOL program, Finger Lakes Independent Center, and City of Ithaca.
CITY OF ITHACA TITLE VI AND LEP PROGRAM CONTACTS

Any questions or comments regarding the Title VI and LEP Plan may be submitted to:

CITY OF ITHACA TITLE VI PROGRAM COORDINATORS

Superintendent of Public Works  Jennifer Kusznir  Project Manager
Department of Public Works  City of Ithaca Planning Department
Second Floor of City Hall  Third Floor of City Hall
108 East Green Street  108 East Green Street
Ithaca, New York 14850  Ithaca, New York 14850
Phone: (607) 274-6527  Phone: (607) 274-6550
Fax: (607) 274-6587  Fax: (607) 274-6558
E-Mail:

CITY OF ITHACA TITLE VI COMPLIANCE OFFICERS

Schelley Michell-Nunn  Leslie Moskowitz
Director of Human Resources  Manager of Organizational Development
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Human Resources  Human Resources
Civil Service Department  Civil Service Department
City Hall, 2nd Floor  City Hall, 2nd Floor
108 East Green Street  108 East Green Street
Ithaca, NY 14850  Ithaca, NY 14850
Phone: (607) 274-6539  Phone: (607) 274-6539
Fax: (607) 274-6574  Fax: (607) 274-6574
Email: schelleymn@cityofithaca.org  Email: lesiem@cityofithaca.org

CITY OF ITHACA TITLE VI INTAKE OFFICER

Julie Conley Holcomb  
City of Ithaca  
City Clerk  
First Floor, City Hall  
108 Green Street, Ithaca, NY 14850  
Phone: (607) 274-6570  
Fax: (607) 274-6432  
Email: julieh@cityofithaca.org
APPENDIX A
CITY OF ITHACA
TITLE VI
COMPLAINT PROCEDURES AND FORMS

POLICY

The City of Ithaca does not discriminate against individuals on the basis of actual or perceived age; creed; color; disability; ethnicity; familial status; gender; height; immigration or citizenship status; marital status; national origin; race; religion; sex; sexual orientation; socioeconomic status; or weight in its services, programs, or activities and will provide reasonable accommodations to individuals with a disability or with Limited English Proficiency (LEP) who require such to benefit from our services.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin and that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program and/or activity receiving Federal financial assistance. (42 U.S.C. §2000d).

The following procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by the City of Ithaca, their consultants and/or contractors. The law prohibits intimidation or retaliation of any kind against an aggrieved party.

These procedures do not deny the right of the complainant to file formal complaints with other Local, State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation between the affected parties and the investigator may be utilized for resolution at any stage of the process. The City of Ithaca will make every effort to pursue a resolution of the complaint.

FILING

Any person who believes that they have been excluded from participation in, denied the benefits of, or subjected to discrimination under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by City of Ithaca based on race, color, or national origin, may file an official Title VI complaint with the City of Ithaca Clerk, who serves as the Title VI Intake Officer:

Title VI Intake Officer
Julie Conley Holcomb
City Clerk
First Floor, City Hall
108 Green Street, Ithaca, NY 14850
Phone: (607) 274-6570 | Fax: (607) 274-6432
Web: www.cityofithaca.org

A formal complaint must be filed within 180 calendar days of the alleged occurrence, the alleged discrimination; date on which the conduct was discontinued, or the latest instance of the conduct.

Complainant must present a detailed description of the issues, including names, job titles of individuals perceived as parties to the action complained against, date, time-of-day, location, and contact information of any witnesses to the alleged incident. Upon provision of employee name(s), the City Clerk or designee will assist the complainant with completing the form if they require help. The complainant should complete this process by documenting the above details of the complaint on the City of Ithaca Title VI complaint form, which is available online or at the City Clerk’s office. The complaint form must be signed, mailed or returned to the City Clerk’s office at First Floor, City Hall, 108 Green Street, Ithaca, NY 14850.
RECEIPT AND ACCEPTANCE

Upon receipt of the complaint, the City Clerk will forward the complaint within two ("2") business days to the City of Ithaca Title VI Compliance Officers for a determination of jurisdiction and acceptability. The Title VI Compliance Officer will notify the Complainant, in writing within ten ("10") business days of receipt of the complaint. The Title VI Compliance Officers for the City of Ithaca are:

Schelely Michell-Nunn  
Director of Human Resources  
City of Ithaca  
Human Resources  
Civil Service Department  
City Hall, 2nd Floor  
108 East Green Street  
Ithaca, NY 14850  
Phone: (607) 274-6539  
Fax: (607) 274-6574  
Email: schelelymn@cityofithaca.org

Leslie Moskowitz  
Manager of Organizational Development  
City of Ithaca  
Human Resources  
Civil Service Department  
City Hall, 2nd Floor  
108 East Green Street  
Ithaca, NY 14850  
Phone: (607) 274-6539  
Fax: (607) 274-6574  
Email: lesliem@cityofithaca.org

Jurisdiction and acceptance of the complaint must meet the following criteria:

1. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
2. The allegation(s) must involve a covered basis such as race, color, or national origin.
3. The allegation(s) must involve a City of Ithaca program or activity that receives Federal financial assistance.

INVESTIGATION PROCESS

All complaints will be investigated promptly. The investigation should be completed within thirty ("30") business days. The Title VI Compliance Officer will review each complaint, and when necessary, begin the investigation process. At a minimum the investigation should include the following: notification to the department head; notification to the respondent with an opportunity to respond, in writing, to the allegations of discrimination; develop an investigative plan; conduct interviews; collect and analyze evidence; and prepare an investigative report. Title VI Compliance Officer will undertake reasonable measures to maintain confidentiality.

Upon completion of the investigation, if a Title VI violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. The Complainant will also receive a final investigative report together with any remedial steps. The investigation process and final report should take no longer than sixty ("60") business days.

APPEAL PROCESS

If no violation is found and the complainant wishes to appeal the decision, he or she may contact the Federal Transit Administration Office of Civil Rights at: Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor – TCR, 1200 New Jersey Ave., S.E., Washington, D.C. 20590, or file a complaint online through the FTA’s website www.fta.dot.gov/civilrights/title6/civil_rights_5104.html.
EXTERNAL FILING

A complainant may file a complaint directly within 180 days of the date of the alleged discrimination with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, attention: Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor – TCR, 1200 New Jersey Ave., S.E., Washington, D.C. 20590 or via their website www.fta.dot.gov/civilrights/title6/civil_rights_5104.html.

A complainant may file a complaint directly with Tompkins County within one year from the last act of discrimination by filing a complaint with the local Human Rights Commission, attention: Tompkins County Human Rights Commission, 120 West Martin Luther King, Jr./State Street, Ithaca, New York 14850, Phone: (607) 277-408 or Fax: (607) 277-4016. There is no filing fee.

To request more information about Title VI, please contact:

CITY OF ITHACA TITLE VI PROGRAM COORDINATORS

Superintendent of Public Works
Department of Public Works
Second Floor of City Hall
108 East Green Street
Ithaca, New York 14850
Phone: (607) 274-6527
Fax: (607) 274-6587
E-Mail: 

Jennifer Kusznir
Project Manager
City of Ithaca Planning Department
Third Floor of City Hall
108 East Green Street
Ithaca, New York 14850
Phone: (607) 274-6550
Fax: (607) 274-6558
E-Mail: jenniferk@cityofithaca.org
<table>
<thead>
<tr>
<th>Procedure</th>
<th>Primary Responsible Individual/Departments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop LEP Plan and forms</td>
<td>Compliance Officer/Human Resources Department</td>
</tr>
<tr>
<td>Translate Notices</td>
<td>Engineering</td>
</tr>
<tr>
<td>Post Notices on Commons and Other standing fixtures</td>
<td>Engineering</td>
</tr>
<tr>
<td>Post Notices to Website and Other Electronic</td>
<td>City Clerks Office</td>
</tr>
<tr>
<td>Translate Procedures-Hard Copies/web</td>
<td>Engineering/City Clerks Office</td>
</tr>
<tr>
<td>Post Procedures and Forms to Website</td>
<td>City Clerks Office</td>
</tr>
<tr>
<td>Title VI Complaints/Intake Office</td>
<td>City Clerks Office</td>
</tr>
<tr>
<td>Track Complaint LEP Data</td>
<td>City Clerks Office</td>
</tr>
<tr>
<td>Investigations</td>
<td>Compliance Officer/Human Resources Department</td>
</tr>
<tr>
<td>Complainant Contact per Procedure</td>
<td>Compliance Officer/Human Resources Department</td>
</tr>
<tr>
<td>Maintain Official Investigation Files</td>
<td>Compliance Officer/Human Resources Department</td>
</tr>
<tr>
<td>Maintain Lawsuit Files</td>
<td>Attorneys Office</td>
</tr>
<tr>
<td>Obtain Racial Demographics for Non Elected boards</td>
<td>City Clerks Office</td>
</tr>
<tr>
<td>Complete Racial Demographics Chart</td>
<td>City Clerk's Office</td>
</tr>
<tr>
<td>Create criteria to determine when public outreach and feedback is initiated</td>
<td>Project Manager Team, City Clerk's Office and Compliance Officer</td>
</tr>
<tr>
<td>Initiate Public Outreach Communications on Project Updates or to Solicit Public Feedback</td>
<td>Commons Project Management Team</td>
</tr>
<tr>
<td>Implement Public Outreach Communications</td>
<td>Commons Project Management Team</td>
</tr>
<tr>
<td>Track Complaints</td>
<td>City Clerks Office</td>
</tr>
<tr>
<td>Track Investigations/Lawsuits</td>
<td>Compliance Officer/Human Resources Department</td>
</tr>
<tr>
<td>Coordinate Key Stakeholder meetings</td>
<td>Project Coordinator/ Planning Department</td>
</tr>
<tr>
<td>Communicate and Track Staff Training</td>
<td>Compliance Officer/Human Resources Department</td>
</tr>
<tr>
<td>Complete subrecipient LEP Report and forward to Primary Recipient (Tompkins County)</td>
<td>Project Coordinator/ Superintendents Office</td>
</tr>
</tbody>
</table>
# City of Ithaca

## Title VI Commons Complaint Form

### Section IV

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

### Section V

| Have you filed this complaint with any other Federal, State, or Local Agency, or with any Federal or State Court? | 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:

City Clerk's Office

108 E Green Street

City of Ithaca, NY 14850
City of Ithaca
Title VI Commons Complaint Form

Section I:
Name:
Address:
Telephone (Home): Telephone (Work):
Electronic Mail Address:

Resources: alternative formats available upon request

<table>
<thead>
<tr>
<th>Large Print</th>
<th>Sign Language</th>
<th>Audio Tape</th>
<th>Translator</th>
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</thead>
<tbody>
<tr>
<td>TDD</td>
<td></td>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

Section II:
Are you filing this complaint on your own behalf? Yes* No
*If you answered "yes" to this question, go to Section III.
If not, please supply the name and relationship of the person for whom you are complaining:
Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes No

Section III:
1. I believe the discrimination I experienced specifically related to the Commons Repair and Upgrade Project under Title VI was based on (check all that apply):
   [ ] Race [ ] Color [ ] National Origin

2. I believe the discrimination I experienced within the City of Ithaca was based on:
   [ ] Race [ ] Color [ ] National Origin [ ] Other __________________

**Discrimination complaints not related to the City of Ithaca are referred to the Human Rights Commission (e.g. retail)

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 staple an additional sheet to the form.
City of Ithaca
Title VI Commons Complaint Form
Tracking and Summary Form

Name: 
Address: 
Telephone (Home): Telephone (Work): 
Electronic Mail Address: 

<table>
<thead>
<tr>
<th>Data</th>
<th>X</th>
<th>Comment/Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interpreter needed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indicate Language/ Sign Language</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alternative Resources needed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Materials requested</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Materials needing translation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Complaint was forwarded to the Community Police Board per complainant request on 

Summary of Actions:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
<table>
<thead>
<tr>
<th>Date</th>
<th>Date (00/00/00)</th>
<th>Summary (Include basis of complaint: race, color, or national origin)</th>
<th>Status</th>
<th>Action(s) Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigations</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawsuits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B
PUBLIC NOTICE

CITY OF ITHACA
ANTIDISCRIMINATION

TITLE VI NOTICE

The City of Ithaca operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964.

If you believe you have been subjected to discrimination related to the Commons Repair and Upgrade Project under Title VI or other non-discriminatory laws, you may file a complaint with the City of Ithaca. For more information on the City of Ithaca’s Title VI Compliance Program, and the procedures to file a complaint, contact or visit:

Title VI Intake Officer
City Clerk
First Floor, City Hall
108 Green Street, Ithaca, NY 14850
Phone: (607) 274-6570 | Fax: (607) 274-6432
Web: www.cityofithaca.org

A formal complaint must be filed within 180 calendar days of the alleged occurrence, the alleged discrimination. You may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, attention: Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor – TCR, 1200 New Jersey Ave., S.E., Washington, D.C. 20590

You may file a complaint directly with Tompkins County by filing a complaint with the local Human Rights Commission, attention: Tompkins County Human Rights Commission, 120 West Martin Luther King, Jr./State Street, Ithaca, New York 14850, Phone: (607) 277-4080 | Fax: (607) 277-4016.

If information is needed in another language, contact 607.274.6570. You may find the City’s complete Title VI plan on the City’s website. www.cityofithaca.org

In addition, the City of Ithaca, per the City Code is committed to ensuring that no person is excluded from participating in or denied the benefits of its public services on the basis of actual or perceived age; creed; color; disability; ethnicity; familial status; gender; height; immigration or citizenship status; marital status; national origin; race; religion; sex; sexual orientation; socioeconomic status; or weight.
APPENDIX C
**FEDERAL FISCAL YEAR 2012 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

*(Signature page alternative to providing Certifications and Assurances in TEAM-Web)*

Name of Applicant: **City of Ithaca**

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. X

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<table>
<thead>
<tr>
<th>Group</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.</td>
<td>Assurances Required For Each Applicant.</td>
</tr>
<tr>
<td>02.</td>
<td>Lobbying.</td>
</tr>
<tr>
<td>03.</td>
<td>Procurement Compliance.</td>
</tr>
<tr>
<td>04.</td>
<td>Protections for Private Providers of Public Transportation.</td>
</tr>
<tr>
<td>05.</td>
<td>Public Hearing.</td>
</tr>
<tr>
<td>06.</td>
<td>Acquisition of Rolling Stock for Use in Revenue Service.</td>
</tr>
<tr>
<td>07.</td>
<td>Acquisition of Capital Assets by Lease.</td>
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<td>08.</td>
<td>Bus Testing.</td>
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<tr>
<td>09.</td>
<td>Charter Service Agreement.</td>
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<tr>
<td>10.</td>
<td>School Transportation Agreement.</td>
</tr>
<tr>
<td>11.</td>
<td>Demand Responsive Service.</td>
</tr>
<tr>
<td>12.</td>
<td>Alcohol Misuse and Prohibited Drug Use.</td>
</tr>
<tr>
<td>13.</td>
<td>Interest and Other Financing Costs.</td>
</tr>
<tr>
<td>15.</td>
<td>Urbanized Area Formula Program.</td>
</tr>
<tr>
<td>16.</td>
<td>Clean Fuels Grant Program.</td>
</tr>
<tr>
<td>17.</td>
<td>Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program.</td>
</tr>
<tr>
<td>18.</td>
<td>Nonurbanized Area Formula Program for States.</td>
</tr>
<tr>
<td>22.</td>
<td>Tribal Transit Program.</td>
</tr>
<tr>
<td>23.</td>
<td>TIFIA Projects</td>
</tr>
<tr>
<td>24.</td>
<td>Deposits of Federal Financial Funding to a State Infrastructure Banks.</td>
</tr>
</tbody>
</table>
FEDERAL FISCAL YEAR 2012 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA funding and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: ____________________________________________________________

Name and Relationship of Authorized Representative: ________________________________

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant’s compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2012.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances, should apply, as provided, to each project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2012.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature ___________________________ Date: __________

Name ______________________________

Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant): ______________________________________________________

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature ___________________________ Date: __________

Name ______________________________

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APPENDIX D
11.2 **DPW – Engineering – Request to Adopt the City of Ithaca Title VI and LEP Plan – Ithaca Commons Repair and Upgrade Project - Resolution**

By Alderperson Proulx: Seconded by Alderperson Brock

WHEREAS, the City of Ithaca is a sub-recipient of Federal Transit Administration (FTA) Funding for the Ithaca Commons Repair and Upgrade Project, and

WHEREAS, as a sub-recipient of FTA funding the City is obligated to comply with Title VI of the Civil Rights Act of 1964, which ensures 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 from the FTA, and

WHEREAS, as a sub-recipient of FTA funding the City is obligated to comply with Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, which directs agencies which receive federal funds to ensure that discrimination based upon a person’s inability to speak, read, write or understand English does not take place, and

WHEREAS, the City of Ithaca has prepared the City of Ithaca Title VI and LEP Plan to ensure compliance with both the spirit and the letter of the obligations set forth above relating to the Ithaca Commons Repair and Upgrade Project; now therefore, be it,

**RESOLVED**, That the Common Council of the City of Ithaca certifies that, as a condition of receiving Federal financial assistance under programs administered by the Federal Transit Administration, it will ensure that no person, including people of limited English proficiency will be subjected to discrimination in the level and / or quality of services and benefits of the Ithaca Commons Repair and Upgrade Project on the basis of race, color, or national origin, and be it further

**RESOLVED**, That the City of Ithaca will compile, maintain and submit, in a timely manner, Title VI information required by FTA Circular 4702. 1B dated October 1, 2012 and in compliance with the Department of Transportation’s Title VI regulations at 49 CFR Section 21.7(a), and, be it further

**RESOLVED**, That the City of Ithaca will submit a Title VI assurance every three years as part of the annual Certification and Assurance submission to the primary recipient, Tompkins County, and the Federal Transit Administration, and, be it further

**RESOLVED**, That the City of Ithaca makes it known to the public, that those persons or people alleging discrimination on the basis of race, color, or national origin as it relates to access to or provision of services and benefits of the Ithaca Commons Repair and Upgrade Project may file a complaint with the City of Ithaca, Tompkins County Human
Rights Commission, U.S. Department of Transportation and/or the Federal Transit Administration, and be it further

RESOLVED, That the Common Council of the City of Ithaca adopts the City of Ithaca Title VI and LEP Plan for the Ithaca Commons Repair and Upgrade Project dated January 2013

Carried Unanimously