



U.S. Department
Of Transportation

Region IV

230 Peachtree Street, N.W.
Suite 800
Atlanta, GA 30303

**Federal Transit
Administration**

May 29, 2013

Rich Weingarten
Financial Consultant - Human Services Transit
1050 Loveland Blvd.,
Port Charlotte FL 33980

Re: Title VI Program Concurrence – Recipient ID No. 5610

Dear Mr. Weingarten:

This letter is to confirm that we have received Charlotte County's Title VI Program on April 29, 2013, addressing the items listed in the Federal Transit Administration's (FTA) In Review letter issued on April 30, 2013. This submission is for the triennial cycle of June 1, 2013 to June 1, 2016, and replaces the program that was set to expire on May 31, 2013. A Title VI Program submission is required pursuant to Title VI of the Civil Rights Act of 1964; Title 49, Chapter 53, Section 5332 of the United States Code; and the FTA Circular 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Recipients," effective October 1, 2012.

We have reviewed your program and determined that it meets the requirements set out in the FTA's Title VI Circular, 4702.1B. Please plan to submit a Title VI Program by April 1, 2016 by attaching it to your Recipient Profile in FTA's TEAM-Web. Please delete any version of the program in TEAM that this submission is replacing. Your Title VI Program will expire 60 days after the due date, on May 31, 2016. If we have not received all required information by the time your Title VI Program expires, Charlotte County may experience delays in processing grants or draw-down restrictions.

Thank you for your ongoing cooperation meeting all of the FTA civil rights program requirements. Please plan to submit the revised Title VI Program submission by attaching it to your Recipient Profile in FTA's TEAM-Web. A copy of this letter has been attached to your Recipient Profile in TEAM for your reference. Should you have any questions regarding the comments above, please contact me at (404) 865-5471 or at Carlos.Gonzalez3@dot.gov.

Sincerely,

Carlos A. Gonzalez
Regional Civil Rights Officer

cc: Fred McKenna, General Manager, Charlotte County (Electronic)
Dr. Yvette G. Taylor, Regional Administrator, FTA Region IV (Electronic)
Monica McCallum, Regional Division Chief, FTA Civil Rights (Electronic)

APPENDIX A**TITLE VI PROGRAM CHECKLIST**

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. Subrecipients shall submit the information below to their primary recipient (the entity from whom the subrecipient receives funds directly), on a schedule to be determined by the primary recipient.

General Requirements (Chapter III)

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
- NA - Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- NA - 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 DOT's, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- NA - 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 (Chapter IV)

All Fixed Route Transit Providers must submit:

- All requirements set out in Chapter III (General Requirements)
- Service standards

**CHARLOTTE COUNTY HUMAN SERVICES TRANSIT TITLE VI
DISCRIMINATION COMPLAINT PROCEDURE**

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by the Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint. All written complaints received by Charlotte Human Services Transit (Transit) shall be referred immediately by Transit to the FDOT District One Title VI Coordinator for processing in accordance with approved State procedures.
2. Verbal and non-written complaints received by the Transit may be resolved informally by the Charlotte County-Punta Gorda Metropolitan Planning Organization (MPO) Title VI Specialist. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the MPO Title VI Specialist shall refer the Complainant to the FDOT's District One Title VI Coordinator for processing in accordance with approved State procedures.
3. The MPO Title VI Specialist will advise the FDOT's District One Title VI Coordinator within five (5) calendar days of receipt of the written complaint. The following information will be included in every notification to the FDOT's District One Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant.
 - (b) Name(s) and address(es) of Respondent.
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).
 - (d) Date of alleged discriminatory act(s).
 - (e) Date of complaint received by the MPO.
 - (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 MPO has taken or proposed to resolve the allegation(s) raised in the complaint.
4. Within ten (10) calendar days, the MPO Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the

Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EEO).

5. Within sixty (60) calendar days, the MPO Title VI Specialist will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the Transit Manager and the Human Services Director.
6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the Transit Manager, with the consent of the Human Services Director and the County Attorney, 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 right to file a formal complaint with the FDOT's EEO, if he/she is dissatisfied with the final decision rendered. The MPO Title VI Specialist will also provide the FDOT's District One Title VI Coordinator with a copy of this decision and summary of findings.
7. The MPO Title VI Specialist will maintain a log of all verbal and non-written complaints received by Transit. The log will include the following information:
 - a. Name of Complainant.
 - b. Name of Respondent.
 - c. Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)
 - d. Date verbal or non-written complaint was received.
 - e. Date MPO notified the FDOT's District One Title VI Coordinator of the verbal or non-written complaint.
 - f. Explanation of the actions taken or proposed to resolve the issue raised in the complaint.

File: Title VI Complaint Policy

Charlotte County Transit Title VI Civil Right Complaint Form

Revised May 2013

This Form is provided for paper hand out use or down-load from the Charlotte County Transit website. It is specific to any complaints regarding race, color or national origin, and allows any potential complainant to select one or more of these categories as basis/bases for discrimination as allowed under FTA C 4702.1B.

Section I:				
Name:				
Address:				
Telephone Home:			Telephone Work:	
Accessible Format Required?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filling out 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 filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing for of a third party.			Yes	No
Section III:				
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.				
Date of Alleged Discrimination (month, day, year) _____				
<p>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.</p> <hr/> <hr/> <hr/> <hr/>				
Section IV:				
Have you previously filed a title VI complaint with us?			Yes	No
Section V:				

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Section VI:	
Name of agency complaint is against:	
Contact Person:	
Title	
Telephone Number:	

You may attach any written material 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:

Charlotte County Transit Title VI Coordinator
25490 Airport Rd
Punta Gorda, FL 33950-5746

NOTICE

Any person who believes himself/herself, or any specific class of persons to be subjected to discrimination on the basis of race, color, or national origin may by himself/herself or by a representative file a written complaint with the Federal Transit Administration (FTA). A complaint must be filed no later than 180 days after the date of the alleged discrimination.

**CHARLOTTE COUNTY TRANSIT/MPO TITLE VI COMPLAINTS
SINCE 2010:**

There have been no Title VI complaints of any kind since the last reporting. Neither have there been any investigations or lawsuits.

Public Participation Plan 2013

Charlotte County Transit

Plan for Outreach Public engagement:

- Two Coordinators will visit once per quarter, the minimum of two local groups, expediting community involvement in DEB/SPE/OBE Programs as well as other transportation programs. Additionally, during the third quarter, we will meet at Transit with as many as 15 representatives from local businesses, representative from 211 as well as Senior Services, if available. Furthermore, transit is seeking to work with other departments of Human Services to engage the community for their assistance in translating information to their first languages that are not currently covered by 211.

Outreach Methods Currently in place or currently being developed:

- Services Brochures
 - Distributed locally at Health and Human Resource Centers
 - Distributed via our Bus Operators Outreach
- 211 referral services
- Dispatchers going through Basic Interpreter Training Program – Spanish
- Website – English and Spanish
- Word of Mouth
- LCB Agencies that report to their clients
- Telephone
- Visitations
- Charlotte County Corrections Rehabilitation program
- Diversity Training for most of the transit staff
- Working with 211 to obtain translations of services into Spanish brochures/information
- Signage in all transit buses regarding Title VI as well as Spanish interpretation
- Working with 211 and Senior Services to engage the public for assistance in translating other languages that are in our community
- Park and Ride
- Latent Demand Studies
- Fixed Route Options

Charlotte County Transit Limited English Proficiency Plan

Feb13'

Charlotte County Human Services Transit Local Coordinating Board and for Public Transit

Commissioner Ken Doherty, Charlotte County Board of County Commissioners
(LCB Chair)

V. Shirley Gilmore, Area Representative for the Disabled

Alan Skavroneck, Private Sector, Ambitrans (Vice Chair)

David Rockow, Veterans' Affairs

Dianne Bettman, Citizen Advocate/System User

Sue Clarke, Florida Department of Elder Affairs.

Richard Duckworth, Charlotte County Public Schools

Deborah Guilbault, Regional Workforce Development

Naomi Manning, Service Area Representative for the Elderly

Joseph Martinez, Agency for Health Care Administration

Denise McGirr, Florida Department of Children & Families

Grace Nurse, Citizen Advocate

Angela Hemstreet, Representative Children at Risk

Victoria Carpenter, Charlotte County Department of Human Services

Fred McKenna, Transit/General Public Mass Transit (non-voting)

Rich Weingarten, Charlotte County Budget & Admin Services(non-voting)

Bruce Emmerton, Florida Division of Blind Services

Dianna Bello, Economically Disadvantaged

Joseph Portillo, Citizen User Advocate

Eric Stockley, Charlotte County Health Department

Limited English Proficiency Plan

The Charlotte County Human Services Transit Division is responsible for a continuing, cooperative, and comprehensive transit delivery in Charlotte County (as well as a small portion of Sarasota County included in the Service delivery area). This service delivery includes the appropriate and legal use of federal and state dollars spent on existing and future transportation projects or programs, and the **Limited English Proficiency (LEP) Plan** plays an integral role in this process. This document will detail the LEP Plan, developed in conjunction with best practice standards for public involvement.

Introduction

On August 11, 2000, President 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. Its purpose was to ensure accessibility to programs and services to 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, 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. It reads in part:

“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.”

Not only do all federal agencies have to develop LEP Plans, as a condition of receiving federal financial assistance, but also state and local recipients are required to comply with Title VI and LEP guidelines of the federal agency from which they receive funds.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property and other assistance. Recipients of federal funds range from state and local agencies to nonprofits and other organizations. Title VI covers a recipient's entire program or activity. This means all components of a recipient's operations are covered. Simply put, any organization that receives federal financial assistance is required to **follow this Executive Order**.

The US Department of Transportation (DOT) published: **“Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Person”** in the December 14, 2005 Federal Register. The guidance explicitly identifies Transit Agencies as organizations that must follow this guidance:

The guidance applies to all DOT funding recipients, which include state departments of transportation, state motor vehicle administrations, airport operators, metropolitan planning organizations, and regional, state, and local transit operators, among many others. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance. For example, if DOT provides assistance to a state department of transportation to rehabilitate a particular highway on the National Highway System, all of the operations of the entire state department of transportation—not just the particular highway program or project—are covered by the DOT guidance.

Additionally The Federal Transit Administration (FTA) issued **guidelines for equity analysis vs. population for LEP ridership** on November 7, 2012. These guidelines impact discontinuation, modification, or implementation of specific routes or levels of service. These guidelines are triggered by a UZA population of 200,000 in a given service area, rendering this service area to be a categorical exception. Similarly, Charlotte County Transit does not need to develop a *Major Service Change Policy* or a *Disproportionate Burden Policy* because it does not meet the threshold of population in the UZA. Ref.: FTA circular 4702.1B

The intent of this **Limited English Proficiency Plan** is to ensure access to the Transit Services and information published by the Division where it is determined that a substantial numbers of residents in the Charlotte County Transit Service Delivery Area do not speak or read English proficiently. The production of multilingual publications and documents and/or interpretation at meetings or events will be provided to the degree that funding permits based on current laws and regulations.

Laws and Policies Guiding Limited English Proficiency Plans

As part of Charlotte County Human Services Transit Division certification by the Federal Transit Administration (FTA), the *LEP Plan* will be assessed and evaluated. The following table illustrates these laws, policies and considerations:

Title VI of the Civil Rights Act of 1964	Limited English Proficiency Executive Order 13166
Federal Law	Federal Policy
Enacted in 1964	Enacted in August 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight compliance review requirements	Contains monitoring and oversight compliance review requirements
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage thresholds
Provides protection on the basis of race, color, and national origin	Provides protection on the basis of national origin
Focuses on eliminating discrimination in federally funded programs	Focuses on providing LEP persons with meaningful access to services using four factor criteria
<i>Annual Accomplishment and Upcoming Compliance Reports to FTA</i>	<i>Annual Accomplishment and Upcoming Compliance Reports to FTA</i>

Who is an LEP individual?

As defined in the 2000 United States Census, it is any Individual who speaks a language at home other than English as his/her primary language, **and** who speaks or understands English 'not well' or 'not at all'. The triggering mechanism in census tracking is the definition ***"Speaks English less than well"***. All calculations and displays in this document refer to LEP populations by these defined numbers.

Determining the need

As a recipient of federal funding, the Charlotte Transit must take reasonable steps to ensure meaningful access to the information and services it provides. As noticed in the **Federal Register/ Volume 70, Number 239/ Wednesday, December 14, 2005/ Notices**, there are four factors to consider in determining "reasonable steps".

- Factor 1. The number and proportion of LEP persons in the eligible service area;
- Factor 2. The frequency with which LEP persons encounter Transit programs;
- Factor 3. The importance of the service provided by Transit programs;
- Factor 4. The resources available and overall cost to the Transit agencies

The DOT Policy Guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in the Charlotte County-Punta Service Area in relation to the four factors.

LEP Assessment for the Charlotte County Human Services Transit

Factor 1. The Number and proportion of LEP persons in the eligible service area
The first step towards understanding the profile of individuals who might need transit services is a review of Census data. Tables 1 and 2 on the following pages display the primary language spoken and number of individuals that are LEP.

For our service delivery purposes, we are considering people that speak English "less than well" and only the top four language groups are included in the analysis provided by Census.

Table 1, derived from the 2010 US Census and Census Bureau Fact Finder, shows the number and percent of persons who are age five (5) and older, with regard to their English language skills, for the City of Punta Gorda and the unincorporated portions of the counties within the service area. As indicated, less than one (1) percent of the area population is not proficient in English.

Table 1: Limited English Proficient Persons in the Service area and local jurisdictions Derived from Census Bureau Fact Finder report s1601 – Charlotte County 2-4-2013			
Jurisdiction	Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons
Punta Gorda	16,371	734	4.49%
Unincorporated Charlotte County	138,091	4,168	3.01%
Service Area (includes all cities and unincorporated county)	154,462	4,902	3.17%

Table 2 shows the number and percent of LEP persons by language spoken at the individual’s home. Of the LEP persons within the service area, somewhat less than half (40.19%) speak an other Indo-European language, such as Urdu, Hindi, Portuguese, Russian, French or German, making this a significant percentage of the area’s population. The most common language of the area’s LEP population is Spanish with 47.43%. Asian and Pacific Islander languages, such as Chinese, Korean and Japanese represent 7.92%, and 4.44% speak “other” languages at home. Transit staff proficiency in Spanish, Creole, and French has provided good insulation from difficulties in this numerically small area.

Table 2: Language Spoken at Home by LEP Persons - Charlotte County Transit Service Area Derived from Census Bureau Fact Finder report s1601 –Punta Gorda 2-5-2013				
LEP Persons	Spanish Language	Other Indo-European Languages	Asian & Pacific Islander Languages	Other Languages
5-17 years old	1,197	462	161	99
18-64 years old	4,856	2,896	779	397
65 and older	1,266	2,843	282	190
Total	7,319	6,201	1,222	686
Percent of all LEP Persons	47.43%	40.19%	7.92%	4.44%

Factor 2. The frequency in which LEP Persons encounter Transit Service

The small, but growing size of the LEP population in this region will likely increase the probability of future contact with the System over time. However, to date, only a very few requests have been made by either individuals, or groups directly to the Division for Spanish or other language interpreters or publications.

Factor 3. The importance of the service provided by the Transit Division

Transit services use federal funds to provide transportation projects, and therefore include direct services that have at times required vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Hurricane evacuations and relief provision during and after Hurricane Charley in 2004 was a prime example. For these reasons, required brochures, applications, and other program involvement materials will be planned as required percentages make themselves manifest, and funding available. Public Transit Brochure translations are available upon request.

However, Charlotte Transit must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be use Transit services available in a fashion consistent with the goal of the Federal Environmental Justice program and policy.

The impact of proposed transportation investments on underserved and under-represented population groups is part of the evaluation process in use of federal funds in three major areas for the Transit Division service delivery and planning process in conjunction with the Charlotte County-Punta Gorda MPO:

- the biennial **Unified Planning Work Program**,
- the five year **Transportation Improvement Program**,
- the **Long Range Transportation Plan**, covering 20+ years.

Inclusive public participation is a priority consideration in other plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities have an impact on all residents. Understanding and continued involvement are encouraged throughout the process. Transit Division is concerned with input from all stakeholders, and makes every effort to ensure that the planning process is as inclusive as possible.

As a result of the long range transportation planning process, selected projects receive approval for federal funding and progress towards project planning and construction under the responsibility of local jurisdictions or state transportation agencies. These state and local organizations have their own policies to ensure LEP individuals can participate in the process that shapes where, how and when a specific transportation

project is implemented.

Factor 4. The resources available and overall cost

Given the relatively small size of the LEP population in the Transit Service Delivery Area and current financial constraints, full multi-language translations of multiple brochures, applications, schedules, and other materials into numerous miniscule spoken languages totaling less than one percent of the population at this time will be deferred until better results can be achieved for such expenditure.

The Transit Division will continue efforts to collaborate with state and local agencies to provide language translation and interpretation services when practical and in consideration of the funding available. Spanish and other language outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible. As new Census data becomes available, Transit will monitor increases in the LEP population and adjust its policy accordingly. If warranted in the future, Transit will consider new techniques to reach the LEP population, such as (1) the translation of key elements of the Transit web site, (2) the pursuit of other user-friendly multi-lingual software applications compatible with the web content management system currently used by Transit and (3) the translation of other appropriate materials typically used to increase ridership and help LEP individuals best utilize the system. Additionally, Transit will continue to explore the use of volunteer translators (including multi-lingual staffers and County employees in other departments) to assist with citizen outreach.

MEETING THE REQUIREMENTS

Engaging the diverse population within the Transit Division Service area is important. Transit is committed to providing quality services to all citizens, including those with limited English proficiency. All language access activities detailed below will be coordinated in collaboration with the county government chain of command and staff.

Safe Harbor Stipulation

Federal law provides a 'safe harbor' stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. A 'safe harbor' means that as long as a recipient (Transit Division) has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translation obligations under Title VI.

However, failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides for recipients a guide for greater certainty of compliance in accordance with the four factor analysis. (Page 4)

Evidence of compliance with the recipient's written translation obligations under 'safe harbor' includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% of total the population served, or likely to be

affected. (Note: At this time, as evidenced in Table 2 on page 5, data on area language groups indicates that this requirement applies only specifically to Spanish.) Translation also can be provided orally. The 'safe harbor' provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable to provide.

Providing Notice to LEP Persons

US DOT guidance indicates that once an agency has decided, based on the four factors, to provide language services, it is important that the recipient notify LEP persons of services available free of charge in a language the LEP persons would understand. Example methods for notification include:

1. Signage that indicates when free language assistance is available with advance notice;
2. Stating in outreach documents that language services are available;
3. Working with community-based organizations and other stakeholders to inform LEP individuals of services and the availability of language assistance;
4. Using automated telephone voice mail or menu to provide information about available language assistance services;
5. Including notices in local newspapers in languages other than English;
6. Providing notices on non-English-language radio and television about services and the availability of language assistance; and
7. Providing presentations and/or notices at schools and community based organizations (CBO).

If deemed essential in the future in light of revised census data, Human Services Transit Division will publicize the availability of interpreter services, free of charge, at least 7 days prior to public meetings, workshops, forums or events which will be noticed on the, in meeting notices (packets), and using the following additional tools as appropriate:

- signage
- public outreach materials
- community-based organizations
- local newspapers
- Comcast Cable
- Charlotte County school and library systems

Charlotte County Human Services Transit Division defines an interpreter as a person who translates spoken language orally, as opposed to a translator, who translates written language and transfers the meaning of written text from one language into another. Transit will request language interpreter services as needed.

As required under Title VI, at each meeting, Human Services Transit will provide Title VI material and include this material in an alternative language when applicable.

Language Assistance

A goal of the Transit **Public Participation and Utilization Plan** is to provide user-friendly materials that will be appealing and easy to understand. Transit may provide on an "as needed" basis, executive summaries in alternative formats, such as brochures or newsletters, depending on the work product and passenger need.

Transit Staff Training

Human Services Transit will incorporate this **LEP Plan** into the **Public Participation Plan** and make it available at all service development public input meetings. In order to establish meaningful access to information and services for LEP individuals, Transit will properly train its employees to assist in person, and/or by telephone, LEP individuals who request assistance. Appropriate County chain of command staff will receive a copy of the **LEP Plan**, and have access to training, assuring that they are fully aware of and understand the plan and its implementation. Similarly the Local Coordinating Board for Transportation Disadvantaged, and policy review will input, review, and ultimately approve this policy as they have in the past for the Metropolitan Planning Organization. "I Speak" Language cards are in place at all times in the office as well as on buses to determine what language an LEP individual uses and obtain whatever assistance is required for that individual.

Charlotte County Language Implementation Plan

The following implementation plan (LIP) proposes a schedule to undertake various assistance activities recommended in the DOT/FTA Guidance on implementation plans:

- Identifying LEP individuals who need assistance
- Defining and providing assistance measures
- Training Staff
- Providing notice of availability of assistance to LEP persons
- Monitoring and updating the LEP plan

ITEM	NOW	YR 1	YR 2	YR 3
English competency standards for interpreters and translators			X	
Add a question to intake survey to assess respondents' English proficiency and primary spoken language		X		
Develop a process for determining: <ul style="list-style-type: none"> • If a particular document needs to be translated • Into which language(s) it should be translated 				X
Create signage in appropriate language(s) informing LEP clients about available language service and post in buses and appropriate locations.				X
Develop a protocol and SOPs for responding to foreign language correspondence and communication		X		
Develop a protocol and SOPs for LEP program, ensuring compliance and correct implementation			X	
Use of interpreters upon request for germane public meetings.				X
Translate vital documents other than brochure				X
Train call takers and drivers as to the current type of language service available	X			
Train call takers and drivers how to respond to LEP passengers	X			
Train call takers and drivers how to document LEP needs	X			
Train call takers and drivers how to handle and refer civil rights complaints.				
Incorporate LEP plan information in updated editions of the Driver Handbook and local staff orientation				X
Provide telephone interpretation for basic transit service in Spanish				X
Develop standards to certify staff as qualified translators and/or interpreters				X



S1601

LANGUAGE SPOKEN AT HOME

2007-2011 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	Charlotte County, Florida					
	Total			Percent of specified language speakers		
	Estimate	Margin of Error	Speak English "very well"	Estimate	Margin of Error	Speak English less than "very well"
Population 5 years and over	154,462	+/-65	96.8%	31.4%	+/-0.4	+/-0.4
Speak only English	90,0%	+/-0.7	(X)	(X)	(X)	(X)
Speak a language other than English	10.0%	+/-0.7	67.9%	32.1%	+/-3.4	+/-3.4
Spanish or Spanish Creole	4.7%	+/-0.5	68.6%	31.4%	+/-5.0	+/-5.0
Other Indo-European languages	4.0%	+/-0.5	64.6%	35.4%	+/-5.3	+/-5.3
Asian and Pacific Island languages	0.8%	+/-0.2	66.5%	33.5%	+/-12.4	+/-12.4
Other languages	0.4%	+/-0.2	93.1%	6.9%	+/-7.9	+/-7.9
SPEAK A LANGUAGE OTHER THAN ENGLISH						
Spanish or Spanish Creole	7,319	+/-725	68.6%	31.4%	+/-5.0	+/-5.0
5-17 years	1,197	+/-313	83.5%	16.5%	+/-10.4	+/-10.4
18-64 years	4,856	+/-489	68.7%	31.3%	+/-6.0	+/-6.0
65 years and over	1,266	+/-195	54.5%	45.5%	+/-12.1	+/-12.1
Other Indo-European languages	6,201	+/-808	64.6%	35.4%	+/-5.3	+/-5.3
5-17 years	462	+/-204	91.1%	8.9%	+/-13.7	+/-13.7
18-64 years	2,896	+/-524	66.0%	34.0%	+/-7.3	+/-7.3
65 years and over	2,843	+/-504	59.0%	41.0%	+/-7.5	+/-7.5
Asian and Pacific Island languages	7,222	+/-298	66.5%	33.5%	+/-12.4	+/-12.4
5-17 years	161	+/-111	69.6%	30.4%	+/-43.2	+/-43.2
18-64 years	779	+/-256	67.3%	32.7%	+/-12.5	+/-12.5

Subject	Charlotte County, Florida					
	Total			Percent of specified language speakers		
	Estimate	Margin of Error	Speak English "very well"	Estimate	Margin of Error	Speak English less than "very well"
65 years and over	282	+/-117	62.8%	+/-26.7	37.2%	+/-26.7
Other languages	686	+/-273	93.1%	+/-7.9	6.9%	+/-7.9
5-17 years	99	+/-52	100.0%	+/-34.6	0.0%	+/-34.6
18-64 years	397	+/-220	99.2%	+/-3.6	0.8%	+/-3.6
65 years and over	190	+/-117	76.8%	+/-22.0	23.2%	+/-22.0
CITIZENS 18 YEARS AND OVER						
All citizens 18 years and over	131,312	+/-633	97.6%	+/-0.4	2.4%	+/-0.4
Speak only English	91.8%	+/-0.7	(X)	(X)	(X)	(X)
Speak a language other than English	8.2%	+/-0.7	70.8%	+/-3.7	29.2%	+/-3.7
Spanish or Spanish Creole	3.9%	+/-0.4	71.3%	+/-5.8	28.7%	+/-5.8
Other languages	4.2%	+/-0.5	70.3%	+/-5.1	29.7%	+/-5.1
PERCENT IMPUTED						
Language status	4.1%	(X)	(X)	(X)	(X)	(X)
Language status (speak a language other than English)	3.1%	(X)	(X)	(X)	(X)	(X)
Ability to speak English	4.1%	(X)	(X)	(X)	(X)	(X)

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

While the 2007-2011 American Community Survey (ACS) data generally reflect the December 2009 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2000 data. Boundaries for urban areas have not been updated since Census 2000. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2007-2011 American Community Survey

Explanation of Symbols:

1. An "X" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An "-" entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An "-" following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An "+" following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An "****" entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An "*****" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.

S1601

LANGUAGE SPOKEN AT HOME
2007-2011 American Community Survey 5-Year Estimates

BACK TO ADVANCED SEARCH

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Subject	Punta Gorda city, Florida					
	Total		Percent of specified language speakers			
	Estimate	Margin of Error	Speak English "very well"		Speak English less than "very well"	
			Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	16,371	+/-146	96.3%	+/-1.5	3.7%	+/-1.5
Speak only English	88.2%	+/-2.8	(X)	(X)	(X)	(X)
Speak a language other than English	11.8%	+/-2.8	68.6%	+/-9.6	31.4%	+/-9.6
Spanish or Spanish Creole	6.1%	+/-2.3	56.2%	+/-15.7	43.8%	+/-15.7
Other Indo-European languages	3.4%	+/-1.2	75.1%	+/-12.2	24.9%	+/-12.2
Asian and Pacific Island languages	0.6%	+/-0.3	71.9%	+/-21.8	28.1%	+/-21.8
Other languages	1.6%	+/-0.7	100.0%	+/-15.3	0.0%	+/-15.3
SPEAK A LANGUAGE OTHER THAN ENGLISH						
Spanish or Spanish Creole	998	+/-378	56.2%	+/-15.7	43.8%	+/-15.7
5-17 years	212	+/-157	67.9%	+/-35.9	32.1%	+/-35.9
18-64 years	544	+/-251	52.0%	+/-21.3	48.0%	+/-21.3
65 years and over	242	+/-151	55.4%	+/-30.6	44.6%	+/-30.6
Other Indo-European languages	562	+/-194	75.1%	+/-12.2	24.9%	+/-12.2
5-17 years	35	+/-41	100.0%	+/-59.0	0.0%	+/-59.0
18-64 years	265	+/-133	69.1%	+/-18.5	30.9%	+/-18.5
65 years and over	262	+/-100	77.9%	+/-15.8	22.1%	+/-15.8
Asian and Pacific Island languages	96	+/-52	71.9%	+/-21.8	28.1%	+/-21.8
5-17 years	0	+/-104	-	**	-	**
18-64 years	81	+/-52	85.2%	+/-18.0	14.8%	+/-18.0
65 years and over	15	+/-21	0.0%	+/-90.1	100.0%	+/-90.1
Other languages	270	+/-110	100.0%	+/-15.3	0.0%	+/-15.3
5-17 years	99	+/-52	100.0%	+/-34.6	0.0%	+/-34.6
18-64 years	171	+/-62	100.0%	+/-22.9	0.0%	+/-22.9
65 years and over	0	+/-104	-	**	-	**
CITIZENS 18 YEARS AND OVER						
All citizens 18 years and over	14,553	+/-384	97.2%	+/-1.4	2.8%	+/-1.4
Speak only English	90.7%	+/-2.4	(X)	(X)	(X)	(X)
Speak a language other than English	9.3%	+/-2.4	70.4%	+/-11.5	29.6%	+/-11.5
Spanish or Spanish Creole	4.7%	+/-1.9	55.1%	+/-18.4	44.9%	+/-18.4
Other languages	4.6%	+/-1.3	86.3%	+/-8.8	13.7%	+/-8.8
PERCENT IMPUTED						
Language status	5.6%	(X)	(X)	(X)	(X)	(X)
Language status (speak a language other than English)	6.8%	(X)	(X)	(X)	(X)	(X)
Ability to speak English	6.8%	(X)	(X)	(X)	(X)	(X)

Source: U.S. Census Bureau, 2007-2011 American Community Survey

Explanation of Symbols:

Limited English Proficiency (LEP)

per 2010 Census

Unincorporated Charlotte County

Language Spoken	Number of People Who Speak Foreign Language	% Speak English Less Than Well	Number Who Speak English Less Than Well
Spanish/Creole	7,319	31.4%	2,298
Other Indo European Language	6,201	35.4%	2,195
Asian & Pacific Islands	1,222	33.5%	409
Other	686	6.9%	47
Total (includes Punta Gorda)	15,428	XXX	4,950

Punta Gorda

Language Spoken	Number of People Who Speak Foreign Language	% Speak English Less Than Well	Number Who Speak English Less Than Well
Spanish / Creole	998	43.8%	437
Other Indo European Language	N/A	N/A	N/A
Asian & Pacific Islands	96	28.1%	27
Other	270	0%	0
SubTotal	1364	XXX	464
(included in Charlotte County Total)			

Committees/Councils	Minority Encouragement Usage	Race Breakdown
OAA	Translation Services/211 Referral	Non reporting at this time
Medicaid	Translation Services/211 Referral	Non reporting at this time
CCE	Translation Services/211 Referral	Non reporting at this time
New Cooper Street	Outreach/Translation Services	Non reporting at this time
DBE/SBE/OBE	Outreach/Translation Services	Non reporting at this time
Homeless Coalition	Outreach/Translation Services	Non reporting at this time
The Haven	Outreach/Translation Services	Non reporting at this time
TDC	Translation Services/211 Referral	Non reporting at this time
Charlotte County Community Transportation Coordination	Outreach/Translation Services	Non reporting at this time
HOPE	Outreach/Translation Services	Non reporting at this time
United Way Needs Assessment	Outreach/Translation Services	Non reporting at this time
Neighborhood Watch	Outreach/Translation Services	Non reporting at this time
Transit Watch	Translation Services/Education	Non reporting at this time
FTA	Translation Services/Education	Non reporting at this time
FDOT	Translations Services/Education	Non reporting at this time
Cultural Center	Outreach/Translation Services	Non reporting at this time
Latent Demand	Translation Services/Education	Non reporting at this time
10 Year Plan Committee	Outreach/Education/Translation	Non reporting at this time
MPO	Translation Services/211 Referral	Non reporting at this time

Charlotte County Transit Committees Breakout Jan 2013

Monitoring Subrecipients

N/A

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Equity Analysis
N/A

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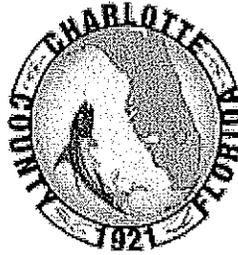
Agenda

Minutes

Close

COUNTY OF CHARLOTTE
Board of County Commissioners
18500 Murdock Circle
Port Charlotte, FL 33948
www.charlottecountyfl.gov

County Commissioners
 Christopher Constance, District 2, Chairman
 Stephen R. Deutsch, District 4, Vice-Chairman
 Ken Doherty, District 1
 Bill Truex, District 3
 Tricia Duffy, District 5



County Administrator
 Raymond J. Sandrock
County Attorney
 Janelle S. Knowlton
Clerk of the Circuit Court
 Barbara T. Scott

AGENDA

Regular Meeting
 2/12/2013 9:00 AM
 18500 Murdock Circle, Room 119

See Pg 9 of 15

The Charlotte County Commission meeting room is accessible to the physically disabled. However, if you need assistance or require auxiliary aids and services please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk. If Sound Enhancement Units are insufficient for you, please contact our office TTY # 941-743-1234.

9:00 A.M. Call to Order and Roll Call

Invocation- For those who wish to join, please rise for the invocation
 Commissioner Christopher Constance

Pledge of Allegiance

Changes to the Agenda: See last page.

Proclamations/Awards

- I. Citizen Input - Agenda Items only
- II. Committee Vacancies
- III. Reports Received and Filed
- IV. Consent Agenda
- V. Regular Agenda
- VI. Public Hearing

10:00 A.M. VII. Presentation

Affordable Housing Advisory Committee is seeking volunteers to serve on the committee. One volunteer per category is required. A for-profit provider, a not-for-profit provider, one real estate professional, a Charlotte County employer, and an essential services provider. Please contact (941) 743-1300 or email joann.dillon@charlottefl.com for an application. Terms are for 3 years and there are no set meeting dates.

Placida Area Street & Drainage Unit Advisory Committee is seeking four volunteers. Terms: three regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Applicants must be residents of Charlotte County and reside within the Unit. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Peace River Shores Street & Drainage Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term from the date of appointment. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Englewood East Non-Urban Street & Drainage Advisory Committee is seeking four volunteers. Terms: three regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Applicants must be residents of Charlotte County and reside within the Unit. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail MSBU-TU@charlottefl.com.

Northwest Port Charlotte Waterway Unit Advisory Committee is seeking three volunteers who must be residents of Charlotte County and reside within the Unit. Term: serve as regular members for a three year term from the date of appointment. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Construction Board of Adjustments and Appeals is currently seeking three volunteers to serve. One licensed mechanical contractor and two alternate members are needed. One alternate must be member of the construction industry with a valid license (i.e., aluminum, carpenter, etc) and one alternate is a citizen member-at-large. Meetings are held on the first Monday of each month at 8:00 a.m, on an as needed basis in Murdock. For an application, please call 743-1300 or email joann.dillon@charlottefl.com

Rotonda West Street & Drainage Unit Advisory Committee is seeking two volunteers. Terms: two regular members to serve a three year term from the date of appointment. Applicants must be residents of Charlotte County and reside within the Unit. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail MSBU-TU@charlottefl.com.

Manasota and Sandpiper Key Community Plan Advisory Committee is seeking one volunteer. Must be a full time resident on either Manasota or Sandpiper Key. Term is for two years from date of appointment. Please submit application to Diane.Clim@CharlotteFL.com or call for an application 941.743.1956.

Suncoast Waterway Maintenance Unit Advisory Committee is seeking two volunteers who must be residents of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Boca Grande Street & Drainage Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one member to serve a three-year term from the date of appointment. Submit application/resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; 941.575.3600 or e-mail: MSBU-TU@charlottefl.com.



III. REPORTS RECEIVED AND FILED



IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) **RECOMMENDED ACTION:**
Approve Clerk's Finance Memorandum.

BUDGETED ACTION:
None

B. Minutes Division

- (1) **RECOMMENDED ACTION:**
Approve Minutes for:
December 11, 2012 Regular Meeting
January 3, 2013 Pre-Agenda
January 10, 2013 Legislative Delegation Meeting
January 14, 2013 Budget Hearing
January 15, 2013 Monthly Workshop
January 17, 2013 Pre-Agenda
January 17, 2013 Budget Hearing

BUDGETED ACTION:
None

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:**
Reappoint Thomas B. Ireland as a regular member to the South Gulf Cove Waterway Benefit Unit Advisory Committee for a term of three years from the appointment date.

BUDGETED ACTION:
None

- (2) **RECOMMENDED ACTION:**
Re-appoint Carolyn Spradlin to the Grove City Street and Drainage Unit Advisory Committee as a regular member to serve a three year term from the date of appointment.

BUDGETED ACTION:
None

- (3) **RECOMMENDED ACTION:**
Approve the Community Action Agency Advisory Board's (CAAAB) request to remove three members of the CAAAB due to excessive absenteeism. The three members to be removed are: Peter Barnett, representing the private sector; Eunice Wiley and Michael Haymans both representing the low income sector.

BUDGETED ACTION:

H. Community Services

Parks and Natural Resources

() No Items

Recreation

() No Items

Libraries and Historical

() No Items

J. Economic Development

() No Items

K. Facilities Construction and Maintenance

- (1) **RECOMMENDED ACTION:**
Approve a Lease and Lease Attachment for the Florida Department of Agriculture and Consumer Services, Aquaculture Division, and approve a Resolution authorizing the Chairman to sign and execute the Lease and Lease Attachment.

BUDGETED ACTION:
No budget action is needed. Revenues will be recognized in the General Fund.

L. Human Resources

() No Items

M. Human Services

- * (1) **RECOMMENDED ACTION:**
a) Approve the annual 5307 Federal Transit grant for Fiscal Year 2011/2012 requesting funds in the amount of \$1,441,093 for Dial-A-Ride capital and operating expenses; and
b) Authorize the Chair to sign all necessary documents.

BUDGETED ACTION:
No action required. Grant funds will reimburse County Fiscal Year 2012 Dial-A-Ride expense.

N. Public Safety

- (1) **RECOMMENDED ACTION:**
Approve Amendment # 7 to the Nextel South Corp Frequency Relocation Agreement to replace five (5) Base Stations including installation and training on County's new radio system server; and b) authorize the Chairman to sign the amendment.

BUDGETED ACTION:
No budget action at this time. Funding is provided by Nextel South Corp. Payment for services will be

Additional Information

N/A

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