



TITLE VI PROGRAM PLAN

CITY OF NORTH MIAMI BEACH

City Commission Adopted Resolution R2014-30 (8/5/2014)

Updated Resolution R2022-20

Updated Resolution R2026-xx

Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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” (42 U.S.C. Section 2000d et seq.) (“Title VI”). Other authorities such as the Federal Highway Act of 1973, Age Discrimination Act of 1975, Americans with Disabilities Act of 1990, and the Florida Civil Rights Act of 1992 forbid discrimination against anyone on the basis of sex, age, disability, religion, or familial (or marital) status. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City of North Miami Beach will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion or family status.

The City of North Miami Beach is committed to ensuring that no person is excluded from participation in, or denied the benefits of transit services on the basis of race, color, or national origin, as protected by Title VI of the Federal Transit Administration (FTA) nor based on any other federal, State of Florida, nor any other local law/regulation.

Information Notices

The City of North Miami Beach's Title VI Notification to the Public states:

The City of North Miami Beach is committed to providing equal access to its services regardless of race, color, national origin, sex, age, disability, religion, or familial status in accordance with Title VI of the Civil Rights Act and other federal and state authorities. If you feel you have been discriminated against because of any of these conditions, you may contact the Title VI Coordinator Jacob Newman at 305-948-2918. For more information, visit www.citynmb.com.

La Ciudad de North Miami Beach se compromete a observar el Título VI de la ley de derechos civiles y proporcionar igualdad de acceso a sus servicios sin consideración de raza, color u origen nacional. Si a usted le parece que han discriminado en su contra debido a alguna de éstas condiciones, usted puede ponerse en contacto con la Título VI Coordinator Jacob Newman al telefono 305-948-2918. Para obtener más información, visite www.citynmb.com.

La Vil North Miami Beach angaje li a bay aksè ekitab asèvis li yo san fè regadans sou ras, koulè, oswa orijinnasyonal, an akò ak Tit VI nan Lwa Dwa Sivil la. Si w panse w te viktim diskriminasyon poutèt youn nan kondisyon sa yo, w ka kontakte Title VI Coordinator Jacob Newman nan 305-948-2918. Pou plis enfòmasyon, vizite www.citynmb.com.

Title VI information notices are prominently and publicly displayed inside four City facility lobbies including City Hall, in the vehicle(s) which operate(s) the NMB Line, and on the City's website: www.citynmb.com.

The name and contact information of the Title VI coordinator is available on the City's website, at www.citynmb.com. Additional information relating to the City's nondiscrimination obligation is provided in this document.

Record Keeping and Complaints

The Title VI Coordinator will maintain permanent records, which include, but are not limited to copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations (**see Attachment A**).

The complainant may file a signed, written complaint no later than 180 days after the date of the alleged discrimination. The complaint procedures are described in detail herein (**see Attachment B**).

Each complaint should include the following information:

- Full name
- Mailing address
- Contact Information (i.e. telephone number(s), email address, etc.)
- How, when, where and why you believe you were discriminated against, including location, names and contact information of any witnesses • Other information that you consider significant

The Title VI Complaint Form, (**see Attachment C**), may be used to submit the complaint information. The complaint may be filed in writing to the City at the following address:

Jacob Newman, Title VI Coordinator
City of North Miami Beach
17011 NE 19th Avenue
North Miami Beach, FL 33162

The City encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. Complaints must be received by the Title VI Coordinator no later than 180 days after the date of the alleged discrimination.

All complaints alleging discrimination based on race, color, national origin sex, age, disability, religion or familial (or marital) in a service or benefit provided by the City will be directly addressed by the Title VI Coordinator who shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English.

The City shall make every effort to address all complaints in an expeditious and thorough manner. A letter acknowledging receipt of the complaint will be mailed within seven days. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

Once sufficient information for investigating the complaint is received by the City, a written response will be drafted subject to review by the City Attorney. If appropriate, the City Attorney may administratively close the complaint. In this case, the City will notify the complainant of the action as soon as possible.

The City of North Miami Beach will send a final written response letter to the complainant. If the complaint is found to be not substantiated, the complainant is also advised of his or her right to:

- (1) appeal within seven calendar days of receipt of the final written decision by contacting the City Attorney's Office, and/or
- (2) file a complaint externally with the Federal Transit Administration or with the Florida Department of Transportation.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration
Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor — TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Florida Department of Transportation
Equal Opportunity Office
605 Suwannee Street, MS-65
Tallahassee, FL 32399

Records will be maintained and available in accordance with applicable Florida Sunshine law.

Limited English Proficiency (LEP)

The City of North Miami Beach has a land area of approximately 5.3 Square Miles. According to the 2020 Census, the City has an approximate total population of 43,676 people, composed of 40.4% African Americans, 40.0% Hispanic or Latino, 47.4% White and 10.2% other races. Of the City's population over the age of 5 years, 28.2% of residents speak only English and 71.8% speak a language other than English with 53.9%.

The City provides information in English, Spanish and Haitian Creole. Residents can request translations of documents that are in English. Most City departments have at least one or more employees that are bilingual and Spanish and Haitian Creole speakers are accommodated with a translator when requested. The City regularly disseminates information in Spanish or Haitian Creole via its website and utility bills.

The City's Title VI Policy and Complaint Procedures is hosted on the City's web page in English and made available in other languages as requested.

The City will review LEP procedures annually to determine if modifications and updates are needed to meet language assistance deficiencies. Each update should examine plan components, such as:

- How many LEP persons were encountered;

- Were their needs met;
- What is the estimated LEP population in the City of North Miami Beach based on the Demographic Census;
- Has there been a change in the types of languages where translation services are needed;
- Has there been a change in available resources, such as technology, staff and finances to the City of North Miami Beach;
- Has the City of North Miami Beach fulfilled the goals of the plan; and
- Were any complaints received.

To determine if or when alternate language is required, the City of North Miami Beach will assess the program, service, or activity using the following four factors:

1. The number of LEP persons eligible to be served or likely to be encountered by the City of North Miami Beach's programs, services, or activities;
2. The frequency with which LEP individuals come in contact with these programs, services, or activities;
3. The nature and importance of the program, service, or activity to people's lives; and
4. The resources available to the City of North Miami Beach and costs.

Public Participation Plan

The City of North Miami Beach seeks to engage the public in its planning and decision-making processes. Members of the public may make statements at Commission meetings, which occur the third Tuesday of every month. City Commission agendas are available for review by the public no less than two (2) days before Commission meetings. Notices of resolutions or ordinances under Commission consideration are announced in print in local newspapers and on the City's website. Residents and other stakeholders may schedule appointments with City staff, such as the City Manager or an appropriate designee.

The City continuously seeks innovative methods to engage the public in its outreach activities. Recent outreach initiatives, unrelated to Title VI, include:

- City Newsletter
- Announcements with North Miami Beach Chamber of Commerce
- On-site postings
- Mailings
- Facebook account and other social media outlets

Ordinances and resolutions adopted by the City to apply for and utilize federal and state grant funding are placed on the public hearing/meeting agenda and are subject to public notice and comment procedures.

The City and its records are available to the public and the City welcomes the public's input. The City's Title VI Complaint Procedure is available to the public via the City's website: <https://www.citynmb.com/712/Title-VI-NotificationViolations.com/712>.

Decision Making Bodies

The City of North Miami Beach does not have any transit related non-elected planning boards, advisory councils, or committees. If any such committees are established in the future, this plan will be amended to depict minority representation on such committees and to describe the efforts made to encourage participation of minorities on such committees.

Transit Programs

The City of North Miami Beach operates the NMB-Line Shuttle Service, which provides free shuttle transportation to the public during the workweek, and Freebee, on-demand microtransit Monday through Saturday. Additional transit programs and/or services are provided and operated by Miami-Dade County Transit (MDT). For more information or to contact Miami-Dade County Transit, please visit: www.miami-dade.gov.

Attachment A

List of City's Title VI Investigations, Complaints and/or Lawsuits

Type (complaint, investigation, or lawsuit)	Date	Basis	Status	Action(s) Taken

Note: The City of North Miami Beach does not have any Title VI investigations, complaints, or lawsuits to disclose at this time. Any future disclosures will be listed under the Title VI Program Plan.

Attachment B

Title VI of the 1964 Civil Rights Act requires that no person in the United States can “be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance” on the ground of race, color, national origin, sex, age, disability, religion and familial status.

Any person who believes he or she has been discriminated against on the basis of race, color, national origin, sex, age, disability, religion and familial status by the City of North Miami Beach may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. A complaint may be filed no later than 180 days after the date of the alleged discrimination. The City or its designated Title VI Coordinator will process complaints that are complete.

Once the complaint is received, the Title VI Coordinator will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

The City has 60 days to investigate the complaint. If more information is needed to resolve the case, the City’s Title VI Coordinator may contact the complainant. The complainant will have 10 business days from the date of the letter to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the Title VI Coordinator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the case is investigated he/she will issue one of two letters to the complainant: (1) letter of closure (LOC), or a letter of finding (LOF). An LOC serves as notice that the City has determined that a Title VI violation could not be substantiated, and informs the complainant that the case will be closed. An LOF summarizes the factual findings regarding the alleged incident, and explains what remedial actions (e.g. disciplinary action, additional training of the staff, or other action) will occur or has already occurred.

If the complainant disagrees with the determination and wishes to appeal the decision, he/she has 10 business days after the date of the LOC to do so.

A person may also file a complaint directly with:

Federal Transit Administration (FTA)
Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

Equal Opportunity Office
605 Suwannee Street, MS-65
Tallahassee, FL 32399

ATTACHMENT C - TITLE VI COMPLAINT FORM

Section I		
Name: _____		
Address _____ <i>Please provide mailing address in the following format: Street Address, City, State, Zip Code</i>		
Telephone: (Please provide at least one number) Cell: () ____ - ____	Home () ____ - ____ Work () ____ - ____	
Electronic Mail (e-mail) Address: (To be used solely for the purposes of this complaint)		
If we have additional questions, what is the best method to contact you: (Check all that apply) Email ☐ Home Phone ☐ Cell Phone ☐ Work Phone ☐		
If you are disabled and require an accommodation, please check all	Large Print ☐	Audio Tape ☐
	TDD ☐	Other Please explain ____ applicable formats.
Section II		
Are you filing this complaint on your own behalf? (Please check one)	Yes* ☒	No ☐
*If you answered "Yes" to this question above, skip to Section III, below.		
If not, please supply the following information about the person for whom you are complaining: Name: _____ [Note: The person identified above shall be the subject of Section III, below; and will be referred to as "you" throughout this form.]		
Address ____, ____, ____ <i>Please provide mailing address in the following format: Street Address, City, State, Zip Code</i>		
Phone Number: Home () ____ - ____ Cell: () ____ - ____		
Description of relationship (e.g. parent, sibling, spouse, lawyer, etc.)		
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

Please identify on what basis you believe you were discriminated against (*Check all that apply*):

- ☐ Race ☐ Color ☐ National Origin
☐ Sex/Gender ☐ Age ☐ Disability ☐ Religion ☐ Familial ☐ Marital

Date of Alleged Discrimination (Month, Day, Year): _/_/

NOTE: YOU HAVE 180 DAYS FROM THE DATE OF THE INCIDENT TO FILE A COMPLAINT.

Explain as what happened and why you believe you were discriminated against. Identify all persons who were involved in the alleged discrimination, and describe their actions in detail. Provide the name (s) and contact information (telephone number, email, and/or address) for any witnesses. You may attach any written materials or other information that you think is relevant to your complaint. If more space is needed, please use the back of this form.

Section IV

Have you previously filed a Title VI complaint with this agency? <i>*If you answered "No" to this question above, skip to Section V, below.</i>	Yes ☐	No* ☐
	Yes ☐	No ☐

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any court?
Yes ☐ No* ☐ **If you answered "No" to this question, skip to Section VI on page 3.*

If yes, check all that apply:

☐ Federal Agency:

☐ Federal Court ☐ State Agency

☐ State Court ☐ Local Agency

Please provide a copy of the complaint, and/or the following contact information about the agency/court where you filed the other complaint(s).

Name:

Title:
Agency:
Address:
Telephone: () -
Date filed:
If the matter was resolved, please provide a copy of the findings or order, and/or provide a brief summary of the findings here.
Section VI
BY SIGNING BELOW, I HEREBY DECLARE, UNDER PENALTY OF PERJURY, THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE.

Signature

Date

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

Jacob Newman, Title VI Coordinator
City of North Miami Beach
17011 NE 19th Avenue
North Miami Beach, FL 33162
305-948-2918