



City of Glen Cove

TITLE VI PLAN

Prepared by:

City of Glen Cove and Glen Cove Community Development Agency
City Hall
9 Glen Street
Glen Cove, NY 11542
(516) 676-4402


Chief Executive Officer


Date

Title VI Plan

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Title VI/Nondiscrimination Policy Statement

The **City of Glen Cove** assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The **City of Glen Cove** further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that the **City of Glen Cove** distributes federal aid funds to another governmental entity, the **City of Glen Cove** will include Title VI language in all written agreements and will monitor for compliance. The **City of Glen Cove's Title VI Coordinator** is responsible for initiating and monitoring Title VI activities, preparing required reports and other **City of Glen Cove** responsibilities as required by 23 CFR 200 and 49 CFR 21.

It is the policy of the **City of Glen Cove** to prevent and eliminate discrimination in all of its operations and services as well as all aspects of employment. All Department, Divisions, Offices, and Bureaus will plan, develop and implement their programs and activities so that no person is subjected to unlawful discrimination based on race, creed, color, gender, age, national origin, religion, disability, sexual orientation, marital status, or Vietnam era veteran status.

This policy fully incorporates the requirements of applicable State and Federal laws and executive orders to prohibit any discriminatory practices, procedures and policies throughout all of the **City of Glen Cove's** operations. All administrators, managers, supervisors and employees are directed to comply with these laws and orders.

The **City of Glen Cove** is committed to maintaining an agency which recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages each individual to strive to reach their own potential.

This policy will be placed in each **City of Glen Cove** facility and made available to all organizations and entities doing business with the **City of Glen Cove**. Any complaints involving allegations of discrimination should be sent to **Louis Saulino, P.E., City of Glen Cove Title VI Coordinator**. Contact information for Mr. Saulino is provided below:

Mailing Address: Louis Saulino, P.E., Director of Public Works
City of Glen Cove / 9 Glen Street / Glen Cove, NY 11542.
Phone: 516.676.4402
Fax: 516.676.3104
Email Address: lsaulino@cityofglencoveny.org


Chief Executive Officer

June 27, 2018
Date

Authorities

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

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include:

Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3; EO 13166.

Related Policy and Authoritative Sources:

New York State Laws

New York State Human Rights Law Article 15 (1945) – Guarantees nondiscrimination in the State of New York on the basis of race, creed, color, national origin, sex, marital status, age, disability and or sexual orientation.

New York State Law Article 15-A (1988) - An act to amend the executive law and the state Finance law, in relation to participation by minority group members and women with respect to state contracts.

New York State Law Article 17-B (2014) – An Act to amend the executive law, in relation to expanding opportunities for service-disabled veteran-owned business enterprises.

Sexual Orientation Non-Discrimination Act (2003) – This Act amends the Executive Law to include sexual orientation.

New York State Executive Orders

On January 1, 2011, Governor Cuomo issued Executive Order 2 that authorized the continuation of certain prior Executive Orders related to equal opportunity and nondiscrimination in all State programs.

Executive Order No. 6 (Governor Cuomo, 1983) – Insures equal employment opportunities for minorities, women, disabled persons and Vietnam era Veterans in State government. The order clarifies and expands the power of the President of the Civil Service Commission and the

Governor's Executive Committee for Affirmative Action to ensure that agencies develop and implement effective affirmative action plans.

Federal Laws and Executive Orders

Civil Rights Act of 1964 – Prevents discrimination in federally assisted programs; provides relief against discrimination in public accommodations; protects constitutional rights in public facilities and public education; enforces the constitutional right to vote. Title VI – Prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving federal financial assistance. Title VII as amended by the Equal Employment Opportunity Act of 1972 – Makes it unlawful to discriminate in employment practices on the basis of race, color, religion, sex, or national origin.

Section 503 of the Rehabilitation Act of 1973 – Prohibits discrimination on the basis of physical or mental disability in every federally assisted program or activity in the country.

Age Discrimination Act of 1975 – Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Civil Rights Restoration Act of 1988 – Specifies that recipients of federal funds must comply with civil rights laws in all areas, not just in a particular program or activity that receives federal funding. It applies to all federal laws.

Americans with Disabilities Act (ADA) of 1990 – Federal Law prohibiting discrimination against people with disabilities in employment, public access to services, transportation, public accommodations, and telecommunications services.

Civil Rights Act of 1991 – Provides appropriate remedies for intentional discrimination and unlawful harassment in the workplace; codifies the concepts of "business necessity" and "job related", confirms statutory authority and provide statutory guidelines for the adjudication of disparate impact suits under Title VII of the Civil Rights Act of 1964; expands the scope of relevant civil rights statutes in order to provide adequate protection to victims of discrimination. The Act provides for compensatory and punitive damages and jury trials in cases of sex, religious, and disability bias.

Executive Order No. 11246 – Prohibits employers doing business with the Federal Government from discriminating in employment because of race, color, religion, sex or national origin. Employers are required to take affirmative action in employment activities including hiring, promotion, transfers, training and minorities and women.


Chief Executive Officer

June 27, 2018
Date

Title VI Reporting

The **City of Glen Cove** has appointed **Louis Saulino, P.E.**, as the **City of Glen Cove's** Title VI Coordinator.

The **City of Glen Cove** is required to appoint a Title VI Coordinator who will have easy access to the agency's Chief Executive Officer (the Mayor).

The contact information for the **City of Glen Cove's** Title VI Coordinator is as follows:

Mailing Address:	Louis Saulino, P.E., Director of Public Works City of Glen Cove / 9 Glen Street / Glen Cove, NY 11542
Phone:	516.676.4402
Fax:	516.676.3104
Email Address:	<u>lsaulino@cityofglencoveny.org</u>

Special Emphasis Program Areas

Appointment of Title VI Program Specialists

In addition to appointing a Title VI Coordinator, the **City of Glen Cove** has proactively appointed Title VI Program Specialists to annually monitor the **City of Glen Cove's** emphasis program areas. The emphasis program areas are: Planning, Environmental Services, Design, Right-of-Way, Construction, Maintenance, Safety, and Research. Additional emphasis program areas include anti-discrimination, Equal Employment Opportunity (EEO), and affirmative action.

The contact information for each Title VI Specialist is as follows:

Planning; Environmental Services

Ann Fangmann, AICP, Executive Director, Glen Cove Community Development Agency
(Phone: 516-676-1625 / Email: afangmann@glencovecda.org)

Construction; Maintenance; Design; Traffic Safety; Right of Way; Research

Louis Saulino, P.E., Director of Public Works, City of Glen Cove (Phone: 516-676-4402 / Email: lsaulino@cityofglencoveny.org)

Anti-discrimination; EEO; Affirmative Action

John Charon, Personnel Officer, City of Glen Cove Department of Personnel (Phone: 516-676-4814 / Email: jwcharon@cityofglencoveny.org)

Limited English Proficiency Strategies

Strategies to provide meaningful access to people with limited English proficiency to ensure that they can communicate effectively will be achieved by measures including but not limited to:

- Applying the “four factor analysis” process provided as a guideline from the U.S. Department of Justice to determine LEP needs. This process includes determining the number and proportion of LEP individuals within the population, the frequency with which LEP individuals will come in contact with the program, the nature and importance of the program to people’s lives, and the resources available to provide translation services. The results of this analysis will be used to outreach and engage people with limited English proficiency in the transportation planning process.
- Developing a demographic assessment for the impacted area to determine if there is a 5% or more minority population requiring special language assistance, and address the needs.
- Developing a written policy to ensure the implementation of LEP measures that identify and assess the language needs of its LEP population. Provide for a range of language assistance options, including notices to people with limited English proficiency in a language they can understand regarding their right to free language assistance.
- Training to ensure that staff are knowledgeable and aware of LEP policies and procedures, and are trained to work effectively in the facilitation of the process.
- Providing translation services for public documents and competent interpreters at public hearings.
- Increasing opportunities for public involvement, particularly by historically underserved populations including LEP individuals by advertising in local and local minority newspapers.
- Monitoring the program to ensure that people with limited English proficiency have meaningful access to the transportation planning and implementation process.

Title VI Responsibilities

- Monitor compliance with Title VI requirements in all aspects of the environmental process, including Environmental Justice and Limited English Proficiency requirements.
- Conduct meetings to review the project impact.
- Disseminate to the public their right to call or write the department to view plans and discuss environmental problems.
- Ensure Disadvantage Business Enterprise (DBE) goal attainment.
- Coordinate the gathering of environmental information for the Annual Title VI Update Report including awards to DBE firms.
- Notify protected group residents of public meetings or hearings regarding a proposed project. Ensure time and location for public meetings or hearings is accessible.
- Maintain mechanisms to identify population affected by a project.

- Ensure participation of all segments of the impacted population in the location selection process.
- Ensure that all federally funded consultant contracts administered by this section have the appropriate Title VI Assurances Appendix enclosed.
- Review guidelines and procedures to ensure Title VI compliance.
- Maintain and update necessary data and documentation, including demographic data mapping ethnicity by area as required for completion of the department's internal annual Title VI Annual Report.

Title VI Coordinator's Responsibilities

As authorized by the **Mayor**, the Title VI Coordinator and Title VI Program Specialists are responsible for initiating, monitoring, and ensuring the **City of Glen Cove's** compliance with Title VI requirements as follows:

1. Process, review and investigate Title VI complaints received by the **City of Glen Cove** in accordance with the **City of Glen Cove's** Complaint Procedures. If any individual believes they or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin, or gender, they may file a complaint with the **City of Glen Cove**. It is the goal of the **City of Glen Cove** to resolve complaints informally at the lowest managerial level.
2. Collect statistical data (race, color, income, gender, and national origin) of participants in and beneficiaries of, **City of Glen Cove** highway programs (i.e., relocatee's, impacted citizens, and affected communities). Each of the Title VI special emphasis program areas will maintain data to be incorporated in the Title VI updates. Procedures will be reviewed regularly to ensure the data is sufficient in meeting the Title VI program administration requirements.
3. Review special emphasis program areas to determine the effectiveness of program area activities at all levels. In addition to the day-to-day monitoring, all special emphasis program areas will be reviewed annually to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator and Title VI Program Specialists will coordinate efforts to ensure equal participation in their program areas and activities at all levels.
4. Conduct Title VI reviews when necessary of contractors and other recipients of federal aid highway funds.
5. Work with special emphasis program staff to ensure the fundamental principles of Environmental Justice outlined below:
 - Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
 - Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
 - Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

6. Develop Title VI and Limited English Proficiency information for Public Dissemination. Ensure dissemination to the general public and, where appropriate, in languages other than English. The City will disseminate Title VI Program information to City employees, contractors, subcontractors, consultants, and sub consultants as well as the general public. Public dissemination will include posting of public statements and inclusion of Title VI language in contracts. The Title VI/Nondiscrimination Policy Statement will be published in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications.
7. Prepare an Annual Title VI Update Report. The update will report on any accomplishments and changes to the program occurring during the preceding year. The update will include goals and objectives for the upcoming year.
8. Schedule training for Title VI related statutes for **City of Glen Cove** employees. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints. All directives providing operational guidelines to all subrecipients, and special emphasis program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.
9. Identify and eliminate discrimination when found to exist. Work with all **City of Glen Cove** Offices and Departments to establish procedures for promptly resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to utilization of disadvantaged business enterprises, public involvement and property acquisition.
10. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary within a period of 90 days. The **City of Glen Cove** will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, procedures will be implemented to resolve Title VI issues, and reducing to writing remedial action agreed necessary within a period of 90 days.

Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

The **City of Glen Cove** will seek the cooperation of the subrecipient in correcting deficiencies found during the Title VI compliance reviews. The **City of Glen Cove** will also provide the technical assistance and guidance needed to aid the subrecipient to comply voluntarily.

When a subrecipient fails or refuses to voluntarily comply with requirements within the allotted time frame, the **City of Glen Cove** will submit a copy of the case file to New York State Department of Transportation's (NYSDOT's) Office of Civil Rights or the

Federal Highway Administration (FHWA) and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

11. Maintain updated legislative and procedural information regarding the **City of Glen Cove's** Title VI Program. This will include federal laws, rules and regulations, NYSDOT guidelines, the **City of Glen Cove** Plan and updates, and other resource information pertaining to Title VI issues.

Title VI Complaint Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, (including its Disadvantaged Business Enterprises (DBE)), Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any transportation or Public Works program or activity administered by the City, as well as to subrecipients, consultants, and contractors. These procedures apply to complaints filed against a program or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA).

Intimidation or retaliation of any kind is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which 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 managerial/administrative level possible. The option of informal mediation meeting(s) between the affected parties and the investigator may be used for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities prohibited under Title VI based upon race, color, sex, age, national origin or disability may file a written complaint with the **City of Glen Cove**.

Time Limits for Filing

A formal complaint must be filed within 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person became aware of the alleged discrimination; or
- There has been a continuing or the latest instance of the discriminatory conduct.

Form of Complaints

A formal complaint must meet the following requirements:

- Must be in writing and signed by the person or their representative and include the complainant's name, address and telephone number. A formal complaint of discrimination will also be acknowledged and processed if received by fax or e-mail.

A formal complaint of discrimination received by telephone will be written down and provided to the complainant for confirmation or revision before processing.

- Must provide a detailed description of the issues including names, dates, and job titles of witnesses or those individuals perceived as parties in the complained of incident.

Upon receipt of the complaint, the **City of Glen Cove** will determine its jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. In cases where the complaint is against one of the **City of Glen Cove's** subrecipients of federal highway funds, the **City of Glen Cove** will assume jurisdiction and will investigate and adjudicate the case. Complaints against the **City of Glen Cove** will be referred to the New York State Department of Transportation's (NYSDOT's) Office of Civil Rights for proper disposition. In special situations warranting intervention to ensure equity, the NYSDOT Office of Civil Rights may assume jurisdiction and either complete or obtain services to review or investigate matters.

Acceptance of a complaint will be determined by

- Whether the complaint is timely filed;
- Whether the allegations involve a covered basis such as race, color, national origin, gender, disability or retaliation;
- Whether the allegations involve a program or activity of a Federal-aid recipient, subrecipient, or contractor; or, in the case of ADA allegations, an entity open to the public;
- The complainant(s) acceptance of reasonable resolution based on the Department's administrative authority;

A complaint may be dismissed for the following reasons

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

The **City of Glen Cove** has sole authority for accepting complaints for investigation. Once the **City of Glen Cove** decides to proceed with the investigation, the complainant and the respondent will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a case number and be logged into the **City of Glen Cove's** records identifying its basis, alleged harm, the race, color, national origin and gender of the complainant(s).

In cases where the **City of Glen Cove** assumes investigation of the complaint, the **City of Glen Cove** will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of the **City of Glen Cove's** written notification of acceptance of the complaint to furnish their response to the allegations.

Within 40 calendar days of the acceptance of the complaint, the **City of Glen Cove** or NYSDOT investigator will prepare an investigative report for the **City of Glen Cove's** Title VI Coordinator and the **Mayor**. The report will include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. The **City of Glen Cove's**

Title VI Coordinator and **Mayor** will have 10 calendar days to review and provide comments to the investigator.

Once the investigator addresses any comments to the preliminary investigative report, the report and its findings will be forwarded to the **City of Glen Cove Attorney** for review. The **Attorney** will review the report and associated documentation and will provide input within 10 calendar days.

Any comments or recommendations from the **City of Glen Cove Attorney** will be reviewed by the **Mayor**. There will be a period of 10 calendar days for the **Mayor** to discuss the report and any recommendations with the **City of Glen Cove's** Title VI Coordinator, and to have the Title VI Coordinator address any modifications before the report's release to the corresponding United States Department of Transportation (USDOT) modality (FHWA, FTA, FAA).

The **City of Glen Cove's** final investigative report and a copy of the complaint will be forwarded to either NYSDOT, FHWA, FTA, or FAA, within 60 calendar days of the acceptance of the complaint.

The **City of Glen Cove** will notify the parties of its preliminary findings which are subject to the corresponding USDOT modality's concurrence.

The corresponding USDOT modality will issue the final decision to the **City of Glen Cove** based on the investigative report.

USDOT will analyze the facts of the case and will issue its conclusion to the complainant according to their procedures. Once the corresponding USDOT modality issues its final decision, the **City of Glen Cove** will notify all parties involved about such determination. USDOT's final determination is not subject to an appeal.

Title VI Complaint Form

Name _____

Address _____ City _____ Zip _____

Telephone: Home _____ Work _____ Cell _____

Basis of Complaint

Race ☐

Color ☐

Sex ☐

National Origin ☐

Age ☐

Disability (ADA) ☐

Low-Income ☐

Limited English Proficiency ☐

Who allegedly discriminated against you?

Name _____

Address _____ City _____ Zip _____

Telephone _____

If an organization, what is its name?

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

How were you discriminated against?

Where did the alleged discrimination occur?

Date/s and times discrimination occurred?

First time _____

Second time _____

Third time _____

Were there any other witnesses to the discrimination?

Name	Title	Work Telephone	Home Telephone

What can the City of Glen Cove do to resolve the complaint?

Have you filed your complaint with anyone else?

Who _____

When _____

Complaint number, if known _____

Do you have an Attorney in this matter?

Name _____

Address _____ **City** _____ **Zip** _____

When did you acquire _____

Signed _____ **Date** _____

Mail to: **Louis Saulino, P.E., Title VI Coordinator**
Department of Public Works, City of Glen Cove
City Hall
9 Glen Street
Glen Cove, NY 11542

Email to: **lsaulino@cityofglencoveny.org**

Attachment 1
Title VI Notice to Public

Title VI Notice to Public

The **City of Glen Cove** hereby gives public notice that it is the **City of Glen Cove's** policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, gender, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the **City of Glen Cove** receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the **City of Glen Cove**. Any such complaint must be in writing and filed with the City Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from this office at no cost to the complainant on our website at <http://www.glencove-li.us/> or by calling (516) 676-4402.

Attachment 2
Title VI Assurances

Standard Title VI/Non-Discrimination Assurances

The *City of Glen Cove* (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the *U.S. Department of Transportation (USDOT)*, including through the *New York State Department of Transportation (NYSDOT)*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.P.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.P.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from USDOT, including the NYSDOT.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its **Federally assisted programs and activities**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with **Federally assisted programs and activities** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Glen Cove, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
- b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- b. the period during which the Recipient retains ownership or possession of the property.

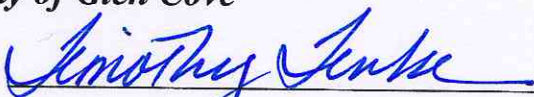
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

By signing this ASSURANCE, the *City of Glen Cove* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *NYSDOT or USDOT* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the *NYSDOT or USDOT*. You must keep records, reports, and submit the material for review upon request to *NYSDOT or USDOT*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The *City of Glen Cove* gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the *USDOT* under **Federally assisted programs and activities**. This ASSURANCE is binding on the *City of Glen Cove*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federally assisted programs and activities**. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

City of Glen Cove

by _____

(Signature of Authorized Official – Chief Executive Officer)

DATED June 27, 2018

Standard Title VI/Non-Discrimination Assurances

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the *NYSDOT or USDOT* to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the *NYSDOT or USDOT*, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the *NYSDOT or USDOT* may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the *NYSDOT or USDOT* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Standard Title VI/Non-Discrimination Assurances
APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the *City of Glen Cove* will accept title to the lands and maintain the project constructed thereon in accordance with *Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways*, and the policies and procedures prescribed by the *Federal Highway Administration (FHWA)* of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the *City of Glen Cove* all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

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

The *City of Glen Cove*, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the

benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the ***City of Glen Cove*** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Standard Title VI/Non-Discrimination Assurances
APPENDIX C

**CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR
IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the *City of Glen Cove* pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the *City of Glen Cove* will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the *City of Glen Cove* will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the *City of Glen Cove* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Standard Title VI/Non-Discrimination Assurances
APPENDIX D

**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY
ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the *City of Glen Cove* pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the *City of Glen Cove* will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the *City of Glen Cove* will there upon revert to and vest in and become the absolute property of the *City of Glen Cove* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Standard Title VI/Non-Discrimination Assurances

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Attachment 3

LEP Plan

Limited English Proficiency (LEP) Plan

City of Glen Cove

Signed by:

A handwritten signature in black ink, appearing to read "Louis Saulino", with a long horizontal flourish extending to the right.

6/27/18

Louis Saulino, P.E., Title VI Coordinator

Date:

Email: lsaulino@cityofglencoveny.org

Phone: 516-676-4402

INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the **City of Glen Cove's** responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency. The Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, 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*, states that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination which is covered under Title VI. It directs each agency (e.g., FHWA) to publish guidance for its respective recipients (e.g., NYSDOT) clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies that receive federal funds and extends to its sub recipients.

Plan Summary

The **City of Glen Cove** has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined by Executive Order 13166, people with limited English proficiency are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and notification to people with limited English proficiency regarding the availability of assistance. For detailed guidance regarding LEP, see NYSDOT's LEP Plan at: https://www.dot.ny.gov/divisions/policy-and-strategy/public-trans-respository/Attachment%20D-1%20LEP_Plan.pdf.

In order to prepare this plan, the **City of Glen Cove** used the Federal Highway Administration (FHWA) Four-Factor LEP analysis:

1. The number or proportion of people with limited English proficiency in the service area who may be served by the **City of Glen Cove**.
2. The frequency with which people with limited English proficiency come in contact with **City of Glen Cove** services.
3. The nature and importance of services provided by the **City of Glen Cove** to the LEP population.
4. The interpretation services available to the **City of Glen Cove** and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is found in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. **The number or proportion of people with limited English proficiency in the service area who may be served or are likely to require City of Glen Cove services**

The **City of Glen Cove** staff reviewed the American Community Survey 5-Year Estimates for New York State and determined that:

- a. 10,219 individuals in the **City of Glen Cove** comprising 39.9% of the population aged 5 years and over speak a language other than English;
- b. Of those, 4,539 individuals have limited English proficiency; that is, they speak English less than “very well” or “not at all.” This is 17.7% of the population 5 years and over in the **City of Glen Cove**;
- c. In the **City of Glen Cove**, of those persons with limited English proficiency:
 - 74.7% speak Spanish
 - 19.5% speak other Indo-European languages
 - 5.2% speak Asian and Pacific Island languages
 - 0.6% speak all other languages

2. The frequency with which people with limited English proficiency come in contact with City of Glen Cove services

The **City of Glen Cove** reviewed the frequency with which City staff have, or potentially have, contact with people with limited English proficiency. This includes documenting phone inquiries or office visits.

- a. To date, the **City of Glen Cove** has had **daily** requests for interpreters and **occasional** requests for translated program documents as follows:
 - i. Elizabeth Mestres, Senior Account Clerk, Department of Public Works (DPW), City of Glen Cove, is fluent in both English and Spanish. On a daily basis, she serves as a translator at Glen Cove City Hall. Ms. Mestres translates paperwork for the Glen Cove Youth Bureau; assists LEP residents with signing their children up for camp programs offered by the City’s Departments of Parks and Recreation; and serves as a translator for LEP residents interfacing with City departments, including but not limited to the Water Department (DPW), Tax Department (Finance/Assessment), and Clerk’s office. Ms. Mestres has also served as a translator for six weddings officiated by the Mayor at City Hall.
 - ii. Lisa Travatello, Public Relations Officer, City of Glen Cove, has worked with the City on bilingual outreach for several initiatives (e.g., when the City rolled out single stream recycling in 2015).
 - iii. When the City of Glen Cove held a public open house for the NYSDOS-funded Waterside Recreational Redevelopment project in 2017, bilingual outreach materials were prepared and public notices (invitations) were published in both English and Spanish. An online survey garnering public input was available for participants to take in either English or Spanish. Staff members involved with this initiative included Ann Fangmann, AICP, Executive Director, Glen Cove Community Development Agency (CDA), and Darcy Belyea, Director of Parks and Recreation, City of Glen Cove.

3. The nature and importance of services provided by the City of Glen Cove to the LEP population

In the **City of Glen Cove**, 4,539 individuals have limited English proficiency; that is, they speak English less than “very well” or “not at all.” This is 17.7% of the overall population aged 5 years and over in the **City of Glen Cove**. Organizations within the **City of Glen Cove’s** service area that focus

on outreach to LEP individuals include La Fuerza Unida, Inc., which works to improve the social, literary, educational, cultural, and economic conditions of Hispanic-Americans in the City and neighboring communities. The **City of Glen Cove's** staff is most likely to encounter LEP individuals when they visit Glen Cove City Hall, when they attend and participate at public meetings, and during phone conversations. Notifications from department staff regarding service delivery also represent a potential type of encounter between City staff and LEP individuals.

4. The resources available to the City of Glen Cove and overall cost to provide LEP assistance

The **City of Glen Cove** reviewed its available resources that could be used to provide LEP assistance and inventoried its documents to determine which are suitable for translation if the need arises.

The **City of Glen Cove** contacted local citizens and organizations willing to provide voluntary language translation and interpretation services if needed within a reasonable time period. Other language translation options could be provided by bilingual staff or by telephone from a professional interpretation service for which the **City of Glen Cove** would pay a fee.

LANGUAGE ASSISTANCE

A person who does not speak English as his/her primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be eligible for language assistance with respect to **City of Glen Cove** services. Language assistance can include interpretation (that means oral or spoken transfer of a message from one language into another language) and translation (that means the written transfer of a message from one language into another language).

How the **City of Glen Cove** staff can identify an LEP person in need of language assistance:

- Post notices of the LEP Plan and the availability of interpretation or translation services free of charge in languages people with limited English proficiency would understand.
- Providing **City of Glen Cove** staff with language identification cards to assist in identifying the language interpretation services needed if the occasion arises.
- Periodically surveying **City of Glen Cove** staff regarding their interaction with people with limited English proficiency during the previous period (e.g., quarterly, semi-annually, and annually).
- Greeting participants at the **City of Glen Cove** sponsored informational meeting or event. Conversational interaction with participants can help determine LEP needs for future events.

Language Assistance Measures

LEP individuals comprise approximately 18% of the population aged 5 years and over in the City of Glen Cove. The **City of Glen Cove** will take the following actions with regard to language assistance:

1. The **City of Glen Cove** staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate people with limited English proficiency:
 - Volunteer Spanish language interpreters will be provided within a reasonable time period.

- Language interpretation services for all other languages will be accessed through a professional telephone interpretation service.

STAFF TRAINING

The information below will be disseminated to staff. Training opportunities on these topics also will be provided:

- Title VI Policy and LEP responsibilities
- Description of language assistance services offered to the public
- Proper use of interpreter service provider's language identification cards
- Documentation of language assistance requests
- Handling of Title VI/LEP complaints

All contractors or subcontractors performing work for the **City of Glen Cove** are required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

The **City of Glen Cove** weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, the **City of Glen Cove** has determined that it is an unreasonable burden to translate documents at this time.

The **City of Glen Cove** does not have a formal outreach procedure in place as of 2018. Translation resources have been identified and are limited in this region. However, if the need arises to conduct outreach to LEP individuals, the **City of Glen Cove** will consider the following options:

- When staff prepares documents or schedules public meeting whose audience is expected to include LEP individuals, the **City of Glen Cove** will provide meeting notices, flyers, and agendas in the appropriate non-English language(s).
- **City of Glen Cove** will assess requests for the translation of documents based on the potential effect and known LEP population.

MONITORING

Monitoring and Updating the LEP Plan – The **City of Glen Cove** will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when recent data from the U.S. Census and the American Community Survey is available, or when it is clear that higher concentrations of LEP individuals are present in the **City of Glen Cove** service area. Updates to the LEP Plan will include the following:

- The number of documented LEP contacts encountered annually.
- How the needs of people with limited English proficiency have been addressed.

- Determination of the current LEP population in the service area (census data, surveys, information from community-based organizations, and other sources).
- Determination as to whether the need for translation services has changed.
- Determination of the effectiveness of language assistance efforts
- Determination of the adequacy of the **City of Glen Cove's** financial resources to fund language assistance resources.
- Determination of the **City of Glen Cove's** full compliance with the goals of the LEP Plan.
- Determination of the **City of Glen Cove's** processing of LEP complaints

DISSEMINATION OF THE CITY OF GLEN COVE LEP PLAN

The **City of Glen Cove** will take the following actions:

- Post signs in **City of Glen Cove** public areas informing people with limited English proficiency of the LEP Plan and how to access language services.
- Notify people with limited English proficiency of the availability, upon request, of documents in other languages. This should be placed on agendas and public notices and in the language that people with limited English proficiency would understand.
- On the **City of Glen Cove's** website, post the LEP Plan and procedure to access language services.
- Prepare and post press releases in non-English languages as necessary.
- Distribute copies of press releases to advocacy groups and other organizations serving LEP populations as necessary.

Attachment 4
Environmental Justice Plan

Environmental Justice Plan

It is the policy of the **City of Glen Cove** to ensure that all of its programs, policies, and other activities do not have disproportionate adverse effects on minority and low income populations. The **City of Glen Cove** identifies minority communities through the use of Census data. Low income communities are identified with data from the U.S. Census and the Glen Cove City School District. The **City of Glen Cove** takes a proactive approach to engage these communities and ensures their full and fair participation in the transportation decision-making process.

Executive Order 12898

The **City of Glen Cove** follows Executive Order (EO) 12898 which outlines: *Each Federal agency must make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health, environmental, economic and social effects of its programs, policies, and activities on minority and low income populations, particularly when such analysis is required by the National Environmental Policy Act (NEPA). The EO emphasizes the importance of NEPA's public participation process, directing that each Federal agency shall provide opportunities for community input in the NEPA process. Agencies are further directed to identify potential effects and mitigation measures in consultation with affected communities.*

The EO requires agencies to work to ensure effective public participation and access to information. The NEPA process and through other appropriate mechanisms, each federal agency should translate crucial public documents, notices and hearings, relating to human health or the environment for limited English speaking populations when it is practical and appropriate.

Goals and Objectives

The **City of Glen Cove** is committed to the following goals and objectives for achieving environmental justice:

- Protect environmental quality and human health in all conditions
- Avoid disproportionate adverse impacts on minority and low income populations
- Enhance the public involvement process and strengthen relationships with community organizations
- Provide minority and low income populations with the opportunity to learn more about the transportation planning process
- Improve the quality of transportation in their lives
- Make sure all projects go through an Environmental and Title VI checklist to insure environmental issues are considered and appropriate actions are followed
- Promote and protect community members' rights to participate meaningfully in decisions that may affect them

- Make the process of filing environmental justice complaints easy through readily available forms on the **City of Glen Cove's** website and in the **City of Glen Cove**, and by designating an identified staff member as the Title VI Coordinator that citizens can contact.

Environmental Justice and Nondiscrimination Principles

The City of Glen Cove includes incorporating Environmental Justice and nondiscrimination principles into transportation planning and decision-making processes, as well as project-specific environmental reviews.

The guiding Environmental Justice principles followed by the **City of Glen Cove** are summarized as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Attachment 5

Americans with Disabilities Act (ADA) Transition Plan

AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN

This ADA Transition Plan reflects the **City of Glen Cove's** commitment to ADA compliance, and details the stages of the **City of Glen Cove's** plan and timeline for:

- (1) Evaluating accessibility by identifying any structural barriers associated with public facilities;
- (2) Identifying accommodations and/or modifications that can be provided to make programs and services accessible; and
- (3) prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

This Draft ADA Transition Plan will be revised and updated as the steps of the Plan are completed.

INTRODUCTION

ADA regulations prohibit discrimination against individuals on the basis of disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

As detailed below, the **City of Glen Cove** has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure that the **City of Glen Cove** identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedules and implements ADA required improvements in order to remove those barriers.

The ADA requires that the Transition Plan include the following components:

- 1) Identification of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- 2) Identification of the methods to be used to remove any barriers limiting accessibility;
- 3) A schedule for completion of the necessary steps to achieve accessibility in public facilities; and
- 4) The name of the public entity's ADA Coordinator.

STEP 1: IDENTIFICATION OF PHYSICAL BARRIERS IN THE CITY OF GLEN COVE'S FACILITIES

The first phase of the ADA Transition Plan is to evaluate the **City of Glen Cove's** public facilities for accessibility. Officials from the City will coordinate to conduct accessibility evaluations of the following facilities:

- Sidewalks, crosswalks, and curb ramps
- Publicly accessible buildings
- Parking lots serving publicly accessible buildings

For each facility evaluated, a Survey of the **City of Glen Cove** Public Facilities ("the Survey") will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey.

An Inventory of Public Facilities ("the Inventory") will also be created, and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

Evaluation of Sidewalks, Crosswalks, and Curb Ramps

The Survey will contain the following ratings to assess the condition of each **City of Glen Cove** sidewalk, crosswalk, and curb ramp:

Rating 1 – Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.

Rating 2 – Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

Rating 3 – Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

Rating 4 – Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.

Rating 5 – Fully Accessible: Designed to current standards, but reasonable accommodations may still be required for individual cases.

Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based

on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

Schedule for Completion

City of Glen Cove officials will be coordinating over the next several months to evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities will be subject to this evaluation, and consequently this will be a substantial undertaking for the reviewing officials. The evaluations will be scheduled so as to evaluate outdoor facilities prior to the winter months (to avoid snow cover that may impede a thorough review), with any remaining evaluations of outdoor facilities to be completed by **May 10, 2019**. Evaluations of indoor facilities will continue during the winter months. Therefore, it is estimated that Step 1 will be completed by **May 10, 2019**.

STEP 2: IDENTIFICATION OF METHODS TO REMOVE BARRIERS

The second phase of the **City of Glen Cove** ADA Transition Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a public meeting of the **City of Glen Cove's** Compliance Committee. It is the **City of Glen Cove's** practice to provide public notice of the dates and agendas of Compliance Committee meetings on the **City of Glen Cove's** website. This will provide the public with an opportunity to participate in the formulation of the ADA Transition Plan.

A. Nature of Improvements and Structural Feasibility

The nature of necessary improvements will be determined during Step 1 – the accessibility evaluation of **City of Glen Cove** facilities – and will be incorporated into the ADA Transition Plan after completion of Step 1. Any improvements that **City of Glen Cove** officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

B. Priority of Improvements

Sidewalks; Crosswalks; Curb Ramps

With respect to sidewalks, crosswalks and curb ramps, the primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of “2” and “3” on the scale discussed above. The priority of improvements to these facilities will be as follows:

- 1) Those serving publicly accessible **City of Glen Cove** facilities;
- 2) Those serving commercial and employment centers; and
- 3) Those serving other areas.

Parking Lots and Publicly Accessible Buildings

The priority of improvements to parking lots and publicly accessible spaces in **City of Glen Cove** buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. Notably, the general assessment of the **City of Glen Cove** Code Enforcement Officer is that **City of Glen Cove** facilities where public meetings take place are in substantial compliance with the ADA. All new construction or renovations to existing facilities have complied with ADA standards. As such, the **City of Glen Cove** does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

STEP 3: SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS

Once the Inventory of Public Facilities has been completed, and necessary improvements have been prioritized as provided above, the **City of Glen Cove** will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation, and the costs associated with the improvements. The **City of Glen Cove**, however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. The **City of Glen Cove's** ADA Transition Plan will outline a specific schedule for improvements after Completion of Step 2, and this schedule will reflect the **City of Glen Cove's** commitment to ADA compliance.

ADA COORDINATOR

The **City of Glen Cove's** ADA Coordinator is the official responsible for implementation of the **City of Glen Cove's** ADA Transition Plan for the pedestrian facilities in the public right-of-way. Responsibilities of the ADA Coordinator include:

- Coordinating the efforts of the **City of Glen Cove** to comply with Title VII (employment) of the Civil Rights Act of 1964 by ensuring appropriate due process standards are in place and prompt equitable resolutions occur when necessary. This is accomplished by:
 - Ensuring hiring or firing any individual is not based on their disability; and
 - Ensuring segregation or classification of employees or applicants for employment does not deprive any individual of employment based on their disability;
- Establishing a complaints procedure and investigating any complaints;

- Coordinating with the appropriate departments to conduct a self-evaluation and develop the transition plan;
- Handling requests for auxiliary aides and services; and
- Working with officials and administrators to ensure new facilities or alterations are ADA accessible.

The *City of Glen Cove's* ADA Coordinator is **Louis Saulino, P.E., Director of Public Works, City of Glen Cove.**

Contact information:

Louis Saulino, P.E.

Director of Public Works

City of Glen Cove

9 Glen Street

Glen Cove, NY 11542

Phone: 516.676.4402

Fax: 516.676.3104

Email: lsaulino@cityofglencoveny.org

Attachment 6

Title VI Public Participation Plan

City of Glen Cove

Title VI Public Participation Plan To be included in the Title VI Program

May 11, 2018

Louis Saulino, P.E., Title VI Coordinator
City of Glen Cove
City Hall, 9 Glen Street, Glen Cove, NY 11542
Phone: 516-676-4402
Email: lsaulino@cityofglencoveny.org

Information:

Every three years, on a date determined by the **City of Glen Cove**, the City will submit the following plan as part of their Title VI Program.

An outline of the Title VI Public Participation Plan is provided below, as required by the US-DOT Federal Transit Administration. This document explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities.

The Title VI Public Participation Plan must contain each of these individual parts to be considered complete.

1. Cover Page (applicable if a detailed plan, otherwise use a section heading)

- a. *Name of transit provider*
- b. *Title VI Public Participation Plan*
- c. *Date Completed*
- d. *Contact information for Title VI Coordinator*

2. General Information Section

- a. *Public involvement as a necessity*
 - i. Why is public involvement necessary?
 - ii. When is public involvement necessary?
 - iii. How does public involvement benefit your transit or department?

Sample:

The Federal and State government mandate public involvement, because it helps to guide department decisions in providing public transportation services. Public involvement also benefits [name of sub recipient/transit provider] and the public, by allowing for the development of services that meet the needs of area citizens/customers.

The Federal government mandates public involvement prior to raising fares, implementing major reductions in service, or applying for grants/loans to finance transportation improvement projects.

3. Public Participation/ Engagement

Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

- a. *Public Meetings*
 - i. What meetings, if any, are open to the public?
 1. Customer Information Meetings, Advisory Board Meetings, Public Hearings and other community meetings.
 - ii. How do you inform the public of upcoming meetings and agendas?
 - iii. Do you employ different meeting sizes and formats to accommodate the minority, disabled, and limited English proficiency (LEP) populations?

b. *Coordination*

i. Other agencies

1. Department of labor, Job Link, local churches, local food pantry, medical facilities, social services, educational institutions, and other organizations provide a medium to educate and solicit feedback on current services.

ii. Community events

1. Senior center health fairs, non-profit events, and other community events serve as a way to provide education about your services.

iii. Interpretation services

c. *Public Studies:*

As per requirements of [49 U.S.C. Sections 5307 (b)] and [5307 (c)(I)] [name of sub recipient/transit provider] will develop and/or consider a process to study public comment before raising a fare or carrying out a major reduction in transportation service.

- i. Consider conducting an annual customer survey

4. Public Outreach Plan

a. *How do you advertise?*

- i. Possible outreach mediums include local television channels, radio shows or podcasts, and newspaper ads.

b. *Outreach to minority, limited English proficiency (LEP), and other underserved populations: The Public Participation Plan should include information about outreach methods to engage minority and LEP populations, as well as a summary of outreach efforts made since the last Title VI Program submission.*

- i. What steps are being taken to engage minority and LEP populations?
- ii. What steps are being taken to engage underserved populations such as the disabled or those with low-income?
- iii. Do you schedule meetings at times and locations that are convenient and accessible for minority and LEP communities?
- iv. Do you coordinate with community and faith based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities?

Efforts to involve minority and LEP populations can include both comprehensive measures as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient's decision-making process.

5. Type of Public Involvement

a. *What public should be involved:*

It is important to involve as many individuals as possible in order to gain the support and development of public transportation.

- *Potential and current riders*
- *Non-riders*
- *Business and community leaders/groups*
- *Government officials*
- *City Council and other City Departments*
- *Faith based community*
- *Academia and educational institutions*
- *Medical facilities/long term care centers*

Attachment 7
Title VI Training Plan

City of Glen Cove

Title VI Training Plan

CITY OF GLEN COVE TITLE VI TRAINING PLAN

STAFF TRAINING

The **City of Glen Cove's** Title VI Coordinator will conduct, at a minimum, annual training for City employees and City sub-recipients. The Title VI Coordinator will maintain records of the training topic, target audience and training dates.

The **City of Glen Cove's** Title VI Coordinator is responsible for advising all employees regarding available training in support of Title VI and related Civil Rights requirements. It is the responsibility of the Title VI Coordinator to schedule training in such a way that appropriate notices and announcements are made to **City of Glen Cove** staff and ensure the training is reviewed and updated as necessary.

The **City of Glen Cove** will consider using an approved video recording or other electronic media for Title VI training to allow for any staff to watch and review Title VI and related requirements. The training will be reviewed and updated as necessary by the Title VI Coordinator. Annual Title VI training can be a simple presentation by the Title VI Coordinator or by watching a Title VI training video recording or reviewing other electronic media.

The **City of Glen Cove** will provide Title VI and related Civil Rights training to new employees within 60 days from date of employment. Written documentation of training topics and target audience and attendance will be maintained for a period of three (3) years.

The **City of Glen Cove** will coordinate and/or participate in Title VI and related training as required by agencies including the New York State Department of Transportation (NYSDOT), Federal Highway Administration (FHWA) or Federal Transit Administration (FTA). Title VI and related training will be made available to all **City of Glen Cove** staff on an ongoing basis to ensure up-to-date information is made available and management and staff are made aware of and have knowledge of Title VI and other nondiscrimination requirements.

Schedule of Title VI Training

<u>Date</u>	<u>Target Audience</u>
April 26, 2018 at 10:00 a.m	John Charon, Personnel Officer, Department of Personnel, City of Glen Cove
	Ann Fangmann, AICP, Executive Director, Glen Cove Community Development Agency (CDA)
	Jocelyn Wenk, AICP, Grant Writer and Administrator, Glen Cove CDA

May 1, 2018 at 10:00 a.m.

Louis Saulino, P.E., Director of Public Works, City
of Glen Cove

Attachment 8

Contracting Goals

City of Glen Cove

Contracting Goals

For Federally Funded Disadvantaged Business Enterprise (DBE) contracting opportunities:

Individual responsible for overseeing the City of Glen Cove's DBE program:

Anne L. LaMorte will be responsible for overseeing the City of Glen Cove's DBE program for federally funded DBE contracting opportunities. Ms. LaMorte's contact information is provided below:

Anne LaMorte, Financial Manager and CFO
Glen Cove Community Development Agency (CDA)
City Hall
9 Glen Street
Glen Cove, NY 11542
Phone: 516-676-1625 Ext. 104
Email: alamorte@glencovecda.org

How the City selects projects and sets project goals:

For projects for which the City of Glen Cove has applied for and received grants from federal agencies, project goals for DBE contracting will be set based upon the guidance of the federal agency and/or New York State agency administering funding for the project (e.g., Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or New York State Department of Transportation (NYSDOT)).

Requests for Proposals issued by the City of Glen Cove for services related to federally funded projects will include the following language: "Contractors will be required to make good faith efforts to subcontract ___ percentage of the total contract price to certified DBE's. DBE firms must perform a Commercially Useful Function (CUF) as defined in 49 CFR 26.55(c): a role in which a firm is responsible for execution of a distinct element of work on contract and carries on its responsibilities by actually performing, managing, and supervising the work involved."

How the City monitors DBE participation on contracts:

The City of Glen Cove, Glen Cove CDA, and contractor(s) to the City (as applicable) will perform the administrative work necessary to ensure the City and CDA are in compliance with reporting and documentation requirements in connection with project financing, including providing necessary updates on Disadvantaged Business Enterprise (DBE) and employment utilization reporting requirements to grant-administering agencies.

Scopes of work agreed to by contractors and the City of Glen Cove for services related to federally funded projects will include the following language: "The contractor will be required to assign one individual the responsibility of monitoring the contractor/subcontractor adherence to Equal Opportunity and Labor requirements contained in the contract(s), and preparing documentation required by regulatory agencies. For grants administered by NYSDOT, required DBE and employment utilization information will need to be into the NYSDOT-maintained Equitable Business Opportunities (EBO) database."