

**CITY OF DAYTONA BEACH**

**TITLE VI/NONDISCRIMINATION POLICY AND LIMITED ENGLISH PROFICIENCY PLAN**



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**City Manager**

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**Mayor**

**Monica Paris**

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**Zone 1**

**Ken Strickland**

**Commissioner**

**Zone 2**

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**Commissioner**

**Zone 3**

**Stacy Cantu**

**Commissioner**

**Zone 4**

**Dannette Henry**

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**Paula R. Reed**

**Commissioner**

**Zone 6**

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**Policy Statement:**

The City of Daytona Beach (City) values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City believes that the best programs and services result from careful consideration of the needs of all of its communities and the involvement of those communities in the transportation decision making process. Therefore, the City does not tolerate discrimination in any of its programs, services or activities and seeks equality through the application of free market competition. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the City 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, income or family status.

**Complaint Procedures:**

The City has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of City's programs, services or activities may file a complaint with the City Title VI/Nondiscrimination Coordinator:

Name: Ms. Jennifer Rupert-Bethelmy – Employee Relations and EEO Administrator  
Nondiscrimination Coordinator

Address: 301 South Ridgewood Avenue, Daytona Beach, FL 32114

Address: PO Box 2451, Daytona Beach, FL 32115-2451

Email: [bethelmyjennifer@daytonabeach.gov](mailto:bethelmyjennifer@daytonabeach.gov)

Phone: (386) 671-8218

Fax: (386) 671-3296

Hearing Impaired: (386) 671-8030 or (386) 671-5370 (Police Department)

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.

The Title VI/Nondiscrimination Coordinator will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the City be unable to satisfactorily resolve a complaint, the City will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

The City's Title VI Coordinator has direct access to the City Manager and is not required to obtain City Commission or other approval to discuss discrimination issues with the City Manager. However, should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation  
Equal Opportunity Office  
ATTN: Title VI Complaint Processing  
605 Suwannee Street MS 65  
Tallahassee, FL 32399

If it is determined, the complaint originated from a Local Agency Program (LAP) project, the complaint will be provided to the FDOT and Federal Highway Administration (FHWA). The City will attempt to resolve all issues; however, only FHWA can accept, investigate and issue findings under Title VI, which is specific to the classes of race, color and national origin.

**ADA/504 Statement:**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The City will make every reasonable effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City will make every reasonable effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least fourteen (14) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the City's ADA Officer:

Name: Ms. Michelle Martin

Title: Project Manager

Address: 950 Bellevue Avenue, Daytona Beach, FL 32114

Address: PO Box 2451, Daytona Beach, FL 32115-2451

Email: [MartinMichelle@daytonabeach.gov](mailto:MartinMichelle@daytonabeach.gov)

Phone: (386) 671-8632

Fax: (386) 671-8620

Hearing Impaired: (386) 671-8030 or (386) 671-5370 (Police Department)

### **Limited English Proficiency (LEP) Plan:**

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services or activities.
  - The frequency with which LEP individuals come in contact with these programs, services or activities.
  - The nature and importance of the program, service, or activity to people's lives and;
  - The resources available to the City and the likely costs of the LEP services.
1. Using U.S. Census Bureau, 2015-2019 5-Year American Community Survey data, the City has determined that LEP individuals speaking English less than well represent approximately 12.4% of the community. The City has not received any requests for translation or interpretation of its programs. However, the City has an extensive list of bilingual employees and has included it as Appendix I. As a contingency plan, the City has also identified, Language Line Services, as a local translator.
  2. The City is fortunate to house within its jurisdiction a number of institutions of higher education which has extensive language services, including Daytona State College "School of World Languages and Speech". Further, the City maintains cordial relationships with a number of faith based and community organizations who may offer competent language services to the City.

3. The City believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible with reliable transportation systems. The public will be able to access the nondiscrimination and public involvement policies on the City's website and it is posted on the bulletin board at the Public Works complex, located at 950 Bellevue Ave, Daytona Beach, FL 32114.
4. The analyses of these factors suggest that limited LEP services are required at this time. At a minimum, the Agency commits to:
  - o Maintain a list of employees who competently speak the LEP language(s) and who are willing to provide translation and/or interpretation services.
  - o Distribute this list to staff that regularly has contact with the public.
  - o Provide public notification in the LEP language of the availability of language assistance, free of charge.

The Agency understands that its community characteristics change and that future community characteristic analysis may reveal the need for more or varied LEP services. As such, it will at least triennially examine its LEP plan to ensure that it remains reflective of the community's needs.

Persons requiring special language services should contact the City's Title VI/Nondiscrimination Officer:

Name: Ms. Jennifer Rupert-Bethelmy – Employee Relations and EEO Administrator  
Nondiscrimination Coordinator  
Address: 301 South Ridgewood Avenue, Daytona Beach, FL 32114  
Address: PO Box 2451, Daytona Beach, FL 32115-2451  
Email: [bethelmyjennifer@daytonabeach.gov](mailto:bethelmyjennifer@daytonabeach.gov)  
Phone: (386) 671-8218 Fax: (386) 671-3296  
Hearing Impaired: (386) 671-8030 or (386) 671-5370 (Police Department)

### **Public Involvement:**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City must have the input of its public. The City spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The City holds a number of transportation meetings, workshops and other events designed to gather public input on project planning

and construction. Further, the City attends and participates in other community events to promote its services to the public. Finally, the City is constantly seeking ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations by the City; volunteer in any of its activities or offer suggestions for improvement of City public involvement may contact:

Name Ms. Susan Cerbone  
Title: Public Information Officer  
Address: 301 S Ridgewood Ave, Daytona Beach, FL 32114  
Address: PO Box 2451, Daytona Beach, FL 32115-2451  
Email: [cerbonesusan@daytonabeach.gov](mailto:cerbonesusan@daytonabeach.gov)  
Phone: (386) 671-8014  
Fax: (386) 671- 3206  
Hearing Impaired: (386) 671-8030

### **Data Collection:**

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The City accomplishes this as needed through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its community development department and other methods. From time to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the City with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the City will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the federal regulations.

### **Nondiscrimination Assurances:**

Every three years, or commensurate with a change in City executive leadership year, the City must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed ‘assurances’ and serve two important purposes. First, they document the City’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the City may be held liable for breach. The public may view the annual assurance on the City’s website or by visiting the City’s offices.

Appendix I  
List of Bilingual Employees

Provided below are a list of City Employees that can be used for translation/interpretation, if the need should arise.

ARABIC

HOUSSAMY, TAREK

FRENCH

HOUSSAMY, TAREK

GERMAN

PATON, JOHN

LEE, MONICA

ARSENAULT, SHIRLEY

NORWEGIAN

INDAHL, CHRISTOPHER F.

PORTUGUESE

MASSENGALE, CARLA M.

Sign Language

CONLEY, SHAWNA A.

ELLINGTON, KERRI-LEE

VANCLEEF, SANDRA

SPANISH

BOTELLA, CHRISTIAN

CONDE, LEONARDO D.

LEE, MONICA M.

MANJASEK, ALEXANDER

MARQUEZ, GABRIEL

MASSENGALE, CARLA M.

MORALES CARRERO, BRIAN

PENA, CLAUDIA

PERALTA, DANIEL R.

PEREZ, JAIME

QUINONES, BRYAN S.

RIVERA COTTO, CRISTIAN J.

RIVERA, LUIS A.

ROMAN, ABISAI

SOTO, EDWIN

TORRES, LYDIA M.

DEJESUS, BEATRIZ

MCLEAN, TOBIT