



Central Dakota MPO Technical Advisory Committee Meeting

Tuesday, April 9, 2024, at 10:30 AM

Public Works Conference Room 3, Public Works (1025 31st St SE)

Any person needing special accommodation for the meeting is requested to notify the City Clerk's office at 857-4752.

**1. ROLL CALL**

**2. APPROVAL OF MINUTES**

Documents:

[TAC Minutes 3.12.24.docx.pdf](#)

**3. ADOPT CITY OF MINOT'S TITLE VI PLAN FOR CDMPO**

Documents:

[Title VI Master Plan - Final Draft.pdf](#)

**4. STATUS UPDATE AND APPROVAL TO SOLICIT MTP RFQ**

**5. CDMPO ACTION ITEMS**

**6. ADJOURNMENT**

# Central Dakota MPO Technical Advisory Committee Meeting

## Minutes

Tuesday, March 12, 2024, at 10:30 AM

Public Works Conference Room 3, Public Works (1025 31<sup>st</sup> St SE)

### 1. ROLL CALL

Lance Meyer called the meeting to order at 10:30 am

#### Members Present:

Lance Meyer, Wayne Zacher, Jesse Berg, Brian Horinka, Korby Seward, Jayden Casavant, Elizabeth Pietsch, Doug Diedrichsen, Dana Larsen

#### Members Absent:

Executive Director (vacant), Sarah Karhoff

#### Others Present:

Nicole Robinson Michael Johnson, Kristen Sperry, Paul Benning

### 2. APPROVAL OF MINUTES

Motion to approve suggested change by Jesse Berg, seconded by Brian Horinka, and favored by all.

### 3. ADOPT CITY OF MINOT'S TITLE VI PLAN FOR CDMPO

Lance discussed what the Title VI plan is and proposed either adopting the current City of Minot Plan or waiting to adopt the updated City of Minot plan. Michael suggested waiting for updates from the departments involved and then reviewing. Lance agreed and suggested waiting to review until the next TAC Meeting.

Brian Horinka made a motion to table the Title VI plan until the next meeting, seconded by Jesse Berg and favored by all.

### 4. STATUS UPDATE MTP RFQ

Dana Larsen provided an update. Suggestions were made regarding what to include or remove in the plan.

### 5. CDMPO ACTION ITEMS

- Lance discussed the status of hiring a MPO Executive Director. Wayne confirmed the job is posted.

- UPWP was approved Monday, March 11, 2024.
- Meyer suggested a meeting with the finance department regarding the MPO Contract. Zacher agreed and suggested meeting with Accounting and HR.
- Zacher reviewed the completed and ongoing items on the MPO to-do list.

#### 6. OPEN DISCUSSION/ADDITIONAL COMMENTS

Kristen Sperry complimented the MPO on getting a lot accomplished in a short amount of time.

#### 7. ADJOURNMENT

Meyer asked for a motion to adjourn the meeting. So moved by Wayne Zacher, and seconded by Elizabeth Pietsch. Meeting adjourned at 11:22 AM.



## **Title VI Plan**

**March 2024 FINAL DRAFT**

Title VI Coordinator

Lisa Jundt, Director of Human Resources

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## **I. EQUAL EMPLOYMENT OPPORTUNITY ACT (EEO)**

### **A. Equal Employment Opportunity (EEO) Report**

The City of Minot is an equal opportunity employer and has employment policies that adhere to the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA).

Bi-annually, the City of Minot submits an EEO-4 Report on the demographics of its workforce. This is a required report for employers of 15 or more employees.

There is also EEO information submitted voluntarily by applicants of all posted positions. That information goes with the applicant if they become an employee.

The City of Minot is an equal opportunity employer and does not discriminate against or exclude any particular class of people based on race, color, religion, sex, national origin, age, disability, or genetic information. Vacancies are advertised on the City of Minot website, which is accessible to both internal and external candidates.

### **B. Organization, Staffing, and Responsibilities**

The City of Minot is governed by a Mayor and six (6) Member City Council. The Mayor is a voting member, elected at large for a four (4)-year term. The Members of the City Council are elected at large for four (4)-year terms with one half of the Members elected biennially. The City is also served by several volunteer boards and commissions.

The City of Minot is a full-service entity and includes the departments of Assessor, Airport, City Attorney, Community and Economic Development, Engineering Finance, Fire, Human Resources, Library, Municipal Court, Police, Public Works and Office of Resilience.

Positions on the City of Minot's council, commissions, boards, and committees are elected or appointed and are listed below. The organization members will be polled annually and given an opportunity to self-attest to their race and gender.

The City Clerk for the City of Minot ensures that notices for public meetings reach all segments of the impacted community. The Title VI coordinator will assist to identify the effective media platforms to share announcements and notices.

Announcements are made in social media, general circulation newspapers, community newspapers, email broadcasts, and posted at the City Building public areas.

## **C. Purposes and Responsibilities**

### **City Council**

The City Council has the sole authority to pass and adopt rules and regulations concerning the organization, management, and operation of all the departments of the city and the other agencies created by it for the administration of the city's affairs. Reference: NDCC Sec. 40-05-01

### **Planning Commission**

The Planning Commission consults and advises public officials, public utility companies, civic, educational, professional and other organizations, and citizens in assisting with planned development of the City and surrounding area. The Commission recommends programs for specific improvements and financing, to the appropriate officials as needed. [Planning Commission | Minot, ND \(minotnd.gov\)](#)

### **Library Board**

The Library Board of Directors governs library operations. Board members are appointed by the governing body and must be residents of Minot. One appointee must be a member of the City Council or a designated representative. Meetings are held on the fourth Thursday of each month, unless rescheduled. [Library Board | Minot, ND \(minotnd.gov\)](#)

### **Other Boards and Committees**

The City of Minot has many other boards and committees composed of citizens of Minot. [Boards & Committees | Minot, ND \(minotnd.gov\)](#)

## **D. Selection Process**

Selection for various boards and committees starts with a citizen submitting a volunteer form through and online link, indicating their interest to serve on a specific board. The Mayor reviews the volunteer applications, and initiates an appointment to City Council for approval, as volunteer vacancies become available.

## **E. EEOC Reporting for Publicly Held Meetings**

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

The City of Minot monitors attendance to ensure equal opportunity at all publicly held meetings, by providing voluntary attendance survey forms at each meeting. This survey is for affirmative action purposes only. It will aid in monitoring attendance, determining demographics being reached, and how to announce future meetings to the public.

## **II. AMERICANS WITH DISABILITIES ACT (ADA)**

### **A. Title VI Coordinator**

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring the City's compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Proactively ensures that the City is in compliance with nondiscrimination requirements of Title VI and reports to City of Minot leadership on the status of Title VI compliances.
2. Responds promptly to requests by Federal Authorities for data and records and for the scheduling of compliance reviews and other meetings to determine compliance with Title VI and related requirements.
3. Process the disposition of Title VI complaints received by the City and forward them to the applicable Federal Authorities within 15 days of receipt, together with any actions taken to resolve the matter.
4. Provides applicable Federal Authority with updates regarding its response and status of early resolution efforts to complaints concerning Title VI and related requirements (49 CFR Part 21, Appendix C(b)(3)), including resolution efforts.
5. Coordinates data collection to evaluate whether racial or ethnic groups are unequally benefited or impacted by City programs. The data will be regularly assessed and readily available upon request (49 CFR § 21.9(b) & (c)). Data collection methods may include but are not limited to optional demographic questions in City customer satisfaction surveys, customer complaints, City event sign-in sheets, bids/proposals for City contracts, and other methods.
6. Maintains demographic data for members of appointed planning and advisory bodies for the Airport and identifies any disparities compared to the community. Provides information to the membership selecting official/committee, particularly when vacancies occur.
7. Collect statistical data (race, color, sex, age, disability, or national origin) of participants in and beneficiaries of state highway programs, e.g., relocates, affected citizens, and impacted communities.
8. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid highway fund contracts administered through the City.
9. Annually reviews City Title VI Plan program directives and, where applicable, includes Title VI language and related requirements. Disseminate information throughout the staff and City leadership.
10. Conduct training programs on Title VI and other related statutes, including anti-harassment training, language, and assistance resources and practices, collecting and assessing demographic data, reporting Title VI complaints and other required program-specific notifications for City employees and, which include the following: Advise all employees of the availability of



the Title VI Plan on the City of Minot's Intranet, post the Title VI Plan on the City of Minot Internet, post the Title VI Plan on employee bulletin boards at City of Minot worksites, inform all employees that a copy of the Title VI Plan is available upon request and instruct all new employees about the Title VI Plan during orientation. See appendix for department-specific sponsor responsibilities.

11. Prepare a yearly report of Title VI accomplishments and goals, as required.
12. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English, and post the Title VI Plan on the City of Minot web page.
13. Conduct post-grant approval reviews of City programs and applicants (e.g., highway location, design and relocation, and persons seeking contracts with the City) for compliance with Title VI requirements.
14. Identify and take corrective action to help eliminate discrimination.
15. Establish procedures to promptly resolve identified Title VI deficiencies. Document remedial actions agreed to be necessary. Provide remedial actions within 90 days of identification of a deficiency.
16. Establish, maintain, and coordinate a Limited English Proficiency Plan as detailed within this document.
17. Ensure federally sponsored programs have and maintain a Community Participation Plan (CPP).
18. Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours (49 CFR 21, Appendix C (b)(2)(i)).

## **B. ADA Coordinator**

The Americans with Disabilities Act (ADA) of 1990 is a companion civil rights legislation with the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against people with disabilities. ADA implementing regulations to Title II of the act prohibit discrimination in the provision of services, programs, and activities by state and local governments such that "...No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." 28 CFR § 35.130(a).

The City of Minot will make every reasonable accommodation to provide an accessible meeting facility for all persons and ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others, 28 CFR §35.160. Individuals may request appropriate provisions, auxiliary aids, or services (such as sign language, interpreter, accessible parking, or materials in alternative format) by contacting the Title VI/ADA Coordinator from the contact information on the Title VI Plan cover page.

The Americans with Disabilities Act requires public agencies with more than 50 employees to create and maintain a transition plan. The City of Minot employs more than 50 employees; for information about the City of Minot's ADA transition plan, please contact Title VI Coordinator. Contact information is listed on Title VI Plan cover page.

As the Americans with Disabilities Act is companion civil rights legislation with the Civil Rights Act of 1964, all disability/handicap-related complaints will follow the complaint procedures and forms as outlined in the City of Minot Title VI and Nondiscrimination Program.

Complaints about violations of ADA by units of state and local governments may also be filed directly with the US Department of Justice. For assistance, please call the toll-free ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TTY) or go to <http://www.ada.gov/>.

### **C. DBE Liaison Officer For the Airport**

The DBE (Disadvantaged Business Enterprise) Liaison Officer shall have direct, independent access to the Mayor as the Chief Executive Officer for the City of Minot concerning DBE program matters. The liaison officer is responsible for implementing all aspects of your DBE program. You must also have adequate staff to administer the program in compliance with this part.

For more information, about the DBE program, go to [motairport.com/224/DBE](http://motairport.com/224/DBE)

### **D. City of Minot Title VI/Nondiscrimination and ADA Policy Statement**

The City of Minot is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and statutes. The City assures that no person or group(s) of persons 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 and all programs, services, or activities administered by the City of Minot, regardless of whether those programs and activities are federally funded or not. In addition to Title VI, there are other nondiscrimination statutes which include sex, age, and disability. These requirements define an over-arching Title VI/Nondiscrimination and ADA Program.

The City of Minot also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the City will provide meaningful access to services for persons with Limited English Proficiency for language assistance free of charge to the person upon request.

Additionally, the City of Minot agrees, among other things, to understand the communities surrounding or in the flight path of its Airport, as well as customers that use the Airport. Anytime communities may be impacted by programs or activities, the City of Minot takes-action to involve them and the general public in the decision-making process.

In the event the City of Minot distributes federal-aid funds to a subrecipient, the City will include Title VI language in all written agreements and will monitor for compliance.

The City of Minot's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Anyone who needs additional information or believes that he or she has been discriminated against should the City of Minot Title VI Coordinator and ADA Coordinator from the contact information listed on the Title VI Plan cover page. TTY users may call Relay North Dakota at 711 or 1 800-366-6888 (toll-free).

### III. LIMITED ENGLISH PROFICIENCY PLAN

#### A. Introduction

This Limited English Proficiency Plan (LEP) has been prepared to address the City of Minot's responsibilities as a sub-recipient of federal financial assistance as they relate to the needs of individuals with LEP language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 USC 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

Executive Order 13166, titled ***Improving Access to Services for Persons with Limited English Proficiency***, indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients, clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies that receive federal funds, including all the City of Minot and its sub-recipients.

#### B. Plan Summary

The City of Minot has developed this LEP to help identify reasonable steps for providing language assistance to individuals with LEP who wish to access the services provided. As defined in Executive Order 13166, LEP related individuals 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 how to notify LEP individuals that assistance is available.

In order to prepare this plan, the City of Minot used the four-factor LEP analysis, which considers the following factors:

1. The number or proportion of LEP persons served or encountered in the City of Minot.
2. The frequency with which LEP individuals come in contact with the program, activity, or services.
3. The nature and importance of the program, activity, or service provided by the program.
4. The resources available to the Recipient and costs.

#### C. Meaningful Access: Four-Factor Analysis

1. The Number or proportion of LEP related individuals served or encountered in the eligible service population.

The City of Minot is a local public agency with a defined service area as follows: areas within the boundaries of the city of Minot. Services may be provided by a specific area as follows: police, fire, administration, public works, airport, library, and municipal court. The City of Minot's defined service area does not include the public school district or the park district.

All previous contacts with LEP persons were identified by language along with the type of service provided for the reporting period, January 1, 2023, through December 31, 2023. This includes documenting phone inquiries or office visits. The following contacts occurred.

To date, the City of Minot has had no requests for interpreters and no requests for translated program documents. City of Minot staff have had very little contact with LEP persons.

The City of Minot attempted to identify LEP minority populations that are eligible beneficiaries who may be underserved because of existing language barriers.

The City of Minot utilized the following data resource to identify LEP populations:

- US Census for the City of Minot
- 2018-2022 American Community Survey 5-Year Estimates
  - The City of Minot staff reviewed the 2018-2022 American Community Survey 5-Year Estimates for the City of Minot and determined that 2,893 individuals in the city of Minot (6.4 % of the population) speak a language other than English at home. Of those, 803 individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is only 1.6 % of the overall population in the City of Minot.
  - The languages of those 803 individuals are as follows:

Language	Total who speak English Less than very well
Spanish	286
Indo-European languages	79
Other Unspecified languages	280
Other Asian and Pacific Island languages	158

## **2. The nature and importance of services provided by the City of Minot to the LEP population.**

There is no large geographic concentration of any type of LEP individuals in the service area for the City of Minot. The overwhelming majority of the population, 93.6% speak English. As a result, there are few social service, professional and leadership organizations within the City of Minot service area that focus on outreach to LEP individuals. The Minot City Council and staff are most likely to encounter LEP individuals through office visits and phone conversations.

The City of Minot determined the importance of its services for the LEP population in its service area by reviewing and considering the following factors, including the identification of vital documents.

### Identification of Vital Documents

- A document will be considered vital if it contains information that is critical for obtaining federal services and/or benefits or is required by law.
- Examples:
  - Applications
  - Consent and complaint forms,
  - Notices of rights and disciplinary action
  - Notices advising LEP persons of the availability of free language assistance
  - Written tests that assess competency for a particular license, job, or skill for which English competency is not required
  - Letters or notices that require a response from the beneficiary or client
  - In larger documents, the translation of vital information contained within the document will suffice and need not be translated in its entirety.
  - Outreach docs: It is difficult to determine if a vital lack of awareness may effectively deny LEP persons access. It's important to continually survey/assess the needs of eligible service populations to determine what outreach materials are critical to translate.

The City of Minot provides a Request for Reasonable Accommodations form for individuals to request services for oral or written translations as determined by the Four-Factor Analysis or defined by Safe Harbor requirements. Safe Harbor applies to written translations only.

Vital documents will be translated when a significant number of percentages of the population eligible to be served or likely to be directly affected by the program/activity need services or information in a language other than English to communicate effectively. If the English language version is posted on the City of Minot website, the translation will be posted on the website.

The City of Minot considered the importance of immediate and long-term effects of a delay in written translations. Most services have several days to weeks allowed for comment or completion.

### **3. The resources available to the Recipient and costs.**

City of Minot is contracted with Propio Language Services, to provide interpretation for LEP individuals. Languages will be interpreted through a telephone interpreter line for which the City would pay a fee.

Oral telephonic and written interpreter services are provided free of charge for the people served.

### **4. Language Assistance**

A person who does not speak English as their primary language or who has a limited ability to read, write, speak, or understand English may be a LEP person and may be entitled to language assistance with respect to City of Minot services.

Language assistance can include interpretation, which means an oral or spoken transfer of a message from one language into another language, and/or translation, which means the written transfer of a message from one language into another language.

After applying the four-factor analysis, the City of Minot has examined the following language assistance options and identified which methods will provide the City of Minot with an effective LEP Plan.

### **5. Language Assistance Services**

- Post notice of the LEP Plan and availability of interpretation or translation services free of charge.
- All City staff will be provided with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
- All City staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the City of Minot sponsors an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee’s ability to speak and understand English. Although translation may not be able to be provided at the event, it will help identify the need for future events.

### **D. Language Assistance Measures**

Although there is a very low percentage of LEP individuals in the City of Minot, that is, persons who speak English “not well” or “not at all”, the City will strive to offer the following measures:

- City staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.

- The following resources will be available to accommodate LEP person:
  - Language interpretation will be accessed through a telephone interpretation service.

#### **E. Staff Training**

Training includes how to obtain language assistance services and communication with interpreters and translators.

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the “I Speak” cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

#### **F. Monitoring**

The City of Minot will update the LEP Plan as required. The plan has been updated with data from the 2020 US Census and is available when higher concentrations of LEP individuals are present in the City of Minot service area. Updates will include the following:

- The number of encountered LEP persons, by language, who received language assistance services annually.
- The frequency of encounters with LEP persons
- The current/primary language of LEP populations in the service area.
- Determine whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective.
- Determine whether the City of Minot's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the City of Minot fully complies with the goals of this LEP Plan.
- Determine the number and type of complaints received concerning the needs of LEP individuals.
- Determine whether staff are knowledgeable about City of Minot LEP procedures.

#### **G. Dissemination of the City of Minot LEP Plan**

- Post the City of Minot LEP Plan to their website.
- Post City of Minot LEP Plan in all City Buildings and employee breakrooms.
- Post “I Speak” cards at the front desks/doors of City offices to aid staff in notifying LEP persons of the LEP Plan and how to access language services.



## IV. TITLE VI COMPLAINTS

### A. Title VI/ADA Complaint Procedure

This procedure outlines the Title VI and ADA complaint procedures related to providing programs, services, and benefits. It does not deny the Complainant the right to file formal complaints with the applicable state or federal agency or to seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 and Titles II and III of the Americans with Disabilities Act of 1990 requires that no person in the United States shall, on the grounds of disability, race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Any person who believes that they have been subjected to discrimination may file a written complaint with the City of Minot. Complaints must be filed within 180 calendar days of the alleged incident.

The Complainant may download the complaint form from the CITY OF MINOT website ([Title-VI---Civil-Rights-Complaint \(minotnd.gov\)](#)) or request the complaint form from the Title VI Coordinator.

The complaint will include the following information:

- a. Name, address, and telephone number of the Complainant.
- b. The basis of the complaint, i.e., race, color, national origin, sex, elderly or disabled.
- c. The date or dates on which the alleged discriminatory event or events occurred.
- d. The nature of the incident that led the Complainant to feel discrimination was a factor.
- e. Names, addresses, and telephone numbers of persons who may have knowledge of the event.
- f. Other agencies or courts where a complaint may have been filed and a contact name.
- g. Complainant's signature and date.
- h. If the Complainant is unable to write a complaint, City of Minot staff will assist the Complainant.
- i. The complaint may be mailed or faxed to the following address: City of Minot, 10 3<sup>rd</sup> Ave SW, Minot, ND 58701 or (701) 857-4751 (Fax)
- j. The complaint may be sent via email to [lisa.jundt@minotnd.gov](mailto:lisa.jundt@minotnd.gov). Complainant also has the right within the 180-day timeframe to file a Title VI or ADA claim with the appropriate agency:

<p>North Dakota Department of Transportation Civil Rights Division 608 E Boulevard Ave. Bismarck, ND 58507-0700 Phone: (701) 328-2576 TTY: 711 or (800) 366-6888 Email: <a href="mailto:civilrights@nd.gov">civilrights@nd.gov</a></p>	<p>United States Department of Transportation (USDOT) Departmental Office of Civil Rights US Department of Transportation Office of Civil Rights 1200 New Jersey Ave., SE. Washington, DC 20590 Phone: (202) 366-4648 Fax: (202) 366-5575 TTY/Assistive Device: (202) 366-9696</p>
<p>FHWA North Dakota Division Office 4503 Coleman St. N., Suite 205 Bismarck, ND 58503 Phone: (701) 250-4204 Fax: (701) 250-4395 Email: <a href="mailto:NorthDakota.fhwa@dot.gov">NorthDakota.fhwa@dot.gov</a></p>	<p>USDOJ - Race, Color, National Origin Complaints Federal Coordination and Compliance Section - NWB Civil Rights Division US Department of Justice (USDOJ) 950 Pennsylvania Avenue, NW. Washington, DC 20530 Phone: (888) 848-5306 (English and Spanish) (202) 307-2222 (voice) (202) 307-2678 (TDD)</p>
<p>United States Department of Transportation (FHWA) Federal Highway Administration US Department of Transportation Office of Civil Rights 1200 New Jersey Ave., SE. 8th Floor E81-105 Washington, DC 20590 Phone: (202) 366-0693 Fax: (202) 366-1599 TTY: (202) 366-5132 Email: <a href="mailto:CivilRights.FHWA@dot.gov">CivilRights.FHWA@dot.gov</a></p>	<p>USDOJ - ADA Complaints US Department of Justice (USDOJ) 950 Pennsylvania Avenue, NW. Civil Rights Division Disability Rights Section – 1425 NYAV Washington, DC 20530 Fax: (202) 307-1197 ADA Information Line: (800) 514-0301 (voice) or (800)514-0383 (TTY) Main Section Telephone Number: (202) 307-0663 (voice and TTY)</p>
<p>Federal Transit Administration (FTA) Office of Civil Rights Attention: Complaint Team East Building, 5th Floor - TCR 1200 New Jersey Ave., SE. Washington, DC 20590 Phone: (888) 446-4511</p>	<p>Federal Aviation Administration Office of Civil Rights (ACR-4) 800 Independence Avenue SW Washington DC, 20591 (718)553-3297 Complaint link: <a href="https://www.faa.gov/about/office_org/headquarters_offices/acr/external-discrimination-complaints/form">https://www.faa.gov/about/office_org/headquarters_offices/acr/external-discrimination-complaints/form</a></p>

Internal Complaint Referral. All Title VI complaints received by departments must be promptly forwarded to the Coordinator within five business days of receipt.

The City of Minot will begin an investigation and will contact the Complainant in writing no later than fifteen (15) working days after receipt of the Title VI complaint or five (5) days after receipt of the ADA complaint. The Complainant will be notified within 30 days if additional information is required to investigate the complaint. If the Complainant fails

to provide the requested information on a timely basis, the City of Minot may administratively close the complaint. The City of Minot may also decide not to proceed with, or continue a complaint investigation if the same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.

The City of Minot will use its best effort to complete the investigation of Title VI and ADA complaints within sixty (60) calendar days of receipt of the complaint. A written investigation report will be prepared by the investigator; the report shall include a summary description of the incident, findings, and recommendations for disposition. In each case, the Coordinator will consult with the Legal Counsel regarding the investigation and the report. Legal counsel will ensure that the report is consistent with the applicable Title VI nondiscrimination requirements.

The Title VI Coordinator will forward the report of the investigation and recommendations to the City Manager for final agency decision. Also included in the report will be a copy of the complaint and all documentation pertaining to the complaint.

At the completion of the investigation, the Complainant and respondent will receive a copy of the investigation including a letter of findings, determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state City's conclusion regarding whether unlawful discrimination occurred and will describe the Complainant's appeal rights.

Intimidation and Retaliation are prohibited. City of Minot employees, contractors, and tenants will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

Appeal Rights. The Complainant must be notified of their right to appeal the findings or determinations and of the procedures and requirements for an appeal:

- The Complainant may appeal in writing to the Minot City Manager
- The written appeal must be received within ten (10) business days after mailing of the written decision.
- The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal.
- The Minot City Manager will issue a final written decision in response to the appeal.

This complaint procedure is shared with the public through the following methods:

Websites, In-person, and Other Distribution Methods

## Minot Airport Additional Procedures

Initial FAA Notification. A copy of each Title VI complaint will be forwarded to the FAA within 15 days of initial receipt (not the date that the Title VI Coordinator was notified). The airport staff supporting the Title VI Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter and the results thereof to the FAA Civil Rights staff. (Note: complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to the FAA, the Coordinator will [describe contacts and process – it is preferred for the information to be uploaded to the FAA Civil Rights Connect System, which issues automated notifications to FAA staff]. The Coordinator will also seek technical assistance from the FAA, as needed, throughout the complaint intake, investigation, and resolution process.

Cooperation with FAA. The Coordinator will promptly investigate all Title VI complaints, including those referred by the FAA for investigation. If the FAA is investigating a complaint against the City of Minot, the Coordinator will avoid interfering with the FAA investigation, cooperate with the FAA when needed, and share factual information with the FAA.

A summary of the investigation report, any appeal, or follow-up actions will be sent to the FAA via the FAA Civil Rights Connect System.

### **B. Title VI Yearly Reporting Practice**

At the end of each fiscal year, the City of Minot will have a yearly complaint reporting log. This will list all Title VI complaints that have come in during that time frame.

The City of Minot will identify and implement measures to reduce the chances of similar discrimination in the future.

## **V. TITLE VI PROGRAM MONITORING ACTIVITIES**

### **Subrecipient Monitoring**

The Title VI Recipient Checklist/Form and the Title VI Subrecipient Monitoring Checklist/ Form will be completed on an annual basis and provided to appropriate federal agencies requiring them at appropriate times. The Forms are a Word document and provide additional detail to accompany the checklist, which is saved in Excel. The suggested review period is in January to cover activities of the prior year (January- December). A representative from the City of Minot Human Resources Department and/or an assigned City personnel will complete the Title VI Recipient Checklist to ensure the City's Title VI procedures and plan follow federal regulations. The DBE Liaison Officer will follow up with the City personnel to ensure the City's checklist is completed. The DBE Liaison Officer will also complete the Title VI Subrecipient Monitoring Checklist to ensure that the City's Title VI processes and plan are being carried out. At a minimum, both checklists will be collected and saved by the DBE Liaison Officer for review annually. If requested by a federal agency, the checklists may also be uploaded to TrAMS or sent directly to the Title VI Oversight Agent at FTA Region 8 or another location. The following pages provide the questions and framework for the checklists as mentioned above.

### **Additional Title VI Requirements for Public Transit**

#### **1. Public Participation Plan**

Minot City Transit is committed to ensuring it serves the community fairly, consistently and in the most cost-efficient and appropriate manner using available resources. Federal and State government mandate public involvement because it helps to guide department decisions in providing public transportation services. Public involvement also benefits Minot City Transit and the public by allowing for the development of services that meet the needs of area citizens/customers. Through conversation and collaboration with riders, prospective riders, and local human service agencies, Minot City Transit continually assesses the quality of its service, measures potential impacts from Minot City Transit proposed initiatives and ensures that it is providing valuable services to the residents and visitors of the City of Minot. Public participation is a vital part of the process. The City of Minot Voluntary Attendance Sheet (see attachment 2) will be utilized to collect statistical data for public participation.

## **Purpose of the Public Participation Plan**

As part of the Title VI Program, Minot City Transit, a division of the City of Minot, is bolstering its public participation processes and enhancing its strategies for engaging under-served groups, including those with limited English. This plan outlines the importance of and provides guidelines for involving the public in Minot City Transit's planning efforts to ensure that all groups are represented and their needs considered.

## **Public Participation Process**

A public participation process will be considered at the earliest stages of any Minot City Transit project that may impact the general public and/ or potential riders. As the scope of the projects vary in time and size, the public participation process may vary for each, as well as the extent of public participation.

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. Minot City Transit will insure there is a 30-day notice and comment period prior to any reduction in service or increase in fares.

## **Minot City Transit's public participation process ensures that:**

1. Information about public participation opportunities will be advertised and/ or posted appropriately. Any public members with concerns or interests will have an appropriate opportunity to participate in decisions about Minot City Transit services and will be notified of these opportunities to provide input.
2. At the beginning of all projects staff will determine which strategies might have the highest potential to encourage public participation and best serve all those affected or possibly affected by the project, including those in the under-served communities. At any time during the project, it may be reevaluated and if appropriate, additional public participation activities will be explored.
3. Community involvement and contribution will be included in the development of the plans, passenger amenities and improvements at Minot City Transit
4. Comments and concerns of all persons or groups participating in the process will be considered in the development of the plans and locations of transit services and amenities.

5. At any time, members of the public are welcome to submit comments or concerns to Minot City Transit via email ([pwclerk@minotnd.org](mailto:pwclerk@minotnd.org)); in person at the Minot City Transit office in the Public Works Department building, 1025 31<sup>st</sup> Ave SE, Minot ND; by mail at P.O Box 5006, Minot, ND 58701; or by calling Minot City Transit at (701) 857-4148.

### **Public Participation Outreach Options**

Minot City Transit uses several strategies to provide interested parties with reasonable opportunities to be involved in the planning process. The following is a non-inclusive list of participation strategies and techniques that have been utilized:

1. Posting and/or distributing notices and/or flyers at key community locations and in buses; notifying stakeholders such as Health and Human Service Agencies, Minot Public Schools, and Minot State University.
2. Monthly Minot City Council meetings are open to the public for questions or comment on any Minot City Transit Services.
3. Partner with community-based organizations and/or agencies for targeted outreach; hold a facilitated discussion or question and answer session using visual aids such as maps, charts, illustrations, and/or photographs; hold meetings at varied dates, times and locations to ensure that all riders and potential riders in the Minot City Transit service area have equal access and opportunity to participate.
4. Rider surveys and interviews on board the transit vehicles; electronic surveys via website.
5. Utilize local media and news sources to inform the public of participation opportunities; news releases; public service announcements.
6. Posting information on the City of Minot website; posting on social media sites.

Minot City Transit is committed to serving the community and will continue providing public participation opportunities and outreach activities as well as execute various strategies to monitor the service area's transit needs against services provided and future plans.

## **Minot City Transit's Public Presence and Assistance**

In the past Minot City Transit has used various ways to engage, train, and distribute information to the public.

1. Conducting "Travel Training" for potential riders in order to help them understand how to use the website, ride the bus and interpret the bus route schedule
2. Attending coordination meetings with other local transportation agencies such as Souris Basin Transportation.
3. Coordinating with human service agencies to attend or present information at meetings.
4. Participates in other community events such as senior center health fairs and other informational events provided by local human service agencies.
5. **FIXED ROUTE SERVICE STANDARDS** (Only applicable if Fixed Route System)

## **2. Fixed Route Service Standards**

### **Vehicle Load Standards**

The average of all loads during the peak operating periods should not exceed 1.3 passengers/seat.

The average of all loads during non-peak operating periods should not exceed 1.0 passenger/seat.

### **Vehicle Headway Standards**

Minot City Transit operates all of its routes on a one-hour headway standard.

### **On-Time Performance Standards**

Minot City Transit's "on-time" performance standard prohibits vehicles from departing the transfer center at the Minot City Auditorium earlier than the posted departure time. Minot City Transit operates on a flag-stop type service. As there are no actual bus stops Minot City Transit strives to complete all routes "on time".

### **Service Availability Standards**

Minot City Transit is a public transportation system, operating 6 fixed routes within Minot city limits Monday through Friday from 7:00 a.m. until 7:00 p.m. Minot City Transit contracts with Souris Basin Transportation to provide complimentary para-transit service within Minot city limits.



## VI. GOALS AND ACCOMPLISHMENTS

**Goals:** City of Minot goals cited for 2024.

1. Provide a good response to the City of Minot's Title VI plan during any potential audit.
2. Collaborate with the council, commissions, boards, and committees to provide information by explaining the forms and their purpose to encourage participation.
3. Prepare and present for all-staff training during the year.
4. Continue to update the City of Minot's Title VI plan.
5. Continue to update the City of Minot's ADA plan.
6. Gather updated census information as available.
7. Monitor the NDDOT Title VI website for any required form updates and make changes to posted documents as needed.

**Accomplishments:** During the triennial period, here are the accomplishments obtained by the City of Minot in compliance with the Title VI program.

1. The thorough review and update of the City of Minot Title VI Plan.
2. The City of Minot employees reviewed annual training material on Title VI and Limited English Proficiency.
3. Ensured continued interpretive services and the providing of updated information to departments and employees.

### **Training:**

New employee orientation incorporates Title VI training. Topics include:

- Title VI and related laws prohibit discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age
- Title VI complaints must be forwarded to the Coordinator
- Protections against retaliation for filing civil rights complaints or related actions
- Title VI notices must be displayed throughout the all City public facilities
- All contracts must include Title VI clauses
- Language interpretation and translation services
- Cultural and community relations sensitivity training
- Anti-harassment training

Refresher information will be provided annually.

## APPENDIX A OF THE TITLE VI ASSURANCES

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, the Federal Highway Administration, 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 Federal Highway Administration 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 Federal Highway Administration 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 Federal Highway Administration 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 Federal Highway Administration 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.

## **APPENDIX B OF THE TITLE VI ASSURANCES**

### **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 Minot 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 the Federal-Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration 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 Minot 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 Minot 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 Minot, its successors and assigns.

The City of Minot, 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 Minot 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, Non-discrimination 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.)

## **APPENDIX C OF THE TITLE VI ASSURANCES**

### **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 City of Minot 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, City of Minot 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, City of Minot 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 Minot 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.)

## **APPENDIX D OF THE TITLE VI ASSURANCES**

### **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 City of Minot 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 Non-discrimination covenants, City of Minot 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, City of Minot will there upon revert to and vest in and become the absolute property of City of Minot 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.)

## APPENDIX E OF THE TITLE VI ASSURANCES

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 § 471, 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.F.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 non-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.*).



## E. Appendix F Airport Specific Provisions

### 1. Title VI Policy Statement<sup>1</sup>

**City of Minot** assures that no person shall on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex (including sexual orientation and gender identity), creed, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter, "Title VI and related requirements"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives U.S. Department of Transportation (DOT) funding. Title VI also prohibits retaliation for asserting or otherwise participating in claims of discrimination.

**City of Minot** further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. The Airport Sponsor agrees, among other things, to understand the communities surrounding or in the flight path, as well as customers that use the airport. Anytime communities may be impacted by programs or activities the **City of Minot** will take action to involve them and the general public in the decision-making process.

**City of Minot** requires nondiscrimination assurances, as prescribed by FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between **City of Minot** and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

Lisa Jundt, Title VI Coordinator, available at (701)857-4753 and [lisa.jundt@minotnd.gov](mailto:lisa.jundt@minotnd.gov) is responsible for overseeing the Airport Sponsor's compliance with Title VI and the point of contact for all airport Title VI matters and related responsibilities, including those required by 49 CFR Part 21.

**Signature**

[Director Name]  
[Director Title]

**Effective Date**

**3-Year Expiration Date**

In addition to the Coordinator and City's leadership, the following people also assist with our Title VI program requirements specifically for the city's Airport:

Staff Supporting Title VI Program	Airport Sponsor Program / Office
Jessica Long – Airport Business and Development Manager	MinotMinot International Airport

**The City** has the following airport program sub-recipients:

<sup>1</sup> This policy statement will be translated into languages other than English, upon request and based on patron and local language demographics.

*None*

As of the date of this plan, **the City** has the following pending applications for Federal financial assistance for Airport projects:

<b>Federal Source</b>	<b>Grant Number</b>	<b>Amount</b>
NONE	NONE	NONE

In addition, the **City's Airport's** sub-recipients have the following pending applications for Federal financial assistance (either directly from the FAA or passed through the State DOT.

<b>Federal Source</b>	<b>Grant Number</b>	<b>Amount</b>
<i>None</i>		

Updated information for pending and awarded grant applications will be available through the following methods:

<b>Federal Source</b>	<b>Grant Award Information Available at:</b>
<i>FAA-Dakota Minnesota ADO</i>	<i>Mark Holzer mark.holzer@faa.gov</i>

The Coordinator has not requested and received access to the Title VI portion of the FAA Civil Rights Connect System (<https://faa.civilrightsconnect.com/>); however, Airport staff supporting Title VI Program, Jessica Long has received access to the Title VI portion of the Civil Rights Connect System.

The City of Minot will conspicuously display the FAA-provided Unlawful Discrimination Poster in all public areas on airport property, including those with pedestrian activity.

The Coordinator ensures that these posters are visible, accessible,<sup>1</sup> and maintained. The poster template is available at [Unlawful Discrimination Poster \(faa.gov\)](#), and a completed copy is attached. See Section 15 Appendix.

Posters are displayed in the terminal and other areas on City of Minot Airport property, including the following locations:

<b>Terminal/FBO/Concessions/ Other Locations</b>	<b>Quantity in Pre-Security Area</b>	<b>Quantity in Post-Security Area</b>	<b>Additional Quantities</b>
Security Office, BSO, and Travel Center Pre-Security Gate 6 Elevator, Gate 4, and Gate 2	3	3	0

"Affected Communities" means any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path. The City of Minot Administration Department contacts leaders and representatives in Affected Communities directly to confirm effective media platforms to reach all Affected Communities<sup>2</sup> and provide important feedback on translated materials. The office maintains records of all such notices and the efforts made to reach each of the Affected Communities.

City of Minot will create a detailed CPP by **ENTER DATE**. A copy of the plan will be available at (URL).

To ensure that the community is effectively informed of and able to participate in public hearings, Minot International Airport includes public notices translated into appropriate languages, including for any language spoken by a significant number or proportion of the Affected Community population that has limited English proficiency (LEP). Such social media postings and notices will include directions for obtaining an interpreter, free of charge, for public hearings. 28 CFR § 42.405(d). See Limited English Proficiency (LEP) Section.

### Community Statistics

Title VI regulations require Federal grant recipients to know their community demographics. See 49 CFR § 21.9(b). By knowing this information, the City of Minot will be able to identify, understand, and engage with communities. In doing so, the City of Minot needs to know about communities eligible to be served, actually or potentially affected, benefited, or burdened by the City of Minot's airport program.

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<sup>2</sup> We will not subject any persons to discrimination based on race, color, national origin, age, sex, or creed. The term "protected communities" is used within this Title VI Plan to highlight the requirements of Title VI, 49 U.S.C. § 47123, the Age Discrimination Act of 1975, and, in some instances, includes low-income populations under Executive Order 12898.

Affected Communities <sup>3</sup>	Population
<i>City of Minot</i>	<i>47,759</i>

(Hereafter, the above communities will be referred to collectively as "the Affected Communities").

We have identified the following facts about the Affected Communities:

### Low-Income Communities<sup>4</sup>

A low-income area is an identifiable group of persons living in geographic proximity whose median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,"

the City of Minot is collecting information about affected and potentially affected low-income communities. According to the US Census Bureau Poverty in the United States: 2022, Table B-5, number, and percentage of people in Poverty by State using 3 Year Average, the overall poverty level for the state of North Dakota is approximately 11.5 %. The poverty rate remains similar compared with the rest of the state of North Dakota.

Affected Communities	Poverty Rate
<i>City of Minot</i>	11.3 %

#### Racial and Ethnic Communities.

Demographic data for race, color, and national origin was evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin for the specific Affected Communities are as follows<sup>5</sup>:

#### Affected Community: **Minot, ND** Total Affected Community Population: 47,759

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
<i>White</i>	39,258	82.2%
<i>Black or African American</i>	2149	4.5%
<i>American Indian or Alaska Native</i>	812	1.7%
<i>Asian</i>	1051	2.2%
<i>Native Hawaiian or other Pacific Islander</i>	48	0.1%
<i>Hispanic or Latino</i>	3534	7.4%
<i>Two or More, races</i>	3534	7.4%
<i>White alone, not Hispanic or Latino</i>	37968	79.5%

<sup>3</sup> "Affected communities" means any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

We have identified the following facts about the Affected Communities:

#### Low-Income Communities<sup>4</sup>.

A low-income area is an identifiable group of persons living in geographic proximity whose median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," the City of Minot is collecting information about affected and potentially affected low-income communities. According to the US Census Bureau Poverty in the United States: 2022, Table B-5, number, and percentage of people in Poverty by State using 3 Year

Average, the overall poverty level for the state of North Dakota is approximately 11.5 %. The poverty rate remains similar compared with the rest of the state of North Dakota.

Affected Communities	Poverty Rate
<i>City of Minot</i>	11.3 %

#### Racial and Ethnic Communities.

Demographic data for race, color, and national origin was evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin for the specific Affected Communities are as follows<sup>5</sup>:

**Affected Community: Minot, ND**  
**Total Affected Community Population: 47,759**

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
<i>White</i>	39,258	82.2%
<i>Black or African American</i>	2149	4.5%
<i>American Indian or Alaska Native</i>	812	1.7%
<i>Asian</i>	1051	2.2%
<i>Native Hawaiian or other Pacific Islander</i>	48	0.1%
<i>Hispanic or Latino</i>	3534	7.4%
<i>Two or More, races</i>	3534	7.4%
<i>White alone, not Hispanic or Latino</i>	37968	79.5%

<sup>4</sup> Low-income data must be collected to assist in our compliance with Environmental Justice requirements (not Title VI requirements). For example, this data will be utilized in our Community Participation Plan (CPP) to help ensure the meaningful involvement of low-income communities in airport programs and activities.

<sup>5</sup> Recommend using demographic groups from the U.S. Census.

#### Beneficiary Diversity.

Demographic information is collected from airport customers, attendees at community meetings, and businesses seeking opportunities at the Airport through voluntary disclosures.

#### Potential or Known Community Impacts

Projects or services receiving federal financial assistance have the potential to touch so many aspects of American life. Thus, in general, no City of Minot activity must have a discriminatory disparate impact on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age. This means

that policies or procedures that have a disparate impact would require a well-documented, substantial, legitimate, nondiscriminatory justification, summarized below. Impacts to protected communities must be avoided or minimized to the extent possible. No project with a discriminatory impact on protected communities will be undertaken.<sup>6</sup>

The following airport facilities are already in use or under construction and are expected to be in use within the next three years.

<b>Existing Airport Facilities</b>	<b>Affected Community Impacted by Operation of the Facility</b>
<i>Commercial Passenger Terminal</i>	<i>None</i>
<i>Terminal Public Parking lots</i>	<i>None</i>
<i>Snow Removal Equipment Building</i>	<i>None</i>
<i>Runway 13-31</i>	<i>None</i>
<i>Runway 08-26</i>	<i>None</i>
<i>Taxiway A</i>	<i>None</i>
<i>Taxiway B</i>	<i>None</i>
<i>Taxiway C</i>	<i>None</i>
<i>Taxiway D</i>	<i>None</i>
<i>Taxiway E</i>	
<i>Taxiway F</i>	<i>None</i>
<i>Passenger Terminal Apron</i>	<i>None</i>
<i>General Aviation Apron</i>	<i>None</i>
<i>ARFF Building 3</i>	<i>None</i>
<i>Cargo Apron</i>	<i>None</i>
<i>T Hangars 1-15</i>	<i>None</i>
<i>Private Hangars</i>	<i>None</i>
<i>Airport Access/Service Road System</i>	<i>None</i>

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<sup>6</sup> In order to carry out an alternative with a discriminatory impact, the airport sponsor must demonstrate that there was a substantial legitimate justification for the decision. The sponsor must also show that alternatives with less discriminatory impacts were meaningfully considered and rejected for legitimate reasons.

The following airport facility projects (including all alternatives) are in construction or expected to be in construction within the next three years:

<b>Airport Facility Construction Projects</b>	<b>Affected Community Impacted by Construction of the Facility</b>
Wildlife Hazard Mitigation Phase 1-2	<i>None</i>
Reconstruct Taxiway B2	<i>None</i>
T-Hangar Pavement Repair	<i>None</i>
Terminal Roadway and Parking Study	<i>None</i>
Electrical Vault Rehab/Equipment	<i>None</i>

Wildlife Hazard Removal – Phase 3	<i>None</i>
Reconstruct Taxiway C	<i>None</i>
GA Access Road Rehab and Construction- Phase 1	<i>None</i>
Runway 8 Approach Clearing	<i>None</i>
Runway 8/26 Rehab and Taxiway B Phase 1	<i>None</i>
G A Access Road Rehab and Construction- Phase 1-2	<i>None</i>
T-Hangar Replacement	<i>None</i>
Terminal Roadway and Parking – Phase 2	<i>None</i>

We have analyzed the above existing facilities and facility construction projects for disparate impacts on the basis of race, color, or national origin (including LEP) in Affected Communities. The following have disparate impacts:

<b>Facilities or Construction Projects with Disparate Impacts</b>	<b>Affected Community Impacted</b>	<b>Impact Can Be Eliminated?</b>
None		

Justifications: None

<b>Facilities or Construction Projects</b>	<b>Justification</b>
None	

Transportation

#### 49 Part CFR 21 Appendix C (a)(1)(ix)

In the Community Statistics section of this plan, we identified Affected Communities and provided demographic and related data for the community populations. The minority and disadvantaged community areas located within the Affected Communities are identified below. Other minority and disadvantaged community areas that are near the Airport but not within Affected Communities are also identified below.

We have coordinated with Minot City Transit to encourage them to provide transit service access between the airport and these areas.

The following chart identifies existing and planned transit services connecting the airport employment centers with the identified minority and disadvantaged community areas.

<b>Minority and/or Disadvantaged Community Areas</b>	<b>Transit Service</b>	<b>Planned or Existing</b>
Minot City Transit	Fixed-Route buses	Existing
Souris Basin Transportation	Paratransit vans	Existing

## Minority Businesses

### 49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority and woman-owned businesses through the following methods:

<b>Airport Business Opportunity</b>	<b>Minority Business Outreach Methods</b>
<i>Restaurant Concessionaire</i>	<i>Advertised (Public Notice) through local newspaper of record, published on City and Airport Websites, and direct outreach to known ACDBEs on the NDDOT website (Unified Certification Program for ND).</i>
<i>Parking Management Company</i>	<i>Advertised (Public Notice) through local newspaper of record, published on City and Airport Websites, advertised nationally in the American Association of Airport Executives website, and direct outreach to known ACDBEs on the NDDOT website (Unified Certification Program for ND). Currently filled with qualified ACDBE.</i>
<i>Car Rental Concessions</i>	<i>Bid would be advertised (Public Notice) through the local newspaper of record, published on City and Airport Websites, and direct outreach to known ACDBEs on the NDDOT website (Unified Certification Program for ND).</i>
<i>Airport Advertising</i>	<i>Once available bid opportunity will be advertised (Public Notice) through the local newspaper of record, published on City and Airport Websites and direct outreach to known ACDBEs on the NDDOT website (Unified Certification Program for ND).</i>

Selections comply with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions is kept with the Minot Airport administration.

Initial FAA Notification. A copy of each Title VI complaint will be forwarded to the FAA within 15 days of initial receipt (not the date that the Coordinator was notified). The Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter and the results thereof to the FAA Civil Rights staff. (Note:



complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to the FAA, the Coordinator will work with the Assistant Airport Director, who will upload the information to the FAA using the FAA Civil Rights Connect System, which issues automated notifications to FAA staff. The Coordinator, assisted by the Assistant Airport Director or designee, will also seek technical assistance from the FAA, as needed, throughout the complaint intake, investigation, and resolution process.

Forwarding Report and Response to Complainant. At the completion of the investigation, the Complainant and respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state the City of Minot's conclusion regarding whether unlawful discrimination occurred and will describe the Complainant's appeal rights. A summary of the investigation report, any appeal, or follow-up actions will be sent to the FAA via the FAA Civil Rights Connect System.

#### Completed Unlawful Discrimination Poster

[Unlawful Discrimination Poster \(faa.gov\)](http://faa.gov)

**FAA Notification. The Coordinator will notify FAA of any pending investigations and reviews, including:**

- **Compliance reviews or audits concerning civil rights requirements**
- **Complaints, lawsuits, or other investigations alleging noncompliance with civil rights requirements**

Title VI complaints must be forwarded to FAA contacts within 15 days of receipt. For all other civil rights investigations, the City of Minot must notify FAA contacts of any new investigations prior to grant execution.

At regular intervals, the Coordinator will provide FAA contacts with status updates for the investigations and reviews until completed. For each existing investigation or review completed within five years of this plan, the Coordinator will also provide a statement about the outcome unless previously provided.



**The City of Minot is committed to providing nondiscriminatory service. No person shall, on the basis of a person's national origin, race, color, disability, sex, age, and/or income status, be excluded from participation or be subjected to discrimination or harassment by the City of Minot or any of its locations.**

**Contact Lisa Jundt, Director of Human Resources and Title VI Coordinator for the City of Minot, at 701-857-4753 or [lisa.jundt@minotnd.gov](mailto:lisa.jundt@minotnd.gov) to request additional information on our nondiscrimination obligations or to file a complaint.**