

RESOLUTION NO. 2018-249

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ADOPTING THE CITY'S COMMUNITY TRANSPORTATION TITLE VI PROGRAM TO ENSURE COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 MANDATING THAT NO PERSON BASED ON RACE, COLOR, OR NATIONAL ORIGIN SHALL BE DISCRIMINATED AGAINST IN THE ACCESS TO OR EQUAL OPPORTUNITY TO PARTICIPATE IN THE CITY'S PUBLIC TRANSPORTATION SYSTEM; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek's public transportation program currently makes twenty-three (23) passenger trips per day on average; offers a North and a South Bus Route, which provide a wide range of trip purposes that include: medical, nutrition, shopping, social service, training, employment, social and recreation; and uses four (4) primary shuttle buses and two (2) spares, all of which are equipped for wheelchair service; and

WHEREAS, in order to provide such services, the City relies heavily on federal funds distributed by the Federal Department of Transportation to Broward County, and then to the City as a sub-recipient; and

WHEREAS, recently, Broward County made all of the cities receiving federal funds in the County aware that in order to continue receiving the funds, each must adopt an FDOT-State Management Plan – Title VI Program ("Title VI Program") no later than November 2018 to ensure compliance with Title VI of the Civil Rights Act of 1964; and

WHEREAS, City staff, with the help of Broward County's Transportation Department, put together the City's Community Transportation Title VI Program, attached hereto and incorporated herein as Exhibit "A," which details the City's public transportation program and the City's efforts to make same accessible to all users equally; and

WHEREAS, the City Commission of the City of Coconut Creek finds and

determines that approval of the Community Transportation Title VI Program, as presented, is in the best interest of the residents, business owners, and travelers throughout Coconut Creek.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. Exhibit "A," attached hereto, is incorporated herein and made a specific part of this Resolution.

Section 2: That the City Commission hereby formally adopts the FDOT-State Management Plan – Community Transportation Title VI Program, attached hereto and incorporated herein as Exhibit "A."

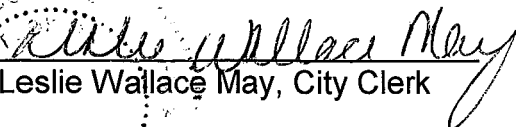
Section 3: That the City Manager, or designee, is hereby authorized to execute the Title VI/Nondiscriminatory Policy Statement and Management Commitment to the Title VI Program, contained within the Community Transportation Title VI Program packet.

Section 4: That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

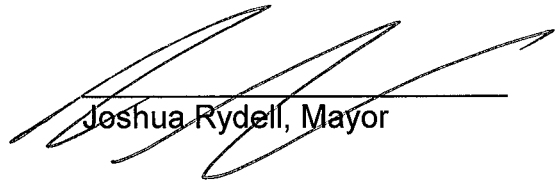
Section 5: That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 8th day of November, 2018.

Attest:


Leslie Wallace May, City Clerk




Joshua Rydell, Mayor

Rydell	<u>Aye</u>
Welch	<u>Aye</u>
Tooley	<u>Aye</u>
Sarbone	<u>Aye</u>
Belvedere	<u>Aye</u>

EXHIBIT "A"

COCONUT CREEK

Community Transportation

Title VI Program



Adopted November 2018

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1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Program

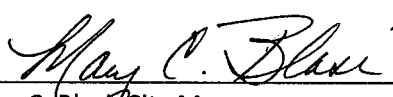
49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

The City of Coconut Creek assures that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

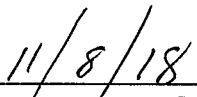
The City of Coconut Creek further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate, in languages other than English.
3. Insert the clauses of Section 4.5 of this Program into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against the City of Coconut Creek.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the primary recipients (refer to Appendix A of this Program).

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding.



Mary C, Blasi, City Manager
City of Coconut Creek



Date

2.0 Introduction & Description of Services

The City of Coconut Creek submits this Title VI Program in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

The City of Coconut Creek is a sub-recipient of FTA funds and provides service in Coconut Creek and portions of Coral Springs, Deerfield Beach, Margate, Parkland, and Pompano Beach. A description of the current system is described below (2.0.1).

Title VI Liaison

Alexander Tergis
954-545-6623
4900 West Copans Road
Coconut Creek, FL 33063

Alternate Title VI Contact

Sanjeev Bissessar
954-956-1537
4800 West Copans Road
Coconut Creek, FL 33063

Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by FDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.

2.0.1 Current Description of System

The City of Coconut Creek's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to City residents.

The City of Coconut Creek is an organization made up of 428 employees; 395 full-time employees and 33 part-time employees. The City Manager is responsible for all of the day-to-day operations of the City and reports directly to our City Commission.

The City operates its Community Shuttle Program in partnership with Broward County Transit (BCT). Transportation services are provided in accordance with an Interlocal Agreement between the City of Coconut Creek and BCT executed on September 30, 2014.

Transportation services are provided in accordance with the Broward County's approved System Safety/Security Program. Our transportation department has a total of 15 employees which include ten(10) full-time drivers, two(2) substitute drivers, one(1) supervisor, one(1) lead worker and one(1) facility attendant.

We will continue to operate at previous year (2018) service hours averaging 45 total service hours per day or approximately 13,590 annual service hours (assuming 302 operating days).

The City of Coconut Creek's Transportation Supervisor is responsible for training and management of our transportation program. All safety sensitive employees are required to complete FDOT approved safety and security training course as part of their new hire orientation. All new employees are also required have a valid Florida Commercial Drivers License with a Passenger endorsement to complete 57 hours of on- the-road drivers training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheel chair lifts and securement devices. The Risk Management Manager is responsible for annual renewal of all liability insurance for both FDOT and agency owned vehicles. It is the Transportation Supervisor's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles.

Maintenance on all agency vehicles is provided by Vector Fleet Management, LLC. Vector Fleet Management employs only ASE certified technicians with experience in working on commercial passenger vehicles like the type our organization uses. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the FDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at our operations base located at 4900 W. Copans Road and are maintained by the fleet manager. All records are maintained and retained for a minimum of four (4) years

Description of service routes and ridership:

The City operates two free community shuttle routes, which allows passengers to shop, visit, and travel within the Coconut Creek area. All stops are serviced hourly. The shuttles also connect with other shuttle services such as Broward County Transit. Transportation services provided through our program are available to all customers. Our fleet of six (6) vehicles (four provided by the county) allows us to run two (2) vehicles on each of our two (2) routes, while maintaining two (2) city owned spares should a vehicle need service or break down. All vehicles feature air conditioning, wheelchair accessibility, ADA compliance and bike racks. We provide a wide range of trip purposes that include: medical, nutrition, shopping, social service, training, employment, social and recreation. We make twenty-three (23) passenger trips per day on average, to a wide range of passengers from seniors to children, and a diverse ethnic background. We leverage our fleet resources so that all vehicles are used in a responsible manner to provide full coverage and retire the vehicles at a consistent pace and appropriate age and mileage.

Our service incorporates a North Route and South Route.

The N Route (North)

The North Route services Coconut Creek from Sample Road North to Hillsboro Boulevard serving locations such as Lakeside Park, the Recreation Complex, and the Coconut Creek Seminole Casino. The route passes by several schools, including Monarch High School and Lyons Creek Middle School. It also provides doorside service to the Walmart on Hillsboro Boulevard and the Publix at Winston Park Boulevard. It connects with BCT's #19, 31, 48, routes and Margate's Inner-City Transit shuttle service. Transfer to the "S" South route for additional travel opportunities are at Sample Rd and NW 42nd avenue, and the Coconut Creek Seminole Casino.

The S Route (South)

The South route services Coconut Creek from South Creek North to Sample Road. It is a great shopping route for neighborhoods such as the Township, Centura Park and South Creek residents. The route passes by the Festival Marketplace, Coconut Creek Community Center, Coconut Creek Parkway Publix and several shopping plazas. It also serves Broward College (Library), Atlantic Technical College and the Coconut Creek Government Center. Passengers can connect with BCT's #19, 31, 34, 60, 83 routes, Margate Inner-City Transit shuttle service and the Tri-rail. It connects with the "N" North route at Sample Road and NW 42nd avenue, and the Coconut Creek Seminole Casino.

2.1 First Time Applicant Requirements

FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.

The City of Coconut Creek is not a first time applicant for FTA/FDOT funding. The following is a summary of the City's current and pending federal and state funding.

1. Current and Pending FDOT Funding - Not Applicable

During the previous three years, no Federal or State Agency completed a Title VI compliance review of the City of Coconut Creek. The City of Coconut Creek has not been found to be in noncompliance with any civil rights requirements.

2.2 Annual Certifications and Assurances

FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.

The City of Coconut Creek will remain in compliance with this requirement by annual submission of certifications and assurances as required by FDOT and/or Broward County Transit (BCT).

2.3 Title VI Program Concurrence and Adoption

The Program was reviewed and approved by the City Manager, which serves as the executive official for the City of Coconut Creek that is responsible for the administration of all departments and City operations. The City Manager's letter affirming the review and approval of the Program is included in Appendix B.

3.0 Title VI Notice to the Public

FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

3.1 Notice to Public

Notifying the Public of Rights Under Title VI

The City of Coconut Creek Community Transportation Program

- The City of Coconut Creek operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Broward County Transit.
- For more information on the City of Coconut Creek's Community Transportation Program's civil rights program, contact 954-973-6715; email the City through its website at titlevi@coconutcreek.net ; or visit our administrative office at 4900 West Copans Road, Coconut Creek, FL 33063. For more information, visit www.coconutcreek.net.
- For more information on Title VI procedures, to file a complaint and/or obtain a complaint form contact Broward County Transit (BCT) at (954) 357-8481, TTY (954) 357-8302, or visit BCT's website at <http://www.broward.org/BCT/Pages/TitleVI.aspx>. You may also request information in writing to the Broward County Transportation Department, Transit Manager - Compliance, 1 North University Drive, 3100A, Plantation, FL 33324.
- Available in English, Spanish, French Creole, and Portuguese. However, if information is needed in another language, contact (954) 357-8481, TTY (954) 357-8302.

3.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of the City of Coconut Creek's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of the City of Coconut Creek's office(s) including the building lobby and reception desk and on the City's website at www.coconutcreek.net. Additionally, the city of Coconut Creek will post the notice on shuttle vehicles.

4.0 Title VI Procedures and Compliance

FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to member of the public.

4.1 Complaint Procedure

In accordance with the Interlocal Agreement with Broward County Transit on September 30, 2014, the City of Coconut Creek will use BCT's Complaint Process, Form and Procedures.

4.2 Complaint Form

A copy of the complaint form is provided in Appendix C and on Broward County Transit's website at <http://www.broward.org/BCT/Pages/TitleVI.aspx>.

4.3 Record Retention and Reporting Policy

The City of Coconut Creek will submit Title VI Programs to FDOT, BCT and any other primary recipient that provides funding to the City of Coconut Creek for concurrence on an annual basis or any time a major change in the Program occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

4.4 Sub-recipient Assistance and Monitoring

The City of Coconut Creek does not have any sub-recipients to provide monitoring and assistance. In the future, if the City has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.

4.5 Contractors and Subcontractors

The City of Coconut Creek is responsible for ensuring that contractors are in compliance with Title VI requirements. Contractors may not discriminate in the selection and retention

of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. The City of Coconut Creek, contractors, and subcontractors may not discriminate in their employment practices in connection with federally assisted projects. Contractors and subcontractors are not required to prepare or submit a Title VI Program. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety*

Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the City of Coconut Creek shall impose contract sanctions as appropriate, including, but not limited to:
 - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
 - b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the City of Coconut Creek, Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance.

5.0 Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.

The City of Coconut Creek has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years.

6.0 Public Participation Plan

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

The Public Participation Plan (PPP) for the City of Coconut Creek was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for the City of Coconut Creek. The public outreach strategies described in the PPP are designed to provide the public with effective

access to information about the City of Coconut Creek services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. The PPP is included as Appendix D to this Title VI Program.

Current Outreach Efforts

The City of Coconut Creek is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of the City's recent, current, and planned outreached activities:

- 1) City Commission Workshop – May 27, 2015
Community Shuttle Rerouting-
Meeting to evaluate the shuttle program for improvements and allow for public input
- 2) City Commission Workshop – Sept 10, 2015
Community Shuttle Rerouting-
Presentation of Final Report and Recommendations by Municipal
Solutions, Inc. regarding the Community Shuttle Program.
- 3) City Commission Meeting – August 10, 2016
Presentation on the proposed shuttle route changes and the express bus.

7.0 Language Assistance Plan

FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).

The City of Coconut Creek operates a transit system within Coconut Creek and portions of Coral Springs, Deerfield Beach, Margate, Parkland, and Pompano Beach. In the City of Coconut Creek service area there are 13,444 residents or 12.72% who describe themselves as not able to communicate in English very well (Source: US Census). The City of Coconut Creek is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The City of Coconut Creek has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP. The LAP is included in this Title VI Program as Appendix E.

8.0 Transit Planning and Advisory Bodies

FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

The City of Coconut Creek does not have a transit-related committee or board, therefore this requirement does not apply.

9.0 Title VI Equity Analysis

FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

The City of Coconut Creek has not recently constructed any facilities, nor does it currently have any facilities in the planning stage. Therefore, the City of Coconut Creek does not have any Title VI Equity Analysis reports to submit with this Program. The City of Coconut Creek will utilize the service area map included in Appendix G for future Title VI analysis.

10.0 System-Wide Service Standards and Service Policies

FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.

The City of Coconut Creek is a fixed route service provider.

The City of Coconut Creek has adopted the following system-wide standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

10.1 Service Standards

The City of Coconut Creek has prepared standards for the Community Shuttle it operates along the North Route and South Route.

a. Vehicle Load

Vehicle Type	Average Passenger Capacities			Maximum Load Factor
	Seated	Standing	Total	
15" Mini-Bus	20	10	30	1.5

b. Vehicle Headway

POLICY HEADWAYS AND PERIODS OF OPERATION			
WEEKDAY	Peak	Base	Evening
North Route	60	60	60
South Route	60	60	60
*Peak: 6:30-9am (South route) 7-9 am (North route) and 4 – 6 pm; Base: 9am - 4pm; Evening: 6-7 pm.			

SATURDAY	Day	Evening
North Route	60	--
South Route	60	--
* Day 6:30am - 6pm (South route), 7am – 6 pm (North route); Evening: 6-9:30 pm; "--" means no service is provided during that time period.		

c. On-Time Performance

A vehicle is considered on time if it departs a scheduled time point of zero (0) minutes early and no more than five (5) minutes late. The City of Coconut Creek's on-time performance objective is 80% or greater.

d. Service Availability

Community Shuttle routes operate to complement BROWARD COUNTY'S local, breeze, express, and paratransit services. To the greatest extent possible the Community Shuttle will fill gaps in COUNTY service coverage and offer local circulation to neighborhood destinations. Coconut Creek Community Shuttle will distribute transit service so that 70% of all residents in the service area not residing in a gated community are within a quarter mile walk of shuttle service.

10.2 Service Policies

FTA requires fixed route transit providers to develop a policy for service indicators. The City of Coconut Creek has prepared the following policies for its transit system.

Distribution of Transit Amenities

Installation of transit amenities along community shuttle routes are based on the number of passengers boarding at stops along those routes.

The City collaborates with the County in the siting of transit amenities in accordance with a criteria based on ridership, community need, and available right-of-way. For passenger convenience, Community Shuttle stops are generally placed in close proximity of shopping plazas, grocery stores, hospitals, parks, and offices.

Vehicles in service for 5 years or 150,000 miles are prioritized for replacement. Routes regularly exceeding the vehicle capacity threshold should be addressed through additional service. The COUNTY is generally responsible for the procurement and replacement of transit vehicles based on need and available funding.

11.0 Appendices

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Appendix A: FTA Circular 4702.1B Reporting Requirements for Transit Providers

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub- recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient.

General Requirements *(All recipients must submit):*

- ☐ Title VI Notice to the Public, including a list of locations where the notice is posted
- ☐ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ☐ Title VI Complaint Form
- ☐ List of transit-related Title VI investigations, complaints, and lawsuits
- ☐ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ☐ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ☐ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ☐ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ☐ A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- ☐ A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- ☐ Additional information as specified in Chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below).

Requirements of Transit Providers *(All Fixed Route Transit Providers must submit):*

- ☐ All requirements set out in Chapter III (General Requirements)
- ☐ Service standards
 - Vehicle load for each mode
 - Vehicle headway for each mode
 - On time performance for each mode
 - Service availability for each mode
- ☐ Service policies
 - Transit Amenities for each mode
 - Vehicle Assignment for each mode

Appendix B: Title VI Program City Official Approval Letter and FDOT Concurrence Letter

Appendix C: Title VI Complaint Form



Transportation Department

TRANSIT DIVISION / Administration

1 N. University Drive, Suite 3100A - Plantation, Florida 33324 - 954-357-8300 - FAX 954-357-8305

LANGUAGE TRANSLATION SERVICE AVAILABLE

NOTE: If you require this Title VI Complaint Form to be translated into another language, please log onto www.broward.org/bct. Click on either "Microsoft Translator" or "Google Translate" at the top right corner of the web page and select the appropriate language for your translation.

SERVICO DE TRADUCCIÓN LENGUA DISPONIBLE

NOTA: Si usted requiere de este Formulario de Queja del Título VI de ser traducido a otro idioma, por favor haga clic en cualquiera de "Microsoft Translator" o "Google Translate" en la esquina superior derecha de esta página web y seleccionar el idioma.

LANG TRADIKSYON SÈVIS KI DISPONIB

REMAK: Si w mande pou s a Tit VI Fòm Plent dwe tradui nan yon lòt lang, tanpri klike sou swa "Tradiktè Microsoft" oswa "Google Translate" nan kwen paj sa a web tèt dwat epi chwazi lang ki apwopriye a pou tradiksyon ou.

**Broward County Board of County Commissioners
Transportation Department**

COMPLAINT OF ADA and TITLE VI DISCRIMINATION

The Broward County Transit Division, as a recipient of federal financial assistance, is required to ensure that its transit service and related benefits are distributed in a manner consistent with Title VI of the Civil Rights Acts of 1964, as amended.

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination under Title VI, on the basis of race, color, or national origin, may file a written complaint with the Broward County Transit Division.

We are asking for the following information to assist us in processing your complaint. If you need help in completing this form, please contact us at (954) 357-8481 or TTY: (954) 357-8302.

NOTE: Alternate means of filing complaint, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

-
1. Complainant Name: _____
Street Address: _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____

2. Person you believe discriminated against you (if known):

Name: _____

3. Location of incident: _____

4. Are you represented by an attorney for this complaint?

Yes _____ No _____

If yes, please complete the following:

Attorney's Name: _____
Street Address: _____
City, State, Zip Code: _____
Telephone: _____

5. Which of the following best describes the reason you believe the discrimination took place? Please circle.

Race	Color	National Origin	Sex	Income Status	Age
Disability	Retaliation	Sexual Orientation	Political Affiliation	Marital Status	

6. Date(s) of the alleged discrimination: _____

7. In the space below, please describe the alleged discrimination. Explain what happened and who you believe was responsible. *(Include bus number, route number, name of transit employee(s) involved in the incident, date, location, and time of the incident, if applicable.)* Attach additional sheet if necessary.

8. Have you filed a complaint of the alleged discrimination with a federal, state, or local agency; or with a state or federal court?

Yes _____ No _____

If yes, check all that apply:

Federal _____ Federal Court _____
State _____ State Court _____ Local Court _____

Please provide the name of the Agency where you filed your complaint.

Agency Name: _____

Contact Person: _____

Complainant Signature

Date of Signature

You may attach any additional information you think is relevant to your complaint.

Submit your signed complaint and any attachments to:

**Broward County Transit Division
Attention: Transit Manager – Compliance
1 North University Drive, Suite 3100A, Box 306
Plantation, FL 33324**

Appendix D: Public Participation Plan (PPP)

Introduction

The Public Participation Plan (PPP) for the City of Coconut Creek ensures that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for the City. The City also recognizes the importance of many types of stakeholders in the decision-making process, including other units of government, metropolitan area agencies, community-based organizations, major employers, passengers and the general public, including low-income, minority, LEP, and other traditionally underserved communities.

Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP groups, to comment, about the City of Coconut Creek and its operations. The goals for this PPP include:

- **Inclusion and Diversity:** The City of Coconut Creek will proactively reach out and engage low-income, minority, and LEP populations for the City of Coconut Creek service area so these groups will have an opportunity to participate.
- **Accessibility:** All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.
- **Clarity and Relevance:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive:** The City of Coconut Creek will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Tailored:** Public participation methods will be tailored to match local and cultural preferences as much as possible.
- **Flexible:** The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

Public Participation Methods

The City of Coconut Creek intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

The City of Coconut Creek will conduct community meetings and listening sessions as appropriate with passengers, employers, community based organizations, and advisory committees to gather public input and distribute information about service quality, proposed changes or new service options.

The public will be invited to provide feedback on the City website (www.coconutcreek.net) and all feedback on the site will be recorded and passed on to the City of Coconut Creek Public Works management. The public will also be able to call the City of Coconut Creek Public Works office at 954-973-6780 during its hours of operation.

Meeting formats will be tailored to help achieve specific public participation goals that vary by project or the nature of the proposed adjustment of service. Some meetings will be designed to share information and answer questions. Some will be designed to engage the public in providing input, establishing priorities, and helping to achieve consensus on a specific recommendation. Others will be conducted to solicit and consider public comments before implementing proposed adjustments to services.

For all public meetings, the venue will be a facility that is accessible for persons with disabilities and, preferably, is served by public transit. For community meetings and other important information, the City

of Coconut Creek will use a variety of means to make riders and citizens aware, including some or all of the following methods:

- Government Access Channel Announcements (if available)
- In-vehicle advertisement
- Posters or flyers in City Hall and other City Government Community Centers
- Posting information on website
- Press releases and if feasible – briefings to media outlets
- Flyers and information distribution through various libraries and other civic locations that currently help distribute timetables and other information
- Other methods required by local or state laws or agreements

Information and materials communicating proposed and actual service adjustments will be made available in English and any other language that meets the “safe harbor” criteria.

Appendix E: Language Assistance Plan (LAP)

Introduction

The City of Coconut Creek operates a transit system within Coconut Creek and portions of Coral Springs, Deerfield Beach, Margate, Parkland, and Pompano Beach. The Language Assistance Plan (LAP) has been prepared to address the City of Coconut Creek's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Coconut Creek community shuttle service areas there are 13,444 residents or 12.72% who describe themselves as not able to communicate in English "very well" (Source: US Census). The City of Coconut Creek is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP.

For many LEP individuals, public transit is the principal transportation mode available. It is important for the City of Coconut Creek be able to communicate effectively with all of its riders. When the City of Coconut Creek is able to communicate effectively with all of its riders, the service provided is safer, more reliable, convenient, and accessible for all within its service area. The City of Coconut Creek is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts that the City of Coconut Creek undertakes to make its service accessible to all persons without regard to their ability to communicate in English. The plan addresses how services will be provided through general guidelines and procedures including the following:

- Identification: Identifying LEP populations in service areas
- Notification: Providing notice to LEP individuals about their right to language services
- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents
- Staffing: Identifying City of Coconut Creek staff to assist LEP customers
- Training: Providing training on LAP to responsible employees

Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use the City of Coconut Creek's services and identify needs for language assistance. This analysis is based on the "Four Factor Analysis" presented in the Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

- 1) Demography: identifying the number and/or proportion of LEP persons served or encountered, and languages spoken in service area.
- 2) Frequency: determining the rate of contact with the City's programs, activities, and services.
- 3) Importance: gauging the nature and importance of Community Shuttle program, service, and activities to people's lives.
- 4) Resources: assessing current and available resources, including language assistance services.

Factor 1: The Number and Proportion of LEP Persons Serviced or Encountered in

the Eligible Service Population

Of the 105,712 residents, in the Coconut Creek Community shuttle service area 13,444 residents describe themselves as speaking English less than “very well”. People of Spanish/ Spanish Creole, French Creole and Portuguese/ Portuguese Creole descent are the primary LEP persons likely to utilize the City of Coconut Creek services. For the Coconut Creek Community Shuttle service area, the American Community Survey of the U.S. Census Bureau shows that among the area’s population 87.28% speak English “very well”. For groups who speak English “less than very well”, 6.73% speak Spanish/ Spanish-Creole, 1.75% speak French-Creole and 1.63% speak Portuguese / Portuguese Creole.

Appendix F contains a table which lists the languages spoken at home by the ability to speak English for the population within the City of Coconut Creek and portions of Coral Springs, Deerfield Beach, Margate, Parkland, and Pompano Beach service areas.

Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services

The City of Coconut Creek has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. . As discussed above, Census data indicates that Spanish is the second most common language spoken. Phone inquiries and staff survey feedback indicated that Coconut Creek employees and drivers regularly interact with LEP persons. The majority of these interactions have occurred with LEP persons who mainly spoke Spanish.

Over the past 10 years, the Coconut Creek Transportation Division has received no requests for translated documents; however, if translation services are needed, the City can provide oral and written translations pertaining to our programs and services.

Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People’s Lives

Public transportation and regional transportation planning is vital to many people’s lives. According to the Department of Transportation’s *Policy Guidance Concerning Recipient’s Responsibilities to LEP Persons*, providing public transportation access to LEP persons is crucial. A LEP person’s inability to utilize public transportation effectively, may adversely affect his or her ability to access health care, education, or employment.

All transportation services will be performed in compliance with an additional contract with Broward County for Transportation Disadvantaged Services. The Program will comply with Chapter 427 of the Florida Statutes and Chapter 41-2 of the Florida Administrative Code. The Program also maintains a log of trip denials, which is utilized to make referrals, as well as documentation for expansion of services.

Factor 4: The Resources Available to the Recipient and Costs

The City of Coconut Creek assessed its available resources that are currently being

used, and those that could be used, to provide assistance to LEP populations. These resources include the following of 15 employees which include ten(10) full-time drivers, two(2) substitute drivers, one(1) supervisor, one(1) lead worker and one(1) facility attendant, and is supported by an annual budget of \$812,110. The City of Coconut Creek provides a reasonable degree of services for LEP populations in its service area.

Language Assistance Plan

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five (5) elements:

1. Identifying LEP individuals who need language assistance
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the plan

The five (5) elements are addressed below.

Element 1: Identifying LEP Individuals Who Need Language Assistance

The City of Coconut Creek has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix F). As presented earlier, 65.70% of the service area population speaks English only. The largest non-English spoken language in the service area is Spanish/Spanish Creole (17.88%). Of those who primary spoken language is Spanish/ Spanish Creole, approximately 6.73% identify themselves as speaking less than “very well”. Those residents whose primary language is not English or Spanish/Spanish Creole and who identify themselves as speaking English less than “very well” account for 5.99% of the service area population.

The City of Coconut Creek may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at the City’s Community Shuttle Meetings. This will assist the City in identifying language assistance needs for future events and meetings.
3. Having Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to the Community Transportation Division management to follow-up.
4. Vehicle operators and front-line staff (i.e. Dispatchers, Transit Operation Supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

Element 2: Language Assistance Measures

The City of Coconut Creek will undertake the following actions to improve access

to information and services for LEP individuals:

1. Provide bilingual staff at community events, public hearings, and transit committee meetings.
2. Survey transit drivers and other front-line staff on their experience concerning any contacts with LEP persons during the previous year.
3. Include statements clarifying that being bilingual is preferred on bus driver recruitment flyers and on-board recruitment posters.
4. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services.

Element 3: Training Staff

In the case of Coconut Creek, the most important staff training is for Customer Service Representatives and transit drivers. Several representatives are bilingual in English and Spanish.

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities
2. Use of Language Identification Flashcards
3. Documentation of language assistance requests
4. How to handle a potential Title VI/LEP complaint

Element 4: Providing Note to LEP Persons

The City of Coconut Creek will make Title VI information available in English, Spanish, French-Creole, and Portuguese on the Agency's website. Key documents are written in English and Spanish, and French-Creole, and Portuguese will be provided if requested. Notices will be posted in the City of Coconut Creek Office lobby and on shuttles. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

Element 5: Monitoring and Updating the Plan

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether the City's financial resources are sufficient to fund language assistance resources needed

The City of Coconut Creek understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. The City of Coconut Creek is open to suggestions from all sources, including customers, The City of

Coconut Creek staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

II. Safe Harbor Provision

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population.

The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

The Coconut Creek Community Shuttle service area does have LEP populations which qualify for the Safe Harbor Provision. As shown in Appendix H, 10,686 speakers qualify for the Safe Harbor Provision, as the number of persons which speak English less than "very well" is counted as 6.73 % and 7,111 Spanish / Spanish Creole speakers, 1.75% and 1,852 French Creole speakers, and 1.63% and 1,723 Portuguese / Portuguese Creole speakers.

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. The City of coconut Creek may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

**Appendix F: Operating Area Language Data: Coconut Creek Community Shuttle
Service Area**

Language	Population	Percentage
Service Area Total	105,712	100.00%
Speak only English	69,453	65.70%
Spanish or Spanish Creole	18,901	17.88%
Speak English "very well"	11,790	11.15%
Speak English less than "very well"	7,111	6.73%
French (incl. Patois, Cajun)	1,424	1.35%
Speak English "very well"	1,117	1.06%
Speak English less than "very well"	307	0.29%
French Creole	4,398	4.16%
Speak English "very well"	2,546	2.41%
Speak English less than "very well"	1,852	1.75%
Italian	516	0.49%
Speak English "very well"	409	0.39%
Speak English less than "very well"	107	0.10%
Portuguese or Portuguese Creole	4,445	4.20%
Speak English "very well"	2,722	2.57%
Speak English less than "very well"	1,723	1.63%
German	232	0.22%
Speak English "very well"	218	0.21%
Speak English less than "very well"	14	0.01%
Yiddish	185	0.18%
Speak English "very well"	169	0.16%
Speak English less than "very well"	16	0.02%
Other West Germanic languages	262	0.25%
Speak English "very well"	214	0.20%
Speak English less than "very well"	48	0.05%
Scandinavian languages	73	0.07%
Speak English "very well"	73	0.07%
Speak English less than "very well"	-	0.00%
Greek	33	0.03%
Speak English "very well"	9	0.01%
Speak English less than "very well"	24	0.02%
Russian	238	0.23%
Speak English "very well"	70	0.07%
Speak English less than "very well"	168	0.16%
Polish	215	0.20%
Speak English "very well"	138	0.13%
Speak English less than "very well"	77	0.07%
Serbo-Croatian	40	0.04%
Speak English "very well"	15	0.01%

Language	Population	Percentage
Speak English less than "very well"	25	0.02%
Other Slavic languages	147	0.14%
Speak English "very well"	132	0.12%
Speak English less than "very well"	15	0.01%
Armenian	29	0.03%
Speak English "very well"	-	0.00%
Speak English less than "very well"	29	0.03%
Persian	89	0.08%
Speak English "very well"	57	0.05%
Speak English less than "very well"	32	0.03%
Gujarati	48	0.05%
Speak English "very well"	48	0.05%
Speak English less than "very well"	-	0.00%
Hindi	879	0.83%
Speak English "very well"	747	0.71%
Speak English less than "very well"	132	0.12%
Urdu	236	0.22%
Speak English "very well"	137	0.13%
Speak English less than "very well"	99	0.09%
Other Indic languages	181	0.17%
Speak English "very well"	92	0.09%
Speak English less than "very well"	89	0.08%
Other Indo-European languages	137	0.13%
Speak English "very well"	88	0.08%
Speak English less than "very well"	49	0.05%
Chinese	698	0.66%
Speak English "very well"	364	0.34%
Speak English less than "very well"	334	0.32%
Japanese	16	0.02%
Speak English "very well"	-	0.00%
Speak English less than "very well"	16	0.02%
Korean	185	0.18%
Speak English "very well"	69	0.07%
Speak English less than "very well"	116	0.11%
Mon-Khmer, Cambodian	22	0.02%
Speak English "very well"	22	0.02%
Speak English less than "very well"	-	0.00%
Hmong	-	0.00%
Speak English "very well"	-	0.00%
Speak English less than "very well"	-	0.00%
Thai	75	0.07%
Speak English "very well"	-	0.00%

Language	Population	Percentage
Speak English less than "very well"	75	0.07%
Laotian	-	0.00%
Speak English "very well"	-	0.00%
Speak English less than "very well"	-	0.00%
Vietnamese	676	0.64%
Speak English "very well"	281	0.27%
Speak English less than "very well"	395	0.37%
Other Asian languages	526	0.50%
Speak English "very well"	387	0.37%
Speak English less than "very well"	139	0.13%
Tagalog	296	0.28%
Speak English "very well"	179	0.17%
Speak English less than "very well"	117	0.11%
Other Pacific Island languages	76	0.07%
Speak English "very well"	76	0.07%
Speak English less than "very well"	-	0.00%
Navajo	-	0.00%
Speak English "very well"	-	0.00%
Speak English less than "very well"	-	0.00%
Other Native American languages	56	0.05%
Speak English "very well"	56	0.05%
Speak English less than "very well"	-	0.00%
Hungarian	212	0.20%
Speak English "very well"	78	0.07%
Speak English less than "very well"	134	0.13%
Arabic	385	0.36%
Speak English "very well"	301	0.28%
Speak English less than "very well"	84	0.08%
Hebrew	272	0.26%
Speak English "very well"	191	0.18%
Speak English less than "very well"	81	0.08%
African languages	29	0.03%
Speak English "very well"	-	0.00%
Speak English less than "very well"	29	0.03%
Other and Unspecified languages	27	0.03%
Speak English "very well"	20	0.02%
Speak English less than "very well"	7	0.01%

Appendix G: Service Area Map

