

The City of Key Colony Beach, Florida
Title VI/Nondiscrimination Program Plan

April 2024

The City of Key Colony Beach, Florida (City) commits that no person shall be excluded from participation in, or denied the benefits of, or subjected to discrimination on the basis of race, color, religious or family status, sex, national origin, age or disability pursuant to Title VI of the Civil Rights Act of 1964, the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities, in any City affiliated program, service, or activity.

The City forbids discrimination against anyone on the basis of race, color, religious or family status, sex, national origin, age, disability or any other protected class and commits to take all steps necessary to prevent discrimination and ensure nondiscrimination in all programs, services and activities affiliated with the City.

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The City of Key Colony Beach, Florida Title VI/Nondiscrimination Program Plan POLICY STATEMENT

The City of Key Colony Beach, Florida (City) commits that no person shall be excluded from participation in, or denied the benefits of, or subjected to discrimination on the basis of race, color, religious or family status, sex, national origin, age or disability pursuant to Title VI of the Civil Rights Act of 1964 (Title VI), the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities, in any City affiliated program, service, or activity.

The City forbids discrimination against anyone on the basis of race, color, religious or family status, sex, national origin, age, or disability and commits to take all steps necessary to prevent discrimination and ensure nondiscrimination in all programs, services and activities affiliated with the City.

This City of Key Colony Beach, Florida Title VI/Nondiscrimination Program Plan (Title VI Plan) was developed to demonstrate the City's compliance with Federal and State nondiscrimination authorities and serves as a guide to the general public on the City's method for the processing of complaints alleging discriminatory actions incurred by way of a City affiliated program, service, or activity.

The City is responsible for the investigation of any complaints alleging discrimination with any City affiliated program, service, or activity as defined in this Title VI Plan.

Any questions regarding this Title VI Plan are to be directed to: Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean, P.O. Box 510141, Key Colony Beach, FL 33051, Email: CityClerk@keycolonybeach.net.

Telephone: 305-289-1212 ext. 2 Fax: 305-289-1767 Hearing Impaired: 305-289-1767

COMPLAINT PROCEDURES

The City has established a discrimination complaint procedure and shall take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she, or any specific class of persons has been subjected to discrimination or retaliation based upon race, color, religious or family status, sex, national origin, age or disability in connection with any The City of Key Colony Beach, Florida affiliated program, service or activity may file a complaint for discrimination under Title VI with the City's Title VI Liaison.

The City of Key Colony Beach, Florida adopts the following Complaint Procedures to ensure uniformity and a clear understanding of the process involved in addressing complaints received from the public detailing possible discriminatory actions taken against any person or groups of persons in connection with City affiliated programs, services and/or activities. Individuals who do not have access to internet can submit complaints and receive print outs of all forms, policies, and procedures at City Hall.

Complaints Involving Pedestrian or Transportation Facilities

All discrimination complaints submitted to the City that directly involves a Florida Department of Transportation (FDOT) Local Agency Program (LAP) funded capital project of the City will be handled by the Office of Equal Opportunity/Diversity Programs.

However, if at any time a discrimination complaint involving pedestrian or transportation facilities cannot be satisfactorily resolved by the City, the entire complaint and investigative file will be forwarded to the appropriate Federal or State authority for further processing.

How to file a Title VI Complaint?

The Complainant may file a complaint with the Title VI Liaison no later than 180 days after the date of the alleged discrimination. If possible, the complaint should be submitted in writing via email to CityClerk@keycolonybeach.net and contain the following information:

- A. Full name and contact information of the Complainant;
- B. Names(s) and contact information of the official(s) alleged to have discriminated, if applicable;
- C. Basis for the allegations (i.e., race, color, national origin, sex, age, disability, religion, family status);
- D. Description of the alleged discrimination with the date of occurrence;
- E. Other agencies (state, local or Federal) where the complaint has been filed, if applicable; and
- F. The names and contact information of any witnesses, if applicable.

If the complaint cannot be submitted in writing, the Complainant should contact the Title VI Liaison for assistance.

Attention:

Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean Drive, P.O. Box 510141, Key Colony Beach, FL 33051

Email: CityClerk@keycolonybeach.net Phone: 305-289-1212 ext. 2 Fax: 305-289-1767

Hearing Impaired: 305-289-1212

A Complainant's failure to respond to requests by the Title VI Liaison for additional information necessary to investigate the discrimination complaint may result in a delay in investigation of the complaint and may possibly result in the administrative closure of the complaint due to a lack of information to properly conduct an investigation of the complaint.

The City's Title VI Liaison has 'easy access' to the City Administrator and is not required to obtain management or other approval to discuss discrimination issues with the City Administrator. However, should the Complainant be unable or unwilling to complain to the City, the Complainant may submit a written complaint directly to the Florida Department of Transportation ("FDOT") at the address below:

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

The Title VI Complaint Form A may be used to submit the discrimination complaint. The complaint may be filed verbally or in writing to the City at the following contact information:

Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean Drive, P.O. Box 510141, Key Colony Beach, FL 33051

Email: CityClerk@keycolonybeach.net Phone: 305-289-1212 ext. 2 Fax: 305-289-1767

Hearing Impaired: 305-289-1212

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

What happens to the complaint once it is submitted? All discrimination complaints received by the City will be directly addressed by the Title VI Liaison in accordance with the process below:

1. Within seven (7) business days, the City's Title VI Liaison shall provide a written letter of acknowledgment of receipt (Form F) of the discrimination complaint received by Complainant and shall inform the Complainant of the procedures to be undertaken to process the complaint and of all other means of redress available to the Complainant.
2. Within thirty (30) calendar days, the Title VI Liaison shall officiate the investigation of the complaint and determine whether it's substantiated or unsubstantiated.
3. If the complaint is substantiated upon the City's investigation of the information collected and compiled pertaining to the complaint, a written determination response will be prepared for review by the City Attorney, including, if applicable, an explanation of the actions the City has taken or is proposing to take to resolve the complaint.
4. Within sixty (60) calendar days of receipt of the verbal or written discrimination complaint, the Title VI Liaison shall notify the Complainant in writing of the final decision reached by the City, including the proposed disposition of the original filing of discrimination. The final decision letter will advise the Complainant of his or her right to file a formal complaint with the FDOT's Equal Opportunity Office (EOO), if they are dissatisfied with the final decision rendered by the City.

5. For more information on unsubstantiated complaints see 'How will Complainant be notified of outcome of the complaint?'

How will Complainant be notified of outcome of the complaint?

The Title VI Liaison will deliver by US Postal Mail service a written determination letter (Form G) to the Complainant explaining the actions the City has taken or is proposing to take to resolve the complaint. If the outcome of the investigation of the complaint of discrimination is found to be unsubstantiated, the Complainant will be notified of such in writing (Form H) and advised of his or her right to: 1) appeal the City's decision within seven (7) calendar days of receipt of the written determination letter from the City; and/or 2) file a complaint with the U.S. Department of Transportation and/or the U.S. Department of Justice and the contact information below.

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

U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Ave. Washington

D.C. 20590 202-366-4648 <https://www.transportation.gov/civil-rights/about-docr>

U.S. Department of Justice Office of Civil Rights Federal Coordination and Compliance Section, NWB 950 Pennsylvania Avenue, N.W. Washington, D.C. 20530

<http://www.justice.gov/crt/about/cor/coord/titlevi.php>

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

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

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City shall provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least ten (10) calendar days prior to the need for accommodation. Questions, concerns, comments or requests for accommodation should be made to the City's ADA Officer:

Attention: Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean Drive, P.O. Box 510141, Key Colony Beach, FL 33051

Email: CityClerk@keycolonybeach.net Phone: 305-289-1212 ext. 2
Fax: 305-289-1767

SUB-RECIPIENT REVIEW PROCEDURES

The City of Key Colony Beach, Florida, as a sub-recipient of Federal funds, must comply with Federal and State nondiscrimination authorities, including the statutes. The City must also take steps to prevent discrimination and to ensure nondiscrimination in all programs, services and activities of the City, and further, to enforce this Title VI/Nondiscrimination Plan policy with all vendors, consultants, and contractors (collectively, "Vendors") doing business with The City of Key Colony Beach, Florida to ensure compliance with such nondiscrimination authorities.

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

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

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Attention: Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean Drive, P.O. Box 510141, Key Colony Beach, FL 33051

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Fax: 305-289-1767

As mandated by FDOT, the City shall require all Vendors doing business with the City to acknowledge that it shall comply with Federal, State, and local government nondiscrimination statutes and laws. Further, the City, through its Purchasing Department, shall ensure that all procuring contracts involving a City Vendor incorporate the Title

VI/Nondiscrimination “[Appendices A and E]” contract clauses, as may be updated from time to time.

The City, through its Purchasing Department, shall regularly conduct pre-award and post- award compliance reviews of all Vendors to ensure compliance with the Title VI requirements and shall immediately refer any manner of deviation from the Title VI requirements to the Title VI Liaison for review and investigation.

COMPLIANCE AND ENFORCEMENT PROCEDURES

The City shall submit, on an annual basis, a report documenting all Title VI complaints of discrimination or retaliation received by the City in connection with any City affiliated program, service or activity, even if the complaints are received verbally or anonymously; and a findings report on the racial and ethnic data of any person or persons impacted due to an act of discrimination in connection with a City affiliated program, service or activity.

The City is mandated to maintain a log of all Title VI complaints filed with the City.

DISSEMINATION OF TITLE VI INFORMATION

The name and contact information of the Title VI Liaison is available on the City’s website, at www.keycolonybeach.net. Additional information relating to the City’s nondiscrimination obligation is provided in the Appendices of this document. The City’s Notification of Title VI and related authority rights statement is available in Appendix A. Further information can be obtained directly from City Hall.

Title VI Liaison contact information.

Attention:

Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean, P.O. Box 510141, Key Colony Beach, FL 33051

Email: CityClerk@keycolonybeach.net Telephone: 305-289-1212, ext. 2 Fax: 305-289-1767

Hearing Impaired: 305-289-1212

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

U.S. Census data estimates the population for the City of Key Colony Beach at 650, all 650 of those are reported to speak only English in 2020. Additionally, out of 367 households, there are 0 as reported as limited English speaking. Taking into account margin of error, this indicates that plus or minus 15 households are limited English speaking households or approximately twelve percent (12.7%) are individuals whose primary language at home is Spanish.

The City does not regularly come into contact with limited English speaking residents, but the City is willing to hire translators for City meetings, translate any agenda and documents, if

needed. Some City employees are bilingual and are willing to provide translation and/or interpretation services. In all other cases, City information can be conveyed in other languages as reasonably necessary.

The City recognizes the need to accommodate residents with limited English proficiency and is committed to providing programs and services that are accessible to all persons regardless of potential language barriers. The City understands that its community profile is changing and that future analysis of the City LEP Plan may reveal the need for more or varied LEP services in the future.

The following guidelines are presently used to assist persons with Limited English Proficiency:

1. Meetings, hearings and other public involvement event include bilingual interpreters and written information, as reasonably appropriate.
2. The City Title VI/Nondiscrimination Program Policy and Complaint Procedures are available on the City's main website at www.keycolonybeach.net in English and can be made available in other languages as requested. Individuals who do not have access to internet can receive print outs of all forms, policies, and procedures at City Hall.

The City will review its LEP procedures annually to determine if modifications are needed to meet language assistance deficiencies. Persons requiring special language services should contact the City's Title VI Liaison.

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Email: CityClerk@keycolonybeach.net Phone: 305-289-1212 ext. 2 Fax: 305-416-1995 Hearing Impaired: 305-416-1735

PUBLIC PARTICIPATION ELEMENT

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City must have input of its public. The City actively seeks to engage the public in its planning and decision-making processes. Members of the public may make statements at Commission meetings, which occur on the third Thursday of the month. City Commission agendas are available for review by the public before Commission meetings.

The City continuously seeks innovative methods to engage the public in its planning and decision-making processes, and most often City officials and staff members coordinate outreach activities to solicit public input. The City also adheres to the following outreach activities:

- Public Townhall Meetings, which occur the Monday before City Commission Meetings
- The City's Title VI/Nondiscrimination Complaint Procedure is available to the public online at www.keycolonybeach.net;

- Inviting public inquiries about all programs, services and activities through general meeting announcements resulting from notice of funding availability from City funding agencies, Commission meetings held within specific communities; and
- The City maintains an online database of City Commission action on legislative matters and all such records are available and accessible to the public via the City's main website at www.keycolonybeach.net. Resolutions adopted by the City to apply for and utilize Federal and State grant funding are posted on the public hearing/meeting agenda web page and are subject to public notice and comment procedures.

The City spends extensive staff and financial resources in furtherance of the goal of obtaining public involvement and continues to strongly encourage the participation of the entire community. The City holds a number of meetings, workshops and other events designed to gather public input on project planning and construction. Further, the City attends and participates in other community events to promote its services to the public.

Persons wishing to volunteer in any of its activities or offer suggestions for improvement of city/county public involvement may contact:

Attention: Silvia Gransee

City Clerk

City of Key Colony Beach

600 W. Ocean

P.O. Box 510141

Key Colony Beach, FL 33051

Email: cityclerk@keycolonybeach.net Telephone: 305-289-1212 ext. 2

Fax: 305-289-1767

Hearing Impaired: 305-289-1212

DATA COLLECTION/REPORTING ANALYSIS

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

The City Clerk compiles and maintains the official records for The City of Key Colony Beach, Florida. At a minimum, records maintained shall include:

1. notice of all lawsuits and complaints filed against the City;
2. a description of assistance applications that the City has pending in other agencies and of other Federal assistance being provided;
3. a description of any civil rights compliance reviews of the applicant during the preceding two years; and
4. a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.

The City of Key Colony Beach, Florida Title VI /Nondiscrimination Program FORMS

TITLE VI / NONDISCRIMINATION ASSURANCES

Pursuant to Section 9 of US DOT Order 1050.2A, the assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, 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, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The City further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison (City Clerk) that has a responsible position within the organization and access to the Recipient's Chief Executive Officer (Mayor).
2. Issue a policy statement signed by the Mayor, 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. Develop a complaint process and attempt to resolve complaints of discrimination against sub- recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Liaison.
4. Participate in training offered on Title VI and other nondiscrimination requirements.
5. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
6. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

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. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.

APPENDICES A and E

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 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 Contractor'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 status.

(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 *Florida Department of Transportation* shall

impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be 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 (7) in every subcontract, including procurements 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 *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. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

(7.) **Compliance with Nondiscrimination Statutes and 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).

Appendix A Public Notice – The City of Key Colony Beach, Florida Title VI/Nondiscrimination Plan

The City of Key Colony Beach, Florida (City) commits that no person shall be excluded from participation in, or denied the benefits of or subjected to discrimination on any City affiliated programs, services, and activities on the basis of race, color, religious or family status, sex, national origin, age or disability as provided by Title VI of the Civil Rights Act of 1964 (Title VI), the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and the Florida Civil Rights Act of 1992 and other nondiscrimination authorities.

The City commits to take all steps necessary to prevent discrimination and ensure nondiscrimination in all programs, services and activities of City.

For Information on The City of Key Colony Beach, Florida’s Title VI Nondiscrimination Plan or to file a Title VI Complaint:

Name: Silvia Gransee
Phone: 305-289-1212
Fax: 305-289-1767
Hearing Impaired: 305-289-1212
Email: CityClerk@keycolonybeach.net
In person: 600 W. Ocean
Key Colony Beach, FL 33051
Online: www.keycolonybeach.net

A Complainant may opt to file a complaint directly with the U.S. Department of Transportation or U.S. Department of Justice by contacting either agencies at the following addresses:

U.S. Department of Transportation

Office of Civil Rights 1200 New Jersey Ave. Washington D.C. 20590 202-366-4648

<https://www.transportation.gov/civil-rights/complaint-resolution/complaint-process>

U.S. Department of Justice

Office of Civil Rights Federal Coordination and Compliance Section, NWB 950 Pennsylvania Avenue, N.W. Washington, D.C. 20530 <https://www.justice.gov/crt/fcs/TitleVI>

If you require information in a language other than English, please contact 305-416-1990. Si usted requiere información en español, por favor llame 305-416-1990. Si ou bezwen enfòmasyon sa a nan yon lòt lang ke angle, tanpri kontakte 305-416-1990.

Exhibit A

Acknowledgement of Receipt of Title VI Nondiscrimination Plan

I hereby acknowledge the receipt of The City of Key Colony Beach, Florida Title VI Nondiscrimination Plan. I have read the plan and I commit to comply with the plan to ensure that no person is excluded from participation in, or denied the benefits of access to any City program or service benefit on the basis of race, color, or national origin, as protected by Title VI, or on the basis of sex, age, disability, religion and family status, as required by other Federal and State nondiscrimination authorities.

Recipient signature

Print your name

Print name of Vendor or Contractor

Date

Exhibit B

Title VI Nondiscrimination Complaint Procedures

Any person who believes they have been discriminated or retaliated against on the basis of race, color, national origin, sex, age, disability, religion or family status while participating in a The City of Key Colony Beach, Florida affiliated program, service or activity may file a discrimination complaint with the City's Title VI Liaison by completing and submitting the agency's Title VI/Nondiscrimination Complaint Form. *A complaint may be filed no later than 180 days after the date of the alleged discrimination.* The City or its designated Title VI Liaison will process complaints that are complete.

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

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

After the case is investigated he/she will issue one of two letters to the Complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.

If the Complainant wishes to appeal the decision, he/she has ten (10) business days after the date of the LOF to do so. A person may also file a complaint directly with one or both of the following:

U.S. Department of Transportation U.S. Department of Justice

Office of Civil Rights Office of Civil Rights

1200 New Jersey Avenue Federal Coordination & Compliance Washington D.C. 20590 Section, NWB

Phone: 202-366-4648 950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

<https://www.transportation.gov/civil-rights/about-docr>

The City of Key Colony Beach, Florida Title VI/Nondiscrimination Program – Form A

Discrimination Complaint Form

If you feel you have been discriminated against, please provide the following information in order to assist us in processing your complaint. Please print clearly.

Name:

Address:

City, State, Zip Code:

Telephone Number: (home) (cell)

Person discriminated against:

Address of person discriminated against:

City, State, Zip Code:

Please indicate why you believe the discrimination occurred:

- race color
- national origin sex age disability
- religion family status other

What was the date of the alleged discrimination? Where did the alleged discrimination take place?

Please describe the circumstances as you saw it: Please list any and all witnesses' names and phone numbers:

Please attach any documents which support the allegation. Then date and sign this form and send to the Title VI Liaison at:

Attention: Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean, P.O. Box 510141, Key Colony Beach, FL 33051 Email: CityClerk@keycolonybeach.net

Telephone: 305-289-1212 ext. 2 Fax: 305-289-1767 Hearing Impaired: 305-289-1767

Your signature

Print your name

Date

The City of Key Colony Beach, Florida Title VI/Nondiscrimination Program – Form F Letter
Acknowledging Receipt of Complaint

Date

Complainant's Name Complainant's Address

Dear (Mr. /Ms.):

This letter is to acknowledge receipt of your complaint against The City of Key Colony Beach,
Florida alleging

An investigation will begin shortly. If you have additional information you wish to convey or
questions concerning this matter, please feel free to contact this office by telephoning 305-289-
1212, or write to me at the address below.

Sincerely,

Attention: Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean, P.O. Box
510141, Key Colony Beach, FL 33051 Email: CityClerk@keycolonybeach.net

Telephone: 305-289-1212 ext. 2 Fax: 305-289-1767 Hearing Impaired: 305-289-1767

The City of Key Colony Beach, Florida Title VI/Nondiscrimination Program – Form G Letter
Notifying Complainant that the Complaint Is Substantiated

Date

Complainant's Name Complainant's Address

Dear (Mr. /Ms.):

The matter referenced in your letter of _____ (date) against The City of Key Colony Beach, Florida alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of _____ (list all applicable nondiscrimination authorities) including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for bringing this important matter to our attention. You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean, P.O. Box 510141, Key Colony Beach, FL 33051 Email: CityClerk@keycolonybeach.net

Telephone: 305-289-1212 ext. 2 Fax: 305-289-1767 Hearing Impaired: 305-289-1767

The City of Key Colony Beach, Florida Title VI/Nondiscrimination Program – Form H Letter
Notifying Complainant of Unsubstantiated Complaint

Date

Complainant's Name Complainant's Address

Subject:

Dear (Mr. /Ms.)

The City of Key Colony Beach, Florida has concluded its investigation into the complaint dated _____ (date) ("Complaint") submitted against The City of Key Colony Beach, Florida ("City") by (name) _____ as identified victim or complainant ("Complainant") claiming discrimination on the basis of ("Racial Basis").

The City has reviewed the information and evidence of _____, submitted by Complainant, has analyzed the materials and facts pertaining to the Complaint and conducted an independent investigation into the Complaint, and has found no evidence of discrimination as to the Racial Basis presented by Complainant for investigation.

The City's Title VI /Nondiscrimination Program Policy prohibits discrimination and provides that no persons shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity of The City of Key Colony Beach, Florida on the basis of race, color, sex, age, national origin, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities.

The Complaint has not been substantiated and therefore, this investigation into the Complaint has been closed.

You, as Complainant, have the right to appeal this decision by the City within seven (7) calendar days of receipt of this written determination letter by the City by submitting a letter of appeal to the United States Department of Justice at:

U.S. Department of Justice

Office of Civil Rights Federal Coordination and Compliance Section, NWB 950 Pennsylvania Avenue, N.W. Washington, D.C. 20530

<https://www.justice.gov/crt/fcs/TitleVI>

Cordially,

Silvia Gransee, City Clerk, City of Key Colony Beach, 600 W. Ocean, P.O. Box 510141, Key Colony Beach, FL 33051 Email: CityClerk@keycolonybeach.net

Telephone: 305-289-1212 ext. 2 Fax: 305-289-1767 Hearing Impaired: 305-289-1767

The City of Key Colony Beach, Florida Title VI/Nondiscrimination Program - Exhibit I

List of Title VI and Other Discrimination Investigations, Complaints, and Lawsuits

The City of Key Colony Beach, Florida does not have any active investigations, complaints, or lawsuits to disclose at this time. Any future disclosures will be listed under this appendix in the Title VI/Nondiscrimination Program Plan.

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The City of Key Colony Beach, Florida

Language Assistance Plan (“LAP”)

1. Language Access Policy

It is the policy of The City of Key Colony Beach, Florida (“City”) to prohibit discrimination in all federally funded programs and services offered to its residents regardless of race, color, age, religion, gender, disability, or national origin, which includes persons with Limited English Proficiency (“LEP”). The City follows the federal mandate to make reasonable efforts to ensure that LEP applicants and beneficiaries have meaningful access to services, programs and activities for which they may be eligible.

2. Purpose

The purpose of the City’s Language Assistance Plan (“LAP”) is to: (1) show that the City has made reasonable efforts to help ensure that persons with limited English proficiency have meaningful access to City programs and services; (2) help prevent discrimination against LEP persons based on their national origin (which includes limited English proficiency); and (3) comply with Title VI of the Civil Rights Act of 1964.

3. Language Assistance Plan

Individuals with limited English proficiency have access to translators when needed. The City’s public announcements are provided in English, but translations can be provided when requested. Language assistance is also provided to those who are hearing impaired. These services are also available upon request by the public.

In compliance with Executive Order 13166, directing recipients and sub-recipients of federal aid to ensure such discrimination does not take place, the City outlines the components of the plan below.

4. Language Assistance Plan Components

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the City programs and services:

U.S. Census data estimates the population for the City of Key Colony Beach at 650, all 650 of those are reported to speak only English in 2020. Additionally, out of 367 households, there are 0 as reported as limited English speaking. Taking into account margin of error, this indicates that plus or minus 15 households are limited English speaking households or approximately twelve percent (12.7%) are individuals whose primary language at home is Spanish. ¹

¹ Data from U.S. Census Bureau (2020) American Community Survey 1-year estimates

Factor 2: The frequency with which LEP individuals come into contact with City programs and services:

According to the U.S. Census Bureau, The City of Key Colony Beach, Florida had a population of approximately 650 as of 2020. The City provides a variety of municipal services that are potentially available to all persons living or doing business within City limits. However, with the low number of Spanish speaking households and limited English speaking households the likelihood of an LEP individual coming into contact with City programs is fairly low.

Factor 3: The importance of the services provided by the City:

The City provides various municipal services to the public to improve and enrich their lives. Services include infrastructure, housing, and economic development, as well as parks and recreation programs. These vital services play a pivotal role in enriching City neighborhoods and improving the overall quality of life for City residents.

Addressing community development needs is also a high-level priority for The City of Key Colony Beach, Florida. The City works to stimulate neighborhood development through strategic implementation of its programs and services. For example, the City has the Key Colony Beach Community Association, a not-for-profit organization that further the interests of the residents and surrounding communities to provide programs and activities for beautification, security, safety, education, and recreational enjoyment of the community. The City of Key Colony Beach provides several community clubs that benefit residents, including a fishing and boating club. The City provides various sporting equipment to use at any of the City's recreational facilities. Additionally, there are community book clubs, Pilates classes, beautification committees, and community health education services.

Factor 4. The resources available and overall costs:

The City provides information in English and Spanish, if requested. Information regarding essential programs, services, and activities are provided on the City's website and in City facilities open to the public. Residents can also request translations of documents into Spanish. A small portion of the City's employees are bilingual, which facilitates communication with LEP individuals. The City regularly disseminates information via its website, www.keycolonybeach.net.

The various offices of the City have employees dedicated to community outreach and engagement who create all materials originally in English, but will provide translations if requested. The City outsources translation services from a list of qualified agencies, when needed.

The following guidelines are used to assist persons with limited English proficiency:

- a. Meetings, hearings and other public involvement events include bilingual interpreters for oral and written information, as reasonably requested.
- b. The City's Title VI/Nondiscrimination Policy and Complaint Procedures is posted on the City's web page in English, Spanish and other languages can be provided as reasonably requested.

5. Language Assistance Services

The City of Key Colony Beach, Florida provides language assistance (such as qualified interpreters or staff whose proficiency in non-English languages has been documented), in both face-to-face and telephone encounters that address the needs. Language assistance may be provided through a variety of means, including qualified bilingual or contracted interpreters.

The City of Key Colony Beach, Florida ensures that the interpreters are qualified to provide the service and understand interpreter ethics and client confidentiality needs. A list of qualified vendors is available upon request.

The Language Assistance Plan includes department oversight/responsibilities interpretation/translation services for LEP; training of staff; providing notice to LEP individuals, instituting a complaint process as well as monitoring and updating the plan and strategies to communicate the contents of the plan.

Additionally, the City does outreach to promote programs and services. The main form of outreach to the public has always been the public hearings, whereby all residents, developers, public service agencies, housing associations, economic development providers, clients, and other City Departments are invited via Notice posted on www.keycolonybeach.net.

Targeted Outreach further includes making information available on departments' main web page.

6. Procedures for providing language services

- a. Having bilingual/multilingual staff available.
 - i. Anyone in need of assistance may contact the operating department directly to request assistance with a particular service or program.
 - ii. Interpretation will be reasonably provided in the primary language of the individual. This includes sign language for persons who are deaf or hard of hearing.
- b. In-person Interpreters

- i. The City works with vendors who are professionally trained to provide translation and interpreting services – including sign language, if and when needed.
 - c. Translation of vital documents
 - i. The City will make available vital forms and materials in the most frequently encountered language, English. These include outreach materials, public service announcements, etc.
 - ii. For other languages, staff will use an interpreter to translate the document into the LEP individuals' primary language when reasonably necessary.
 - iii. Written communication to the LEP individual(s) shall be translated into the primary language of the LEP individual when reasonably necessary.

7. Prohibition against using children as interpreters

Staff are prohibited from using minors to interpret, absent emergency circumstances. Customers shall be advised of the client's right to an interpreter at no cost to the client.

8. Monitoring and self-assessment

The City will review and update, this Language Assistance Plan in order to ensure responsiveness to community's needs and compliance with Title VI of the Civil Rights Act of 1964. LEP persons are entitled to language assistance with respect to services and benefits. The Title VI coordinator is responsible for monitoring compliance with the language access plan.

9. Complaint & Grievance Process

This plan advises LEP individuals of their right to language access services, which includes information of our complaint process, in the event service or benefits are denied or they believe their rights have been violated. The below outlines the complaint procedures:

- a. A complaint regarding the denial of language accessible services or regarding the quality of language accessible services – including interpreters or translated materials – may be made in person or in writing to the City Clerk.
- b. The complaint should specify the date, individuals involved, and the nature of the client's grievance.
- c. All complaints will be directed to the City Clerk.
- d. The City Clerk will investigate and notify the parties of the results of the investigations within 30 days upon receipt of the complaint.

10. Forms

Section I

LANGUAGE ASSISTANCE PLAN (LAP)

Complaint Form

Name:

Home Address (Street No., City, State, Zip code):

Telephone:

Electronic Mail
Address:

Section II

Are you filing this complaint on your own behalf? Yes No (If you answered "yes" to this question, please go to Section III)

If you answered "no," please supply the name and contact information of the person for whom you are complaining and please also explain why you are complaining on that person's behalf:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes No

Section III

Date of Alleged Incident (Month / Day / Year): / /

Explain as clearly as possible what happened and why you believe you were unable to access a program, service, or activity of the The City of Key Colony Beach, Florida due to a language barrier. Describe the type of program or service you were unable to access and include the

name and contact information of the person(s) who were involved. If more space is needed, please use the back of this form or additional pages.

Section IV

Have you previously filed an LAP complaint with the City? Yes No

If yes, please provide the date, nature, and outcome of your prior complaint:

Signature:

Date:

Please submit this form via email to CityClerk@keycolonybeach.net, or mail this form to:

City of Key Colony Beach

P.O. Box 510141

Key Colony Beach, FL 33051