

CITY OF LAKE CHARLES

TITLE VI PLAN 2025- 2028



**NICHOLAS E. HUNTER
MAYOR**

Table of Contents

I. Title VI Policy Statement and Authorities	
Policy Statement.....	3
Authorities	3
II. Introduction and Purpose of This Document	5
III. Organization and Staffing	6
IV. General Responsibilities under Title VI	9
V. Program Area Responsibilities	12
Program Area 1: Communications & Public Participation.....	12
Program Area 2: Planning & Programming.....	16
Program Area 3: Environmental Justice	17
Program Area 4: Consultant Contracts... ..	19
Program Area 5: Education & Training	20
VI. Questions.....	21
Appendices	
Appendix A - Title VI Methodology for Identification Of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations	23
Appendix B - Title VI Assurances	29
Appendix C - Title VI Public Notice	36
Appendix D - Policy and Plan for Engaging Individuals With Limited English Proficiency (LEP)	38
Appendix E - ADA Notices	49
Appendix F - DBE Policy.....	51
Appendix G - Title VI Complaint Procedures and Form.....	52
Appendix H - Assistance to Sub recipients and Monitor Compliance With Title VI	58
Appendix I - Equity Analysis to Determine Site or Location of Facilities	59
Appendix J - Title VI Reporting Requirements for Fixed Route Transit Providers	60
Supporting Data	
Resolution	
Section 504 Assurance	
2024 Title VI Annual Review	

I. Title VI Policy Statement and Authorities

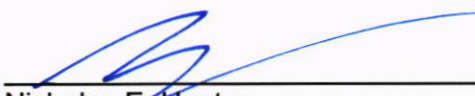
Policy Statement

The City of Lake Charles assures that no person shall on the grounds of race, color, and national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

More specifically, the City of Lake Charles assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Additionally, the City of Lake Charles will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

The City of Lake Charles further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

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



Nicholas E. Hunter
Mayor
City of Lake Charles

10-24-24

Date

Authorities

Title VI of the Civil Rights Act of 1964 created a foundation for future environmental justice regulations. Since the establishment of Title VI, environmental justice has been considered in local, state, and federal transportation project. Section 42.104 of Title VI and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity Receiving Federal financial assistance on the basis of race, color, and national origin.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of environmental justice. NEPA stressed the importance of providing for "all Americans safe, healthful, productive and anesthetically

pleasing surroundings” and provides a requirement for taking a “systematic, interdisciplinary approach” to aid in considering environmental and community factors in decision making.

The Civil Rights Restoration Act of 1987 further expanded Title VI to include all programs and activities of Federal aid recipients, sub recipients, and contractors whether those programs and activities are federally funded or not.

On February 11, 1994, President Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. This piece of legislation directed every Federal agency to make Environmental Justice part of its mission by indentifying and addressing all programs, policies, and activities that affect human health or the environment so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations.

Rather than being reactive, Federal, State, local and tribal agencies must be proactive when it comes to determining better methods to serve the public, who rely on transportation systems and services to increase their quality of life.

In April 1997, as a reinforcement to **Executive Order 12898**, The United States Department of Transportation (DOT) issued an **Order on Environmental Justice (DOT Order 5610.2)**, which summarized and expanded upon the requirements of **Executive Order 12898** to include all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other U.S. DOT components.

In December 1997, the FHWA issued the **FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 6640.23)**, which mandated the FHWA and all its subsidiaries to implement the principles of **Executive Order 12898** and **U.S. DOT Order 5610.2** into all of its programs, policies, and activities.

II. Introduction and Purpose of This Document

The purpose of this document is to communicate the City of Lake Charles plan for addressing the federal and state nondiscrimination requirements under Title VI, Federal Executive Order 12898, and other related regulations and statutes. This document has a companion document of equal importance: Public Participation Plan. These two documents, together, describe the City's plan and approach for addressing the requirements of Title VI. Although they are separate topics, Environmental Justice and Public Participation are closely intertwined issues and complement one another in ensuring fair and equitable distribution of transportation services and facilities.

Public participation is essential to the success of any public planning program or project. Without the involvement of local citizens, it is difficult to design a program that meets the needs of the public or to gauge the project's success. Effective public participation not only provides transportation officials with new ideas, but it also alerts them to potential environmental justice concerns during the planning stage of a project. Perhaps the most important element of public participation is to engender a sense of ownership among the people, especially among those who are often at the mercy of their surroundings.

Objectives

1. Comply with the public involvement and environmental justice requirements of the Federal and State regulations.
2. Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
3. Provide specific opportunities for local citizens and citizen-based organizations to discuss their views and provide input on the subject areas addressed in plans, projects or policies of the City of Lake Charles.
4. Ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
5. Inform and educate citizens and other interested parties about ongoing City planning activities and their potential role in those activities.

III. Organization and Staffing

An Organization Chart for the City of Lake Charles is shown on the following page. The Mayor is responsible for ensuring implementation of the City's Title VI program. The City's Title VI Coordinator is responsible for coordinating the overall day-to-day administration of the Title VI program, plan, and assurances. This same individual is also responsible for administration of the City's LEP and ADA programs.

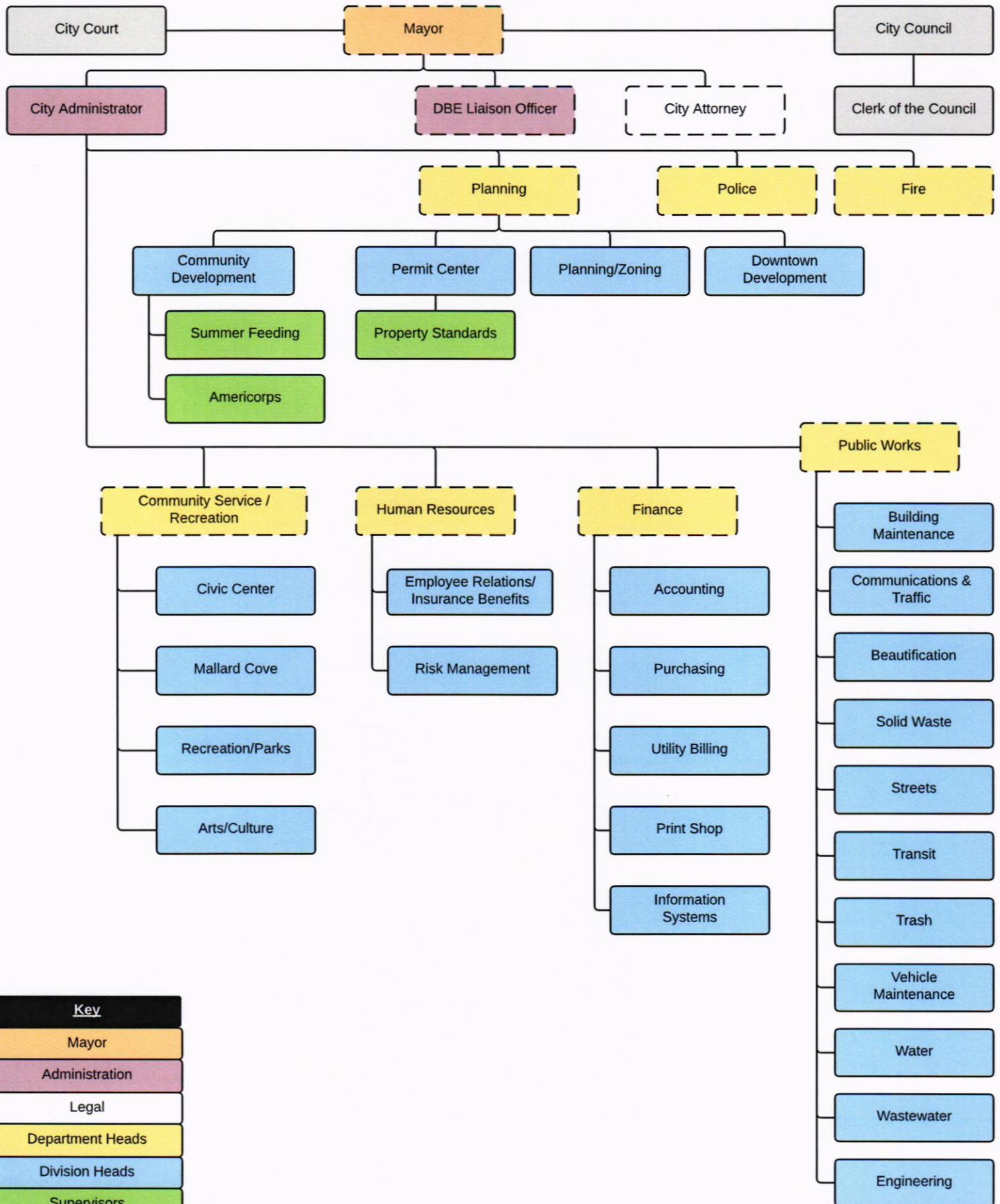
As shown on the organization chart, the City of Lake Charles is headed by Mayor Nicholas E. Hunter. Mark Tizano, Director of Community Development and Services, serves in the role as Title VI Coordinator under the direct reporting function to the Mayor. The Department of Community Development has a staff of about 8. Below you will find the Title VI and ADA planning committee.

City of Lake Charles Title VI Planning Organization Supervision, Position, Gender and National Origin				
Name	Position	Race	Gender	National Origin
Nicholas E. Hunter	Mayor	W	M	Caucasian
John Cardone	City Administrator	W	M	Caucasian
Kimberly Dellafosse	Asst. City Administrator	B	F	African American
Mark Tizano	Dir. of Community Development	B	F	African American
Corey Rubin	Asst. City Attorney	B	M	African American
Alecia Comeaux	Purchasing Manager	W	F	Caucasian
Al Hoover	Transit Manager	W	M	Caucasian
Nether Clayton	Transit Planner	B	F	African American
Lakeisha Richard	DBE Program Coordinator	B	F	African American
Dena Jourdan	Administrative Assistant	B	F	African American

The City's Human Relations Commission will serve as the Community Resource if needed for complaint hearings.

Human Relations Commission Supervision, Position, Gender and National Origin				
Name	Position	Race	Gender	Nat. Origin
Tommy Senegal	Member	B	M	African American
Marla Hypolite	Member	B	F	African American
Blake Walker	Member	W	M	Caucasian
Karen Walker	Member	W	F	Caucasian
At Large				
Keith Bell	Member	B	M	African American
Luvertha August	City Council Liaison	B	F	African American
Mark Tizano	Mayor's Liaison	B	M	African American

City of Lake Charles Organization Chart



IV. General Responsibilities Under Title VI

General Title VI Program Responsibilities

Following are general Title VI responsibilities of the City of Lake Charles. The Title VI Coordinator is responsible for ensuring these elements of the plan are appropriately implemented and maintained:

1. Data collection

Demographic data on race, age, color, national origin, income level, language spoken, and sex of the City's population is to be collected and maintained by the City of Lake Charles. This demographic data will be used to develop public outreach efforts and to conduct environmental justice analyses, as needed.

2. Title VI Report

A Title VI Report is submitted by March 24th of every three years to LADOTD's Compliance Programs Director, the Federal Highway Administration (FHWA), and the Federal Transit Authority (FTA). The document is to include:

- *Title VI complaint procedures*
- *Record of Title VI investigations, complaints, or lawsuits*
- *Plan to involve persons with Limited English Proficiency (LEP)*
- *Title VI notice to the public*
- *A summary of public outreach and involvement activities and a description of steps taken to ensure that minority and disadvantaged persons had meaningful access to these activities.*

3. Three Year Review of Title VI program

Every three years, in preparing for the Title VI Report, the Title VI Coordinator will review the City's Title VI program to assure compliance with Title VI. In addition, the Coordinator will review the City's operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

The Title VI Plan and associated Appendices will be revised every three years or as appropriate as policies and procedures change.

4. Dissemination of information related to the Title VI program

Information on the City's Title VI program is to be disseminated to employees, contractors, and beneficiaries, as well as to the public, as described in the "Program Area Responsibilities" section of this document, and in other languages when required.

5. Resolution of Complaints

Any individual may exercise his or her right to file a complaint about the City of Lake Charles policies, plans, or practices, if that person believes that he/she or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, and national origin. The Title VI Coordinator will work diligently to resolve complaints informally at the lowest level, using the City's Complaint Processing Procedures. The Title VI complaint process and Title VI Discrimination Complaint Procedures Form are in Appendix G.

General Responsibilities of the Title VI Coordinator

The Title VI Coordinator is responsible for supervising all required action in implementing, monitoring, and reporting on the City's compliance with Title VI regulations. In support of this, the Title VI Coordinator will:

- Identify, investigate, and eliminate discrimination when found to exist.
- Investigate complainants with assistance from City of Lake Charles' Compliance team. The Coordinator will supply phone numbers and email addresses to complainants for contacting the proper DOTD authorities adhering to the timeframes in the complaint process. A complaint must be filed no later than 180 days after the alleged discrimination.
- Meet with other City staff, annually, to train, monitor and discuss progress, implementation, and compliance issues.
- Periodically review the City's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with other City staff to develop and submit every three years by March 24th the Title VI Report to LADOTD, FHWA, and FTA.
- Meet annually with consultants under contract to the City to make sure they maintain compliance with Title VI, if applicable.

If a consultant under contract to the City of Lake Charles is found to not be in compliance with Title VI, the Coordinator will work with the Consultant to resolve the deficiency status and develop a remedial action plan if necessary.

- Review important Title VI-related issues with the Mayor of the City of Lake Charles, as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs, as appropriate.
- Identify and report on the status of communications and public participation efforts to comply with Title VI.

V. Program Area Responsibilities

Program Area 1: Communications & Public Participation

Note: The Communications & Public Participation Program Area applies to and affects the City of Lake Charles work program as a whole, particularly City's efforts and responsibilities related to the Planning & Programming and Environmental Affairs Program Areas. It has been treated as a separate program area for purposes of clarity. (See Public Participation Plan for more details.)

The goal of the City's communications and public participation program is to ensure early and continuous public notification about, and participation in, major actions and decisions by the City of Lake Charles. In seeking public comment and review, the City makes a concerted effort to reach all segments of the population, including people from minority and low-income communities, and organizations representing these and other protected classes.

The City utilizes a broad range of public information and participation opportunities, including dissemination of proposals and alternatives, process for written comments, public meetings after effective notice, settings for open discussion, communication programs, information services, and consideration of and response to public comments.

Operational Guidelines

The City of Lake Charles has a Public Participation Plan and the Limited English Proficiency (LEP) Policy that guides the implementation of the Title VI Plan.

Principles of City's Communications & Public Participation Program

- Equal access is an essential part of the public participation process.
- No major public policy decision is reached or large project implemented without significantly affecting someone.
- Professionals do not have a monopoly on good solutions.
- Even if a project or policy decision is sensible and beneficial, it must be arrived at properly to be acceptable.
- People are much more willing to live with a decision that affects different interests unequally if the decision-making process is open, objective, and considers all viewpoints.
- If project or policy staff doesn't provide all relevant information necessary for an informed decision, the public will rely on and trust others.
- Interacting with an official representative of an organization or group is no substitute for interacting directly with that organization or group.
- Effective public notification and participation takes time and effort, and can be expensive, yet is essential to sound decision-making.

Elements of City's Communications & Public Participation Program

- **Website** – The City of Lake Charles maintains a website, www.cityoflakecharles.com, which is updated frequently to keep the public informed. The site contains information on the City's responsibilities, programs, publications, and press releases; contact information for staff; a search function; the Title VI Plan and complaint procedures.
- **Publications** – Each year, the City issues a multitude of publications, reports, and maps as part of its work program, and responds to and processes a large number of data requests. The information is used by planning and public works departments in the area, and can be accessed by the public through the City's website. The City of Lake Charles will gladly accommodate persons of Limited English Proficiency (LEP). *Appendix D contains the LEP Plan and Policy.*
- **Press Releases** – Press releases, when sent, will include the abbreviated Title VI and ADA Notices to the public and contact information for City staff.
- **Meetings open to the public** – All City board and committee meetings are open to the public. Time for citizen comments is reserved at all meetings and announced by the meeting chair. Meeting dates and times are posted well in advance on the City's website and in local newspapers.
- **Opportunities for public comment** – The City of Lake Charles routinely provides opportunities for public comment, and continues to work to find new and innovative ways to solicit public comments and involve all segments of the population within the community. Comments are accepted by phone, fax, email, US mail, and in person at any meeting.
- **Staff is accessible** – Staff is accessible in person, on the phone, by mail, by fax, by email, or the Mayor's Action Line. Contact information for all staff is provided on City's website.
- **Mailings** – The City of Lake Charles routinely uses direct mail to keep the public informed of the City's programs, public comment periods, meetings, and publications. See the next section for details.
- **Events** – Events such as workshops and forums are held regularly, as needed, for large projects affecting the public.

Opportunities for Public Comments

The City of Lake Charles routinely offers four different ways for people to comment on activities, programs, and decisions made at the City. As follows:

- **Comments are accepted at any time** – Comments are accepted via the Mayor's Action Line, by phone, fax, email, U.S. mail, and in person at any board or committee meeting. Contact information for all staff is provided on the City website, and contact information for the City is included in every publication produced by the City. The City of Lake Charles responds to all comments received.
- **Citizen comments are requested at City meetings** – All City of Lake Charles board and committee meetings are open to the public. The meeting dates are posted well in advance on the City's website and in the City's frequent emails. Time for citizen comments is included on meeting agendas, and the meeting chair requests citizen comments at least once in every meeting. No advance notice is required to speak during the citizen comment period at any of the meetings. Public comments and responses made during these times are kept on record in the official meeting summaries. The City of Lake Charles maintains a mailing list; anyone can request to be added to the mailing list. The City uses voluntary Attendance/Sign-in Forms at City meetings open to the public.
- **Formal public comment periods for major activities** – Formal public comment and review periods are used to solicit comments on major planning and programming activities. Comments can be made in person at any City meeting, by email, by US mail, fax, or telephone. The City of Lake Charles responds to all comments received, and forwards comments to other agencies. Comments continue to be accepted until the close of the comment period. All comments and responses received throughout the comment period are reviewed and considered, prior to action by the City.
- **Public Hearings** – The City of Lake Charles holds public hearings during major updates.

Strategies for Engaging Title VI Protected Groups

The City of Lake Charles uses U.S. Postal and electronic mailing lists to disseminate information and give notice for public comment opportunities. Both mailing lists include community groups that represent Title VI protected groups throughout the community. The City also sends press releases to newspapers that are published by and for Title VI protected groups. Groups representing Title VI populations are added to the City's U.S. Postal and electronic mailing lists regularly, as they are identified.

As described in the next section, the City routinely assesses the need for providing information in languages other than English. The City also evaluates the effectiveness of all communications and public participation efforts and makes appropriate adjustments to its communication strategy. The City also keeps a list of potential interpreters in the event that a need for translation services has been identified or requested.

Strategies for Engaging Individuals with Limited English Proficiency

According to the Department of Justice (DOJ) guidance, the City should consider providing materials in a different language if over 5% of the affected population speaks that language at home or 1000 speakers of languages other than English exist. The next two charts contain a discussion of the absolute number of speakers and percentage of speakers other than English. The implication of these statistics is a statement of policies which can be summarized as translators will be provided for speakers, who request those services.

2020 POPULATION ESTIMATES CALCASIEU PARISH – LOUISIANA WORKFORCE COMMISSION	POPULATION
White	141,058
Black	50,148
American Indian/Alaska Native	636
Asian	2,842
Hawaiian/Pacific Islander	13
Hispanic	2,355
Two or More Races	4,877
Other	2,045

Below you will find the population by race -2020 Census. As indicated, not all races are identified.

POPULATION BY RACE City of Lake Charles 2020 Census		
Race	Population	Percentages
White	40,059	47.2%
Black	40,485	47.7%
Asian	1,613	1.9%
Hispanic	2,715	3.2%
Total	84,872	100.00%

The City of Lake Charles maintains a list of interpreters and businesses/individuals that can provide translation services when the need arises.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the City's public participation process. The Coordinator will:

- Ensure all communications and public participation efforts comply with Title VI.
- Develop and distribute information on Title VI and City programs to the general public. Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the community are represented in the planning process.
- Include the abbreviated Title VI Notice to the Public (see Appendix C) in all press releases and on the website which includes a meeting schedule.
- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.

Program Area 2: Planning & Programming

The City of Lake Charles is a member of the Imperial Calcasieu Regional Planning & Development Commission (IMCAL) which serves as the Metropolitan Planning Organization for the Greater Lake Charles Urbanized Area (LCMPO). The primary source of federal highway funds for the City is through the Transportation Improvement Program (TIP) and the State Transportation Improvement Program (STIP) and the Metropolitan Transit Program (MPT). Therefore, while it is the policy of the City of Lake Charles to comply with all laws prohibiting discrimination, including the provisions of Title VI, it is the City's contention that IMCAL is primarily responsible for Title VI compliance as it relates to funds administered by the federal and/or state departments of transportation.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the planning process. In addition, the Coordinator will:

- Ensure all aspects of the planning and programming process operation comply with Title VI.
- Ensure that the coordinator prepares and updates a demographic profile of the City of Lake Charles using the most current and appropriate statistical information available on race, income, and other pertinent data. The coordinator will make the document available to the public and member agencies on City's website and in the Information Center.
- Ensure that the coordinator develops a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.

Program Area 3: Environmental Justice

The concept of environmental justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies, or activities on minority and low-income population groups. Within the context of city and regional transportation planning, environmental justice considers the relative distribution of costs and benefits from transportation investment strategies and policies among different segments of society.

When the City of Lake Charles adopts new planning documents, or substantively amend existing documents, they are required to comply with federal environmental justice requirements. When this occurs, a systematic process is used to study and evaluate all necessary environmental aspects of the proposed action(s). Depending on the scope, complexity, and impacts of the project, the Title VI Coordinator oversees the process, and ensures all federal and state requirements are met, and that the public has been involved as appropriate.

The process includes:

- a. A description of the low-income and minority population within the study area affected by the project, and a discussion of the method used to identify this population (e.g., analysis of Census data, minority business directories, direct observation, or a public involvement process).
- b. A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income population.

- c. A discussion of all positive effects that would affect the identified minority and low-income population, such as an improvement in transit service, mobility, or accessibility.
- d. A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects, such as separation or cohesion issues and the replacement of the community resources destroyed by the project.
- e. A discussion of the remaining effects, if any, and why further mitigation is not proposed.
- f. For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas. Recipients and sub recipients that determine there is no basis for such a comparison should describe why that is so.

Title VI Coordinator's Responsibilities for Environmental Justice

The Title VI Coordinator is responsible for Title VI environmental justice compliance in all aspects of City's work that triggers environmental review requirements. The Coordinator will:

- Ensure Title VI environmental justice compliance of all Environmental Impact Statements (EIS) prepared by the City.
- Analyze the project regarding the population affected by the action.
- Analyze the project regarding the impacts of the project on protected Title VI groups and determine if there will be a disproportionately high and adverse impact on these groups.
- Disseminate information to the public in accordance with all public participation procedures. This includes the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

Program Area 4: Consultant Contracts

The City of Lake Charles is responsible for selection, negotiation, and administration of its consultant contracts. The City operates under its internal contract procedures and all relevant federal and state laws.

Contract Procedures

Title VI text is included in all City of Lake Charles Requests for Proposals (RFP) and contracts.

Disadvantaged Business Enterprises (DBE) Program

The City participates with DOTD who manages all DBE text in all RFPs and contracts with consultants and notes its DBE policy. This is posted on the City's website.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the City's consultant contracts process. The Coordinator will:

- Include Title VI language in contracts and Requests for Proposals (RFP) as described below:
 - Ensure the appropriate text in Appendix B and F is included in all City contracts.
 - Notify all contractors that the text in Appendix B and F should be included in all subcontracts.
 - Ensure the Title VI Notice to the Public is included in all City RFPs.
 - Ensure the abbreviated Title VI Notice to the Public is included in all published announcements of the City's RFPs (such as those published in newspapers).
 - Ensure the text in the Title VI Assurances (Appendix B) is included in all City RFPs.

- Assist DOTD in maintaining the Disadvantaged Business Enterprise (DBE) Program as described below:
 - Monitor, update, and maintain the City's DBE Program.
 - Submit annual reports on DBE activities in the Title VI Report.
 - Adjust and modify the DBE program, as appropriate.
 - Annually review and evaluate DBE participation and continue efforts to "create a level playing field" for DBE and non-DBE consultants.

Remedial Action Related to Consultant Reviews

The City of Lake Charles will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with this Title VI program, both within the City and with City's contractors. In conducting reviews of sub recipients, if a sub recipient is found to not be in compliance with Title VI, the Title VI Coordinator will work with the sub recipient to resolve the identified issues.

If the issues cannot be resolved, the City of Lake Charles will issue a notification of deficiency status and remedial action for the sub recipient, as agreed upon by the City and LADOTD, within a period not to exceed 90 calendar days. The City will seek the cooperation of the sub recipient in correcting deficiencies, and will provide the technical assistance and guidance needed for the sub recipient to comply voluntarily. Sub recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 calendar days after receipt of the deficiency letter and remedial action, to voluntarily correct deficiencies. If a sub recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, the City of Lake Charles will submit to LADOTD, FHWA, and FTA two copies of the case file and a recommendation that the sub recipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure the sub recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub recipient refuses to comply, the City of Lake Charles may, with LADOTD's, FHWA's, and FTA's concurrence, initiate sanctions per 49 CFR 21.

Program Area 5: Education & Training

Minorities, women, individuals with a disability, and other individuals protected by Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.

Employees Encouraged to Participate in Training

All City of Lake Charles employees are encouraged to participate in professional development and training. All materials received by the City on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and the National Transit Institute (NTI).

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the education and training program. LADOTD will provide information on training opportunities open to City of Lake Charles staff and sub recipients, including information on training provided by NHI and NTI. The Coordinator will:

- Assist LADOTD in the distribution of information to City of Lake Charles staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified City of Lake Charles employees.

VI. Questions

For questions on the City of Lake Charles's Title VI Plan, ADA Plan, the LEP Plan, or any related policies and procedures, please contact the City's Title VI Coordinator at (337) 491-1440. For information on the City's work program or publications, including reports data forecasting, maps, or other information available for use, contact the City of Lake Charles at (337) 491-1440. For information on all of the above, including current public comment periods and meetings open to the public, visit the City of Lake Charles' website at www.cityoflakecharles.com.

APPENDICES

Appendix A -	Title VI Methodology for Identification of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations
Appendix B -	Title VI Assurances
Appendix C -	Title VI Public Notice
Appendix D -	Policy and Plan for Engaging Individuals with Limited English Proficiency (LEP)
Appendix E -	ADA Notices
Appendix F -	DBE Policy
Appendix G -	Title VI Complaint Procedures and Form
Appendix H -	Assistance to Sub recipients and Monitor Compliance with Title VI
Appendix I -	Equity Analysis to Determine Site or Location of Facilities
Appendix J -	Title VI Reporting Requirements for Fixed Route Transit Providers

Appendix A

Title VI Methodology For Identification of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations

The geographic basis for Title VI analysis is based on the latest U.S. Census data. For purposes of Title VI analysis, it is desirable to make the analysis on the smallest geographic unit available for which information is obtainable for all relevant groups. Census data is available at different levels, including political jurisdictions, urban area, place, census tract, block group and block. The Census Bureau does not calculate all of its data on each of these areas. The smallest geographic area that the Census Bureau calculates the appropriate information on each relevant group is the block group level. Therefore, the block group was chosen to analyze Title VI issues. The City of Lake Charles and LCMPO further display U.S. Census data by Traffic Analysis Zone (TAZ) for planning purposes. The City has identified seven relevant groups for Title VI analysis as described below:

- Low-income
- Federal Assistance Recipients
- Minority
- Elderly
- Limited English Proficiency (LEP) or English spoken as a second language
- Disabled populations
- Zero car households

Following the identifications of the relevant groups for analysis, the next step undertaken was to identify the general distribution of each Title VI population group throughout the region and then define where each group is most concentrated.

Target Groups

Low Income – a person whose household income (or in the case of a community or group, whose median household income) “is at or below the U.S. Department of Health and Human Services poverty guidelines.”

The national poverty guidelines are issued annually by the Department of Health and Human Services. <http://aspe.hhs.gov/poverty/poverty.shtml>. National poverty guidelines vary based on family size and increase each year due to the Consumer Price Index. <http://www.bls.gov/new.release/cip.toc.htm>. “The Consumer Price Index is a measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.”

*Persons not part of households are not included in the Total Populations; the U.S. Census does not count individuals who reside in group living situations.

Federal Assistance Recipients – People who receive grants or federal funds. The assistance might be in the form of public housing, food stamps, support services or persons receiving Temporary Assistance for Needy Families (TANF) funds.

Minority Populations – Persons considered being minorities are identified in the Census as people of African, Hispanic, Asian, American Indian or Alaskan Native origin (U.S. Census, STF301/Tb1008 and Tb1011; 1990). Executive Order 12898 and the DOT and FHWA Orders on Environmental Justice consider minority persons as persons to any of the following groups:

- **Black** - a person having origins in any of the black racial groups of Africa.
- **Hispanic** - a person of Mexican, Puerto Rican, Cuban Central or South American or other Spanish culture or origin, regardless of race.
- **Asian American** - a person having origins in the Far East, Southeast Asia or the Indian subcontinent.
- **American Indian and Alaskan Native** – a person having origins in North America and who maintains cultural identification through tribal affiliation or community recognition.

Elderly – Any persons over the age of 62.

Limited English Proficiency (LEP) – Any readily identifiable group of persons whose ability to read, write and speak English and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals and develop one's knowledge and potential. Households with a primary or home language other than English, who must, due to limited fluency in English, communicate in that primary or home language.

People with Disabilities – Persons who have mobility and/or self-care limitations as defined by the Census. The disability may be physical or mental (people with a health condition that lasts six or more months that make it difficult to go outside the home alone or difficult to take care of their own person needs).

Zero car households – Households without cars or access to one.

Monitoring

One technique used to minimize the potential adverse effects on affected populations is to identify and then create demographic profile maps of low-income and minority populations for the Lake Charles and LCMPO area. These maps aid planners in understanding which communities are prone to environmental justice infractions. Once planners have an understanding where communities are located, future transportation plans and projects can include these communities in the planning process.


Planning studies outlined in the *Unified Planning Work Program (UPWP)* can utilize these maps and focus on the equitable distribution of transportation benefits and potentially adverse impacts caused by future projects. In addition to the benefits, such as added capacity, safety and mobility of a roadway along new rights-of-ways can often negatively impact certain populations because of increased noise, air pollution and reduced safety. Also, new road projects have a potential to split or isolate neighborhoods in whole or in part. Road projects along existing rights-of-ways are primarily reconstruction projects and not capacity expansions. Such projects do not tend to greatly increase noise or pollution, but do add safety to the facility and may feature enhanced passenger and freight transportation.

These same demographic profile maps can also be used to verify past compliance with Title VI. Identifying prior MPO projects and mapping them against demographic profile maps will let the MPO know if fair and equitable distribution of services, facilities, and resources within the MPO planning area has been met.

Population Age 65+

Legend

 MPO Boundary

 0.0% to 8.0%

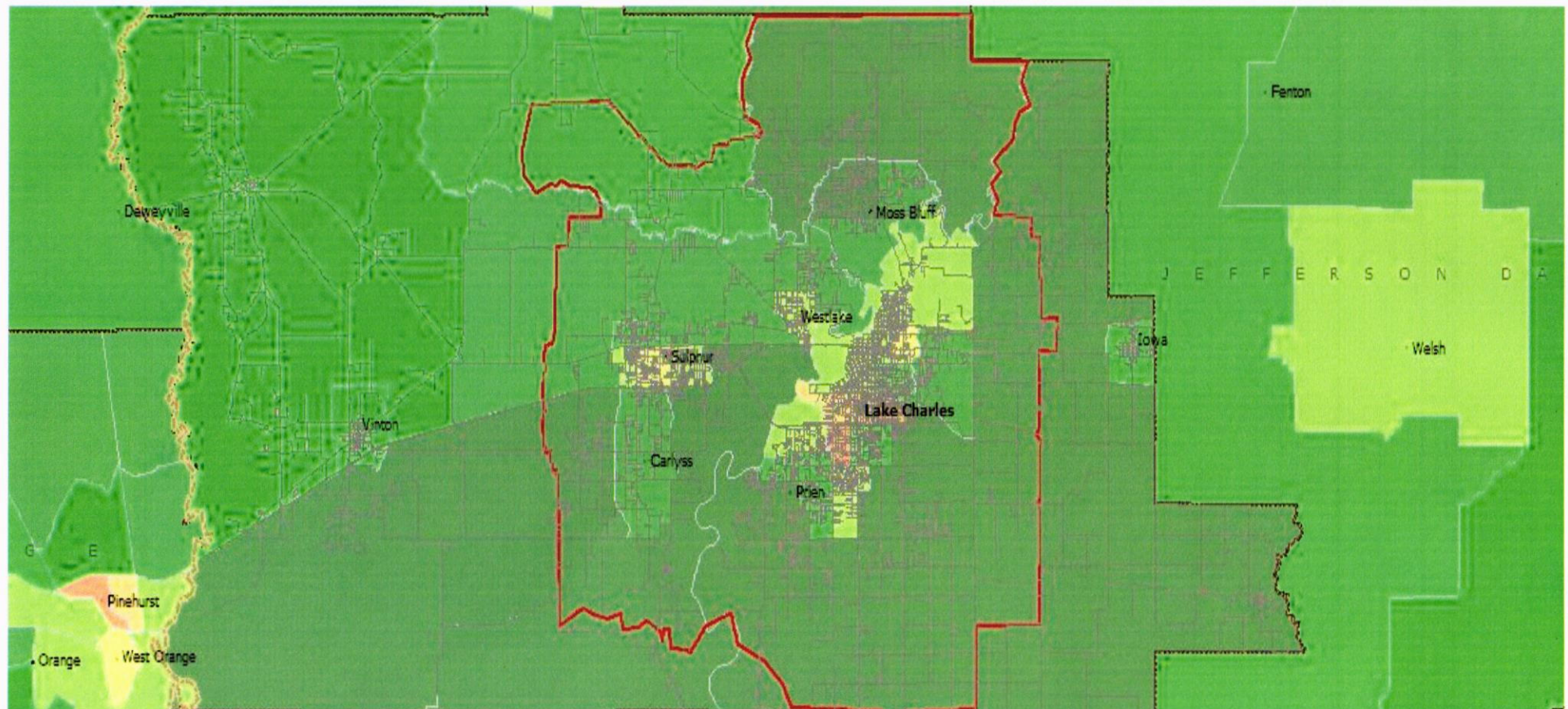
 14% to 16%

 16% to 18%

 20% to 25%

0 1 2 3

Miles
Source: 2000 Census



IMCAL LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION
120 WEST PUJO STREET, LAKE CHARLES, LOUISIANA
PHONE: (337) 433-1771 FAX: (337) 433-6077 WWW.IMCAL.ORG


Hispanic Population

Legend

 MPO Boundary

 2.0% to 3.0%

 3.0% to 5.0%

 5.0% to 10.0%

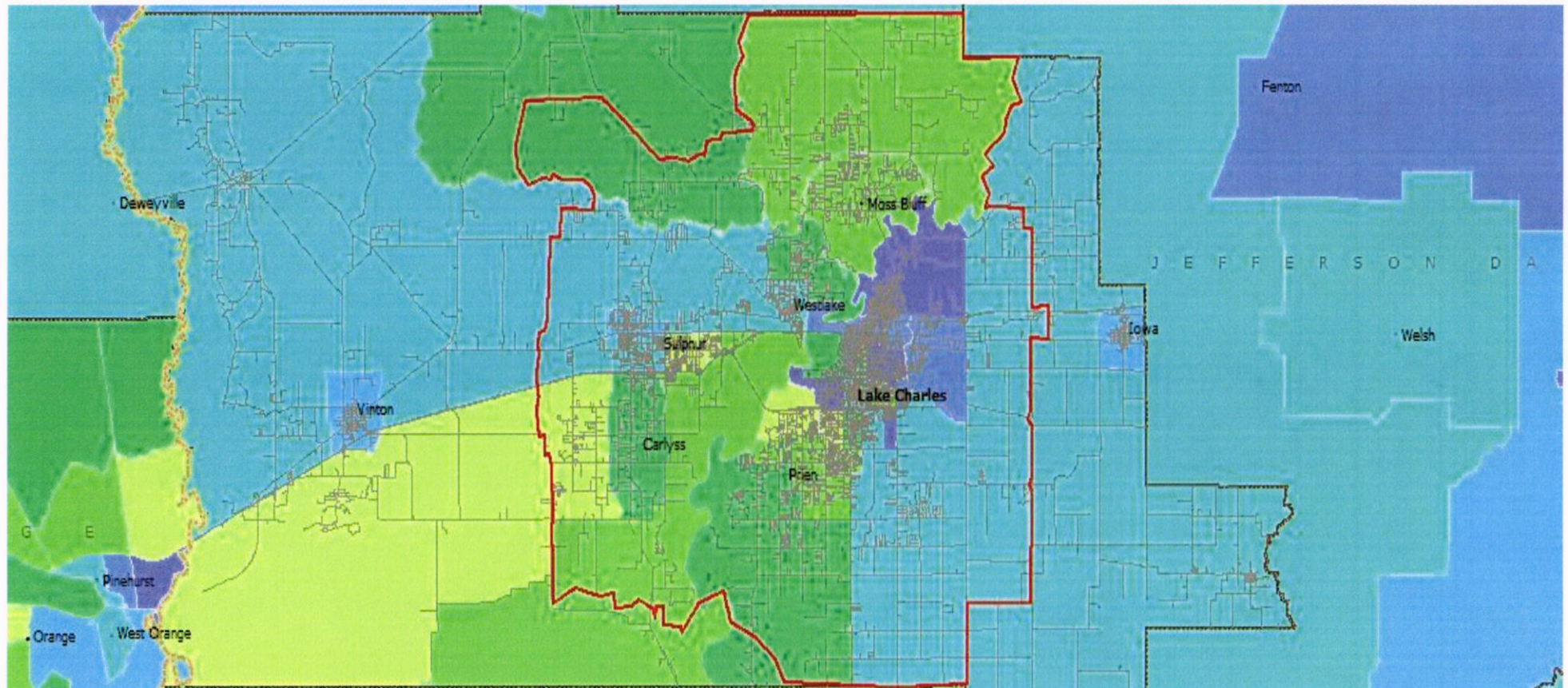
0 1 2 3

 1.0% to 2.0%

 0.0% to 0.5%



Miles
Source: 2000 Census




IMCAL LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION
120 WEST PUJO STREET, LAKE CHARLES, LOUISIANA
PHONE: (337) 433-1771 FAX: (337) 433-6077 WWW.IMCAL.ORG


Families Below Poverty Level

Legend

 MPO Boundary

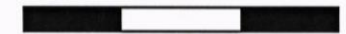
 10.0% to 15.0%

 20.0% to 25.0%

 5.0% to 7.5%

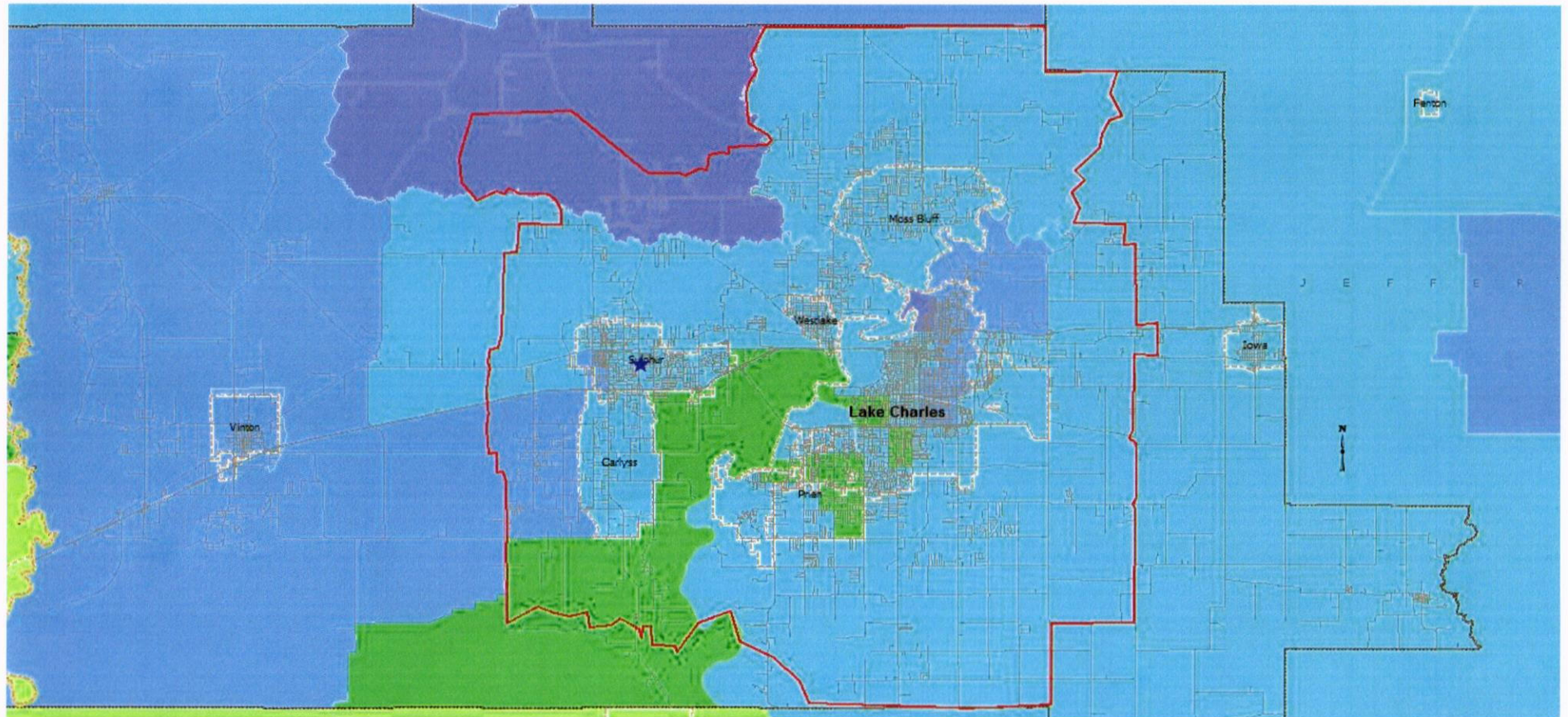
 15.0% to 20.0%

0 1 2 3



Miles

Source: 2000 Census



IMCAL LAKE CHARLES URBANIZED METROPOLITAN PLANNING ORGANIZATION
120 WEST PUJO STREET, LAKE CHARLES, LOUISIANA
PHONE: (337) 433-1771 FAX: (337) 433-6077 WWW.IMCAL.ORG

Appendix B

Title VI Assurances

The City of Lake Charles (hereinafter referred to as the "Recipient"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 USC 2000d—4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations"), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, including the City of Lake Charles Transit Division, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Lake Charles Transit System:

1. That the Recipient agrees that each "program" and each "facility," as defined in Subsections 21.23(a) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Lake Charles Transit System and, in adapted form in all proposals for negotiated agreements:

"The City of Lake Charles, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to

this invitation, and will not discriminated against on the grounds of race, color, and national origin in consideration for and award.”

3. That the Recipient shall insert the clauses of Part 1 of this Assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Part 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

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

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


7. That the Recipient shall include the appropriate clauses set forth in Part 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements enter into by the Recipient with other parties (a) for the subsequent transfer of real property acquired or improved under City of Lake Charles Transit System and (b) for the construction or use of, or access to space on, over, or under real property acquired or improved under City of Lake Charles Transit System.

8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

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

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

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the City of Lake Charles Transit System and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the City of Lake Charles Transit System, the Recipient. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.



Nicholas E. Hunter
Mayor
City of Lake Charles

10-24-24

Date

Part 1

The text below, in its entirety, is in all contracts entered into by the City of Lake Charles. All of the text except the final section, entitled "Incorporation of Provisions," should be included in any contract entered into by any City of Lake Charles consultant.

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

1. Compliance with Regulations

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), 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 contract.

2. Nondiscrimination

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, and national origin, in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in 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 Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement 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 ground of race, color, and national origin.

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 City of Lake Charles 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 City of Lake Charles 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 Lake Charles shall impose such contract sanctions as it may determine to be appropriate, including, but not limited to:

- Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- 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 (5) 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 subcontractor or procurement as the City of Lake Charles may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the City of Lake Charles enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Part 2

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures, or improvements thereon, or interest therein from the United States.

Granting Clause

NOW, THEREFORE, the City of Lake Charles as authorized by law, and upon the condition that the State of Louisiana will accept title to the lands and maintain the project constructed thereon, in accordance with and in compliance with Title 23, United States Code, the Regulations for the Administration of City of Lake Charles Transit System; the policies and procedures prescribed by the City of Lake Charles Transit System and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d-4)—does hereby remise, release, quitclaim, and convey unto the State of Louisiana all the right, title, and interest of the City in and to said land described in Exhibit A attached hereto and made a part thereof.

Habendum Clause

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

The State of Louisiana, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree, as a covenant running with the land for itself, its successors and assigns, that (1) no person shall, on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed*, (2) that the State of Louisiana shall use the lands, and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the City shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in, and

become the absolute property of, the City of Lake Charles and its assigns as such interest existed prior to this instruction.

Part 3

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of Lake Charles pursuant to the provisions of Assurance 7.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a City program or activity is extended, or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of Lake Charles pursuant to the provisions of Assurance 7.

The LESSEE, for himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree as a covenant running with the land, that (1) no person, on the grounds of race, color, and national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and furnishing of services thereon, no person on the grounds of race, color, and national origin, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of

Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

Appendix C

Title VI Public Notice

The paragraph below will be inserted in all significant publications that are distributed to the public, such as future versions and updates of the City of Lake Charles programs and activities. The text will remain permanently on the City's website, www.cityoflakecharles.com, and intranet (available to all employees). The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

Title VI Notice: The City of Lake Charles fully complies with Title VI of the Civil Rights Act of 1964 and related statutes, executive orders, and regulations in all programs and activities. The City operates without regard to race, color, and national origin. Any person who believes him/herself or any specific class of persons, to be subjected to discrimination prohibited by Title VI may by him/herself or by representative file a written complaint with the City of Lake Charles. The City's Title VI Coordinator may be reached by phone at (337) 491-1440, the Mayor's Action Line at (337) 491-1346, contact the appropriate Department Head, or see the City of Lake Charles' website at www.cityoflakecharles.com. A complaint must be filed no later than 180 days after the date of the alleged discrimination.

City of Lake Charles meetings are conducted in accessible locations and materials can be provided in accessible formats. If you would like accessibility or language accommodation, please contact the Title VI Coordinator at (337) 491-1440 (phone) or (337) 491-1437 (fax) or the Mayor's Action Line at (337) 491-1346.

Abbreviated Title VI Notice to the Public

The following shortened version of the above paragraph can be used in publications where space or cost is an issue as in classified newspaper announcements.

The City of Lake Charles fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see the City of Lake Charles' website—www.cityoflakecharles.com or call the Mayor's Action Line at (337) 491-1346, or contact the appropriate Department Head, or call the Title VI Coordinator at (337) 491-1440.

Appendix C

TITLE VI

Civil Rights Act of 1964

prohibits discrimination on the basis of race, color or national origin in programs & activities receiving Federal financial assistance (42 U.S.C. Section 2000d).

The City of Lake Charles is committed to practicing non-discrimination.

If you believe you have been subjected to discrimination you may file a complaint with the Title VI Coordinator.



For more information, or to obtain a Title VI Complaint Form, see the City of Lake Charles' website--www.cityoflakecharles.com or call the Title VI coordinator at (337) 491-1440.

Appendix D

Policy and Plan for Engaging Individuals with Limited English Proficiency (LEP)

The City of Lake Charles policy for engaging individuals with limited English proficiency is to provide translation services to anyone who requests them, if reasonable accommodation can be made.

The City keeps an up to date list of individuals with intermediate language skills. The Title VI Coordinator is prepared with this information and contact information for on call translators in case someone comes into the office who has limited English proficiency.

Background Information:

The City of Lake Charles followed U.S. Department of Justice guidance using a "four-factor analysis" process to determine the number and proportion of LEP individuals in the community and how to cost effectively provide information services to these individuals. The guidance also offers a safe harbor of 5% of the effected population or 1,000 people in the effected neighborhood. The "four-factor analysis" process includes determining the number and proportion of LEP individuals within the population, the frequency with which LEP individuals will come in contact with the program, the importance of the program to people's lives, and the resources available to provide translation services.¹


The results of the "four-factor analysis" showed that there is not a great need for translation services. (The Lake Charles Urbanized Metropolitan Planning Organization's urban service area is under 200,000 population and only covers the portions of the Parish of Calcasieu, which include the cities of Sulphur, Lake Charles, and Westlake.)

A minimal number of languages are spoken within the urban area, but proportionally the percentages of people speaking a language other than English at home is relatively low. The number of people reporting that they also speak English "very well" or "well" offset this even more.

¹ This language was taken directly from the U.S. Government's Limited English Proficiency website, <http://www.lep.gov/recipbroch.html>.

According to the Census 2020, the top three languages spoken at home in the region are English, Acadian French, and Spanish.

The frequency and extent with which LEP individuals come into contact with City of Lake Charles programs is estimated to be quite low. The City however encourages public comment on its policies, programs, and funding cycles, and would like to increase opportunities for public comment, particularly by historically underserved populations including LEP individuals. The City of Lake Charles remains committed to providing translation services to people who request them and have come up with creative solutions to assist LEP individuals and show the City's interest in providing translation services.



Nicholas E. Hunter
Mayor
City of Lake Charles

10-24-24

Date

Limited English Proficiency Plan

Introduction

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the MPO, private and nonprofit entities, and sub recipients.

Plan Summary

The City of Lake Charles has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining the City's extent of obligation to provide LEP services, the City of Lake Charles undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in the Lake Charles service area or likely to encounter a City program, activity, or service;
- 2) The frequency with which LEP individuals come in contact with City service;
- 3) The nature and importance of the program, activity, or service provided by City of Lake Charles to the LEP population; and
- 4) The resources available to the City of Lake Charles and overall costs to provide LEP assistance.

A brief description of these considerations is provided in the following section.

Four Factor Analysis

1. The number or proportion of LEP persons eligible in the Lake Charles service area or likely to encounter a City program, activity, or service

The City of Lake Charles examined the U.S. Census Bureau's data for the 2020 year census and was able to determine that approximately 9.6% of the LCMPO boundary population age 5 and older spoke a language other than English at home. Hispanics speaking Spanish reported 2.3% and French Acadian reported 5.8%, which comprised the largest non-English speaking language groups in the LCMPO boundary. French Acadian's reported to speak a non-English language spoke French as a second language with English first. Translation assistance is extremely minimal.

Below you will find the population by race - 2020 census. As indicated, not all races are indicated.

POPULATION BY RACE City of Lake Charles 2020		
Race	Population	Percentages
White	36,812	46.8%
Black	37,441	47.6%
Asian	1,415	1.8%
Hispanic	2,988	3.8%
Total	78,656	100.0%

2. The frequency with which LEP individuals come in contact with City service

Using the attached survey of customers and personal interviews with staff, there are six (6) Hispanic customers who speak very little English.

The total number of persons using Transit Services is 98. Of this number, approximately 6 are LEP persons. The number of Para Transit users that returned the surveys are 39 and 4 were LEP persons. These figures were attained from the City of Lake Charles Transit Office. Attached you will find a copy of the survey.

**CITY OF LAKE CHARLES TRANSIT
QUESTIONNAIRE
Fixed Routes**

- | | | |
|---|-------|--------|
| 1. Would you like weekend service? | Y | N |
| 2. Would you like extended hours? | Y | N |
| 3. How often do you use the transit system | Daily | Weekly |
| 4. Is the transit service dependable? | Y | N |
| 5. Are you satisfied with the transit services? | Y | N |

Please check one:

- ☐ White ☐ Black ☐ American Indian
☐ Asian ☐ Native Hawaiian/Pacific Islander
☐ Hispanic ☐ Other _____
☐ Two or more races _____

The City of Lake Charles fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see the City of Lake Charles' website—www.cityoflakecharles.com or call the Mayor's Action Line at (337) 491-1346, or contact the Public Works Director at (337) 491-1220, or call the Title VI Coordinator at (337) 491-1440.

**CITY OF LAKE CHARLES TRANSIT
QUESTIONNAIRE
Demand Routes—Para Transit**

- | | | |
|---|-------|--------|
| 1. Would you like weekend service? | Y | N |
| 2. Would you like extended hours? | Y | N |
| 3. How often do you use the transit system | Daily | Weekly |
| 4. Is the transit service dependable? | Y | N |
| 5. Are you satisfied with the transit services? | Y | N |

Please check one:

- ☐ White ☐ Black ☐ American Indian
☐ Asian ☐ Native Hawaiian/Pacific Islander
☐ Hispanic ☐ Other _____
☐ Two or more races _____

The City of Lake Charles fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see the City of Lake Charles' website—www.cityoflakecharles.com or call the Mayor's Action Line at (337) 491-1346, or contact the Public Works Director at (337) 491-1220, or call the Title VI Coordinator at (337) 491-1440.

Limited Four Factor Analysis

The City of Lake Charles examined the U.S. Census Bureau's data for the 2020 year census and was able to determine that approximately 0.1% or 364 persons of the LCMPO boundary population, age 5 and older, did not speak English "very well." Ethnicities that did not speak English "very well" were

Hispanics	83
Indo European Language	265
Asian and Pacific Island	16

For "less than very well".... use total for each language that is below "very well" using each age group, my total was 364 for those speaking less than very well for all age groups and languages shown.

	Age by Language Spoken at Home for the Population 5 Years and Over Lake Charles, Louisiana
Total:	74306
5 to 17 years:	12733
Speak only English	11696
Speak Spanish	286
Speak all other languages	751
18 to 64 years:	47799
Speak only English	45153
Speak Spanish	1089
Speak all other languages	1557
65 years and over:	13774
Speak only English	12508
Speak Spanish	45
Speak all other languages	1221

Translation assistance is very minimal.

Construction Projects

There were no construction projects during the reporting period.

Title VI Complaint Form

See Appendix G

Title VI Notification

The Title VI Notice has been placed in all City of Lake Charles facilities. This includes the Transit Station, on all buses, and covered bus stops. **See Appendix C**
If you have any further concerns or questions, please contact me at (337) 491-1465 or mark.tizano@cityoflc.us.

3. The nature and importance of the program, activity, or service provided by City of Lake Charles to the LEP population

While essential to the long-term livability and economic vitality of the area, long range transportation and growth management planning may not be as important of a service to LEP individuals as health care, employment, or financial assistance. However, any opportunity to increase public comment on long-range decision making is a worthwhile investment.

When an interpreter is needed, in person or on the telephone, first determine what language is required. If city staff cannot provide verbal interpretation and if a formal interpretation is required, staff shall use the assistance from 911, McNeese State University, or local Court Reporters possessing the needed language.

4. The resources available to the City of Lake Charles and overall costs to provide LEP assistance

The City has limited resources to pursue translation services; therefore, an ideal solution would be to find a low cost point of access for LEP individuals. This gives LEP individuals a way to find out about activities and provides a method for the City to determine the demand for translation services.

ACTION: The City of Lake Charles has established the following policy for providing information to individuals with Limited English Proficiency (LEP):

The City of Lake Charles is always seeking opportunities to increase opportunities for public comment on its activities, including policies, programs, and funding cycles. The City is particularly interested in increasing opportunities for historically undeserved populations to provide input regarding its planning activities. The results of the "four-factor analysis" showed that there is not a great need for translation services, but that it is a good time to find a starting place for providing access to individuals with limited English proficiency.

The City will obtain a Spanish translator from within its staff, the local university, through a volunteer, or a paid individual. **Notice of this service will be placed on the City's website.** Written procedures will be developed as needed to ensure consistent service delivery.

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

- Examine record requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings; and
- When City sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet, and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply.

Language Assistance Measures

When an interpreter is needed, in person or on the telephone, first determine what language is required. If City staff cannot provide verbal interpretation and if a formal interpretation is required, staff shall use the assistance from 911, McNeese State University, or local Court Reporters possessing the needed language.

Staff Training

All City of Lake Charles staff will be provided with the LEP Plan and will be educated on procedures and services available. This information will also be part of the City staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities
- What language assistance services the City offers
- How to access an interpreter
- Documentation of language assistance requests
- How to handle a complaint

Providing Notice of Available Language Service to LEP Persons

- Post signs that language assistance is available on the website, City of Lake Charles meeting notices, and press releases.

Outreach Techniques

- If staff know that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, the City

will have meeting notices, fliers, advertisements, and agendas printed in an alternative language, such as Spanish.

- When running a general public meeting notice, staff should insert the clause:

Si necesita asistencia en español, por favor comuníquese departamento de desarrollo comunitario al 337.491.1440

- If notified in advance, Spanish speaking staff or a hired interpreter will be on hand at public meetings intended for gathering public input.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, the City of Lake Charles will follow the Title VI Program update schedule for the LEP Plan.

Each update examines all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the city comprising the urbanized area?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified City services? Are there other programs that should be included?
- Have the City's available resources, such as technology, staff, and financial costs changed?
- Has the City fulfilled the goals of the LEP Plan?
- Were any complaints received (and forwarded/referred to LADOTD)?

Dissemination of the City of Lake Charles Limited English Proficiency Plan

The City of Lake Charles will post the LEP Plan on its website at www.cityoflakecharles.com. Any person, including social service, nonprofit, law enforcement agencies, and other community members with internet access will be able to access the plan. For those without personal internet service, all parish libraries offer free internet access. Copies of the LEP Plan will be provided to

any person or agency requesting a copy. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the City's Title VI Coordinator.

Appendix E

ADA Notices

Notice of Nondiscrimination on the Basis of Disability (Americans with Disabilities Act of 1990)

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the City of Lake Charles will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities.

City's Commitment

Modifications to Policies and Procedures

The City will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to attend all City of Lake Charles public meetings. For example, individuals with service animals are welcomed in City public meetings, even where animals are generally prohibited.

Effective Communication

The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's public meetings.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City of Lake Charles public meeting should contact the City's Transit Manager via phone (337) 491-1253 as soon as possible but no later than one week before a scheduled meeting.

The ADA does not require the City of Lake Charles to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. The City will strive to provide its services, programs, and activities in the most accessible manner that is feasible.

Notification that a City of Lake Charles meeting is not accessible to persons with disabilities should be directed to:

Transit Manager
City of Lake Charles
326 Pujo Street
Lake Charles, LA 70601

ADA Notice to Be Posted At the Bottom of All City of Lake Charles Meeting Notices

ADA Notice: For special accommodations for this meeting, contact our Transit Manager via phone (337) 491-1253 at least one week in advance.

Appendix F

DBE Policy - Participation By Disadvantaged Business Enterprises pertaining to the City of Lake Charles Programs – LADOTD manages the policy for the City of Lake Charles disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, and shall have an opportunity to participate in the performance of City contracts in a nondiscriminatory environment. The objectives of the City's Disadvantaged Business Enterprise (DBE) Program are to ensure nondiscrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The City of Lake Charles and its consultants and sub consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work for the Lake Charles area in a nondiscriminatory environment. The City shall require its consultants not discriminate on the basis of race, color, and national origin in the award and performance of its contracts.



Nicholas E. Hunter
Mayor
City of Lake Charles

10-24-24
Date

DBE Clause to Be Included Within the Body of All Future Contracts Issued by LADOTD and the City of Lake Charles

Participation By Disadvantaged Business Enterprises In the City of Lake Charles Programs - It is the policy of the City of Lake Charles that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of City contracts in a nondiscriminatory environment.

The contractor or subcontractor shall not discriminate on the basis of race, color, and national origin, in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT/FTA assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as LADOTD and the City of Lake Charles deems appropriate.

Appendix G

Title VI Complaint Procedures and Form

This section outlines the Title VI complaint procedures related to providing programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with the City of Lake Charles Human Relations Commission, Equal Employment Opportunity Commission, and Federal Transit Administration, or seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.

Title VI of the Civil Right Acts of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal assistance.

General

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin as noted below may file a written complaint with the City of Lake Charles, 326 Pujoe Street, 5th Floor, Lake Charles, LA 70601. Complainants have the right to complain directly to the appropriate federal agency. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI Committee may be utilized for resolutions. The Title VI Committee will notify Federal Transit Administration/State of Louisiana of all Title VI related complaints as well as all resolutions.

Procedure

1. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Committee will interview the Complainant and assist the person in converting verbal complaints in writing. All complaints must, however, be signed by the Complainant or his/her representative.
 - b. Include the date of the alleged act of discrimination date when the complainants became aware of the alleged act of discrimination; or the date on which the conduct was discontinued or the latest instance of conduct.
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.

- d. Federal and state law requires complaints be filed with 180 calendar days of the alleged incident.
2. Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, as well as need for additional information.
3. The complainant will be provided with a written acknowledgement that the City of Lake Charles has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - a. The Complaint must be filed within 180 days of the alleged occurrence.
 - b. The allegation must involve a covered basis such as race, color, or national origin.
 - c. The allegation must involve a City of Lake Charles service of a Federal-aid recipient, sub recipient, or contractor.
5. A complaint may be dismissed for the following reasons:
 - a. The Complainant requests the withdrawal of the complaint.
 - b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The Complainant can not be located after reasonable attempts.
6. If the Title VI Committee decides to accept the complaint for investigation, the complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: complaint's name, basis, alleged harm, race, color, and national origin of the Complainant.
7. In cases where the Title VI Committee assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, Title VI Committee will prepare an investigative report for review by the Title VI Coordinator. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
8. The investigative report and its findings will be reviewed by the Title VI Coordinator and in some cases the investigative report and findings will be reviewed by City of Lake Charles' Legal Counsel. The report will be modified as needed.
9. The Title VI Coordinator/Legal Counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follows:
 - a. In the event the City is in noncompliance with Title VI regulations, remedial actions will be listed.

10. Notice of City's determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notices of appeals are as follows:
 - a. Title VI Committee will reconsider this determination, if new facts come to light.
 - b. If Complainant is dissatisfied with the determination and/or resolution set forth by Title VI, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, 1760 Market Street, Suite 500, Philadelphia, PA 19103, Telephone 215-656-7100.
11. A copy of the complaint and City of Lake Charles' investigation report/letter of finding and Final Remedial Action Plan, if appropriate will, issued to FTA and State of Louisiana within 120 days.
12. A summary of the complaint and its resolution will be included as part of Title VI update to the FTA and State of Louisiana.

Recordkeeping Requirement

The Title VI Coordinator will ensure that all records relating to the City of Lake Charles' Title VI Complaint Process are maintained with department records.

Records will be available for compliance review audits.

Appendix G



City of Lake Charles

Title VI Complaint Form

The City of Lake Charles is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Coordinator by calling (337) 491-1440. The completed form must be returned to City of Lake Charles, Title VI Coordinator, 326 Pujo Street, Lake Charles, LA 70601.

Complainant's Name:
Street Address:
City, State, & Zip Code:
Telephone:
Alternate Telephone:

Person(s) discriminated against (if someone other than complainant):

Name(s):
Street Address, City, State, & Zip Code:

Which of the following best describes the reason for the alleged discrimination took place? (Circle one)

Date of Incident

- Race
- Color
- National Origin (Limited English Proficiency)

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Agency
Contact Name
Street Address, City, State & Zip Code
Telephone

Date _____

Received By: _____

TITLE VI ACTIVE INVESTIGATIONS

As of this date, there have not been any complaints or active investigations.

Appendix H

Assistance to Sub recipients and Monitor Compliance with Title VI

The City of Lake Charles Transit Division does not utilize any sub recipients at this time. All services provided to the public are provided in-house and are staffed and maintained under the direction of the Transit Manager.

The 2016 Triennial reflects in Section 2. Financial Management and Financial Capacity that there is no use of sub recipients for this division.

This item is also addressed in Section 3. Technical Controls of the Triennial for 2016.

Monitoring Sub recipients

Should the need arise, the City would establish a monitoring pattern which would reflect accountability through the Transit Manager and Disadvantaged Business Enterprise Liaison Officer utilizing the same monitoring program as established in Purchasing and Procurement programs submitted to the Federal Transit Administration in the Triennial for 2013.

Documentation of General Reporting Requirements

This process would be reflective of the Disadvantaged Business Enterprise monitoring process with the monitoring to be provided by the Transit Manager and the Disadvantaged Business Enterprise Liaison Officer.

Appendix I

Equity Analysis to Determine Site or Location of Facilities

The City of Lake Charles has not had any projects requiring land acquisition and the displacement of persons from their residences and businesses for which a NEPA process has not been completed.

Appendix J

Title VI Reporting Requirements for Fixed Route Transit Providers

System-Wide Service Standards and Policies

The City of Lake Charles operates two (2) modes of service as reported on the National Transit Data annual report:

- Motor Bus—which includes all fixed route service within the city limits; and
- Demand Response—which includes all para transit services within the city limits.

Vehicle Load for Each Mode (service standard)

Motor Bus has seated load count of 33 passengers per unit and operates 12 routes per unit per day from 5:45 a.m. until 5:45 p.m. traveling 45 minutes per hour.

Demand Response has a load count of 16 per unit and operates 2 rounds per hour on a 30 minute cycle.

Vehicle Headway for Each Mode (service standard)

Services are provided hourly throughout the day with schedules of 45 minutes per hour.

On-time Performance for Each Mode (service standard)

This system is a small system of 5 motor buses and 2 demand response buses and currently has to monitor on time performance manually.

Service Availability for Each Mode (service standard)

Service is available for hourly fixed route buses and twice hourly for demand response. This calculates to 60 fixed routes service per day and on demand response we average 32 to 40 trips per day.

Distribution of Transit Amenities for Each Mode (service policy)

All amenities are available for both modes of services.

Vehicle Assignment for Each Mode (service Policy)

Assignments are rotated daily for fixed route vehicles between 5 motor buses and 2 spare buses.

There are 2 demand response buses that are utilized daily with 2 spare buses.

SUPPORTING DATA



City of Lake Charles

326 Pujo Street
P.O. Box 1178
Lake Charles, LA
70602-1178

Signature Copy

Resolution: 312-24

File Number: 603-24

Enactment Number: 312-24

A resolution in support of the City of Lake Charles' Title VI Plan regulatory requirements which is to be submitted to the Federal Transportation Administration (FTA) and the Louisiana Department of Transportation and Development (LADOTD), Compliance Programs Section, Title VI Unit.

WHEREAS, the City of Lake Charles assures that no person shall on the grounds of race, color, national origin, income, gender, age, and disability as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity;

WHEREAS, more specifically, the City of Lake Charles assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Additionally, the City of Lake Charles will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency; and

WHEREAS, the City of Lake Charles further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CHARLES, LOUISIANA, in regular session convened, that:

SECTION 1: The City Council of the City of Lake Charles, Louisiana, hereby endorses and supports the Title VI Regulatory Plan of the City of Lake Charles, attached hereto and made a part hereof, which is to be submitted to the Federal Transportation Administration (FTA) and the Louisiana Department of Transportation and Development (LADOTD), Compliance Programs Section, Title VI Unit.

At a meeting of the City Council on 9/18/2024, a motion was made that this Resolution be adopted. The motion carried by the following vote:

For: 6 Mark Eckard, Rodney Geyen, Craig Marks, Stuart Weatherford, Luvertha August, and Ronnie Harvey Jr.

Against: 0

Absent: 1 John Ieyoub

Passed and Adopted

Craig Marks, President or Presiding Officer

Date 9/18/24

Attest

Renee P. DeVille, Clerk of the Council

Date 9/18/24

Title VI and Executive Order 12898 Comparison

<u>Aspects of the Authorities</u>	<u>Title VI of the Civil Rights Act of 1964</u>	<u>Executive Order 12898</u>
What is the authority?	Title VI is a federal statute enacted as part of the Civil Rights Act of 1964.	E.O. 12898 is a Presidential executive order signed in 1994. It is not a statute or law.
What does it say?	<p>Title VI prohibits discrimination on the basis of <u>race, color, and national origin</u> in programs and activities receiving federal financial assistance.</p> <p>Title VI itself prohibits intentional discrimination, and most funding agencies have regulations implementing Title VI that prohibit recipient practices that have the effect of discriminating on the basis of race, color, or national origin.</p>	E.O. 12898 directs all Federal agencies to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”
What is the purpose?	Title VI was designed to ensure that federal funds are not being used for discriminatory purposes.	E.O. 12898 was issued to focus federal attention on the environmental and human health conditions in minority and low-income communities; to promote nondiscrimination in federal programs substantially affecting human health and the environment; and to provide minority and low-income communities’ access to public information on, and an opportunity for public participation in, matters relating to human health or the environment.
Who is covered?	Title VI applies to recipients of federal financial assistance.	E.O. 12898 applies to designated Federal agencies. (E.O. 12898 Section 6-604, see also 2011 Memorandum of Agreement on Environmental Justice)

<u>Aspects of the Authorities</u>	<u>Title VI of the Civil Rights Act of 1964</u>	<u>Executive Order 12898</u>
What is required?	<p>Title VI requires federal agencies to monitor their recipients and ensure their compliance with Title VI.</p> <p>Title VI requires recipients of federal financial assistance to not discriminate on the basis of race, color, or national origin.</p>	<p>E.O. 12898 requires Federal agencies to create environmental justice strategies. Pursuant to the 2011 Memorandum of Agreement on Environmental Justice entered into by 17 Federal agencies, those agencies agreed to issue an annual implementation progress report on environmental justice.</p>
How is it enforced?	<p>Individuals alleging <u>intentional</u> discrimination may file suit in federal court or a complaint with the federal agency providing funds for the program or activity at issue.</p> <p>If a program or activity has a <u>discriminatory effect</u>, individuals may file an administrative complaint with the federal funding agency. An individual <u>cannot</u> file a suit in federal court to address discriminatory impacts of a recipient's activities.</p> <p>Additionally, federal agencies have the authority to conduct compliance reviews of recipients to ensure their activities do not violate Title VI.</p>	<p>E.O. 12898 is not enforceable in the courts and it does not create any rights, benefits, or trust responsibilities enforceable against the United States.</p> <p>While the E.O. 12898 is not enforceable against the United States, it is a Presidential order that requires each Federal agency to "conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons ... from participation in, denying persons...the benefits of, or subjecting persons...to discrimination under, such programs, policies, and activities, because of their race, color, or national origin."</p> <p>Therefore, to accomplish the goals of E.O. 12898, a Federal agency may implement policies that affect their funding activity. Agencies may also utilize their authority under various laws such as the Clean Air Act, National Environmental Policy Act, and the Fair Housing Act to achieve the goals of the Executive Order.</p>

How do the Executive Order and Title VI overlap?

The Presidential Memorandum accompanying EO 12898 states, in part:

“I am therefore today directing that all department and agency heads take appropriate and necessary steps to ensure that the following specific directives are implemented immediately: In accordance with Title VI of the Civil Rights Act of 1964, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.”

Agencies' Title VI enforcement and compliance authority includes the authority to ensure the activities they fund that affect human health and the environment, do not discriminate on the basis of race, color, or national origin. Therefore, agencies can use their Title VI authority, when appropriate, to address environmental justice concerns.

CITY OF LAKE CHARLES, LOUISIANA

2024 ANNUAL TITLE VI REVIEW FOR LOCAL AGENCIES

I. Administration

A. Staff Composition and Program Administration

1. Provide breakdown of the agency's administrative staff by race, color, national origin, and gender. List their positions.

<u>Name</u>	<u>Position</u>	<u>Race</u>	<u>Gender</u>
Nicholas E. Hunter	Mayor	Caucasian	Male
John Cardone	City Administrator	Caucasian	Male
Mark Tizano	Director	African American	Male
Corey Rubin	Asst. City Attorney	African American	Male
Alecia Comeaux	Purchasing Manager	Caucasian	Female
Al Hoover	Transit Manager	Caucasian	Male
Earl Edwards	DBE Program Coordinator	African American	Male
Dena Jourdan	Administrative Assistant	African American	Female

2. How many US DOT federally funded projects has the agency managed during the last two years? Include dollar amounts?

		Federal	Local
2022			
Federal Transit Administration	Operations, Maintenance, Planning, Capital	\$ 2,309,917	\$ 1,907,497
Federal Highway Administration	H.011088 Alternate 5	\$ 95,197	--
		\$ 2,405,114	\$ 1,907,497
2023			
Federal Transit Administration	Operations, Maintenance, Planning, Capital	2,273,761	2,110,203
Federal Highway Administration	1st Avenue Walking Trail	177,240	44,310
Federal Highway Administration	Sale St Bridge	2,680	--
		\$ 2,453,681	\$ 2,154,513
Total		\$ 4,858,795	\$ 4,062,010

3. Has the agency designated a Title VI Coordinator? Provide the following information:

Yes

Name: Mark Tizano

Phone and Fax Numbers: (337) 491-1440 phone / (337) 491-1437 fax

E-Mail Address: mark.tizano@cityoflc.us

How long in this position: 3 years six months

What Title VI training if any, has been received: None

4. Does the agency have a Title VI Plan, including Policy and Assurances in place? Describe public dissemination of your Title VI Plan.

Yes, the City revised the Title VI Plan and it was submitted to and approved by LADOTD and FTA.

The City Council passed an ordinance, advertised in a local newspaper, held a public hearing, placed the plan on City's website, and made printed copies available for public viewing in the Mayor's Office—10th Floor of City Hall (326 Pujoe Street), Community Development and Services Department—5th Floor of City Hall (326 Pujoe Street), and Public Works Transit Division—1155 Ryan Street.

B. Complaint Procedure

1. Does the agency have a formal Title VI Complaint Procedure and Title VI Complaint Form for external discrimination complaints? To what extent is the community aware of it?

Yes, the City of Lake Charles Title VI Plan includes a complaint procedure and form and the City's website has information available with regard to where complaints can be forwarded. In addition, complaints may be processed through the Mayor's Action Line or the City's Human Relations Commission. The community is made aware via internet and postings.

2. Has the agency received any Title VI related complaints during the past two years? If so, what were the outcomes? Were the Title VI complaints lodged by beneficiaries or participants and what were the issues involved?

No. We have received complaints but they are not subject to Title VI.

3. Does the agency have a Title VI Notice to the Public? Describe public dissemination procedure.

Yes, the City's Title VI Plan and City Ordinance No. 15139 have been made available to the Public. The Title VI Notice is posted on City transit vehicles, all City-owned buildings, the website, all City procedures, press releases, and other printed materials/publications.

C. Training

1. Has the agency's staff received any training (formal or informal) regarding Title VI?

Yes, The Title VI Committee received training through a webinar on May 22, 2018.

2. Is the agency considering scheduling Title VI training sometime soon? If so, when and who will present it?

Yes, the City is presently looking at Fall 2025 for additional training. Hopefully, the State's Team will provide the presentation.

II. Planning Activities

A. Public Involvement – Meetings and Hearings

- 1. Does the agency have a public involvement plan? If not, to what extent are minority members (inclusive of all groups), people with Limited English Proficiency (LEP), or people with disabilities in the community, invited to participate?**

Yes. Generally, all planning activities are conducted before the City Council of the City of Lake Charles and the Planning Commission. These meetings are subject to the open meetings laws of the State of Louisiana and are held accordingly. Notice of each meeting is published in the local newspaper, and/or posted in public places. When a notice is published, we include in the information a Spanish version of the notice and whom to contact. Encouragement of minority participation is required per specific grants, such as HUD-funded projects. Encouragement of minority participation is highly recommended as well as for large and/or controversial projects. Public hearings/meetings are held at various geographic locations within the city, including recreational centers, other facilities located in majority minority areas and at the Lake Charles Civic Center. The City's policy for engaging individuals with Limited English Proficiency (LEP) is to provide translation services to anyone who requests them, if reasonable accommodation can be made.

- 2. Does the agency have an Environmental Justice Policy?**

Yes, written in the Title VI Plan.

- 3. Does the agency have a Limited English Proficiency (LEP) Guideline or Policy?**

Yes, found in the Title VI Plan.

- 4. Are Public Meetings held in an accessible location (geographically and structurally)? Are the times of the meetings in accordance with the community's needs?**

Yes

- 5. Is the Hearing Coordinator keeping records of attendance? If so, what information is collected and how is it utilized to identify persons covered under Title VI? Is this information compared to the demographic data collected for the affected communities? Were any special provisions provided, such as interpreters, sign language, ADA accommodations?**

Yes, all committee meetings and public hearings are recorded and information is placed in the Title VI file. Also, there is a sign-in sheet at each meeting for attendees. Public hearings/meetings are sometimes held at various geographic locations within the city to encourage participation of citizens in affected communities. When requested, the City will provide qualified individuals to help with meaningful access to services for persons with limited English and other accessible communication aids and services for persons with disabilities to participate in programs and activities.

- 6. Have planning manuals, directives, guidelines, and policies been reviewed for Title VI compliance purposes?**

Yes

III. Advertisement and Procurement of Contracts

- 1. How are Requests for Proposals (RFP) and/or Bids solicited, and what are the requirements for submitting a proposal or bid?**

Request for Proposals (RFP) and/or Bid are solicited by advertising in the City's official journal, posting documents on City's website, posting on BidSync or Bid Express (electronic bid submission websites), emailing packages to vendors that have a prior relationship with the City and/or have requested the package. Vendors are required to submit a responsive proposal or bid package. The responsive proposal is determined by completion of all required information, compliance with the City's specifications, completed and signed bid proposal page, submission of the proper bid bond and any other required documentation (such as warranty information, brochures, etc.).

- 2. Are Title VI assurances and provisions included in advertisements and contracts?**

Yes

- 3. If the agency is receiving over \$250,000 in contracting dollars, the agency must have a DBE program. Does the agency have a DBE Program? If so, are DBE goals being included in contract/awards? Are they being achieved? If not, how does the agency promote the participation of certified DBE firms?**

Yes, the City of Lake Charles has a DBE Program. DBE contract goals are included in contracts/awards. The DBE Liaison and Coordinator monitor the projects for compliance with the goals. The City promotes the participation of certified DBE firms through outreach to general contractors, certified DBE firms,

and potential DBE firms. Also, the City has provided workshops, seminars, and business summits for all contractors.

4. How does the agency monitor consultant/contractor adherence with Title VI requirements? DBE requirements?

In all bids, the City provides the required information for Title VI, DBE, and Section 3. The agency monitors adherence with DBE requirements with documentation of Good Faith Efforts and their results of locating and hiring DBE firms for the project.

The City of Lake Charles' DBE Program provides for consultants/contractors adherence to DBE requirements by monitoring contracts, community outreach, participation in the pre-bid conferences, site visits, etc.

5. Have advertisements, bids, contracts/awards, manuals, directives, guidelines, and policies been reviewed for Title VI language and assurance? DBE language and assurance?

The Title VI and DBE Committee review all guidelines and policies on a regular basis to assure compliance.

IV. Design/Environmental Activities

1. Is the agency's Public Involvement practices being inclusive in Design and Environmental Activities when required?

Yes

2. Have Design and Environmental manuals, directives, operational procedures, guidelines, and policies been reviewed for Title VI compliance purposes?

Yes

V. Right-of-Way Activities

1. Is the agency's Public Involvement practices being inclusive in Right-of-Way Activities?

Yes. All Right-of-Way acquisition includes meeting with the landowner personally and explaining the project, their individual rights, and options.

- 2. Are DBE goals for real estate appraisers considered? If not, what provisions have been taken to evaluate potential inclusion of DBE goals?**

No, the DBE goals have not been administered on professional services.

- 3. Is Title VI language being incorporated in all acquisition, negotiation, property management communications, and contracts?**

Yes

- 4. Are Title VI language and assurance statements being included in all surveys for property owners and tenants after the conclusion of all business?**

Yes

- 5. Are all values and communications associated with appraisals conducted in an equitable fashion?**

Yes

- 6. Do deeds, permits, and leases contain Title VI compliance clauses?**

Yes

- 7. Is statistical data being gathered on race, gender, color, national origin, age, disabilities, language spoken in household, for all relocatee?**

Yes

VI. Construction and Maintenance Activities

- 1. Is Title VI compliance being monitored in consultants/contractors?**

Yes, this is being monitored in conjunction with DBE and Section 3.

- 2. Does the agency perform Title VI reviews on consultants/contractors? If so, how often?**

Yes, Title VI reviews along with DBE and Section 3 are performed at least once a month. However, the Title VI notice is on all written communications.

- 3. Does the agency provide Title VI training to consultants and contractors?**

Title VI, DBE, and Section 3 are discussed with distributed materials at the contract bidders meetings. Also committee members have attended contractors' monthly meetings and have discussed these three areas.

- 4. Are Title VI assurances being included in all advertisements, bid solicitations, contracts, subcontracts, and material supply agreements?**

Yes