

### City Use—Approval Form

Agreement                       Contract                       Amendment                       Option to Extend

Contract/Agreement No.: 22-4236                      Department: Transit

**Description/Agenda Description:**

Federal Transit Authority's Title VI Plan for Sioux Area Metro. Regulations require that these plans be updated every three years.

Council Consent Agenda:  Yes  No    Council Meeting Date: \_\_\_\_\_

Amount: N/A

**Additional Notes and Comments:**

<b>Signature/Approval/Seen by:</b>	<b>Date:</b>	<b>Signature/Approval/Seen by:</b>	<b>Date:</b>
<small>DocuSigned by:</small> <i>Susan Ullom</i> Susan Ullom	8/2/2022	_____	_____
<small>EB1100A700F741F... DocuSigned by:</small> <i>Bren Schweitzer</i> Bren Schweitzer	8/2/2022	_____	_____
<small>40D181842D2F4CE... DocuSigned by:</small> <i>Catherine Schlimgen</i> Catherine Schlimgen	8/2/2022	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Agreement and Bid Details**

Bid Award Recommendation    Number of Bids Received: \_\_\_\_\_     This is the lowest bidder and meets specification  
 Other \_\_\_\_\_

To: (Vendor/Vendor Address)

\$ Budgeted	GL No., Project String, or CIP No.	\$ Awarded	Notes

Total: \_\_\_\_\_                      Total: \_\_\_\_\_  
 Fund Transfer Requested                       Fund Transfer Complete                       This contract utilizes Federal Funding

*City of Sioux Falls/Sioux Area Metro*

*Sioux Falls, SD*

*June 2022*

*Expires October 2025*

Approved by the Public Transit Advisory Board June 27, 2022

# Title VI Plan

TRANSIT PROGRAM COORDINATOR  
SCHWEITZER, BREN – 605-367-8689



## TITLE VI NON-DISCRIMINATION POLICY STATEMENT

The City of Sioux Falls is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subjected to discrimination on the public transit service provided by Sioux Area Metro on the basis of race, color, or national origin as protected by Section 601 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) and U.S. DOT regulation 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation." This program is based on Federal Transit Administration Circular FTA C 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," October 1, 2012.

This program was developed to guide the City of Sioux Falls in its administration and management of Title VI discrimination claims as they relate to the provision of public transportation services and transit-related benefits. This notice is posted on each vehicle in the Sioux Area Metro fleet, in the main SAM facility as well as the downtown depot location and the Southwest Transfer location. This notice is included on our meeting notices and is included on the website: [www.siouxfalls.org/SAM](http://www.siouxfalls.org/SAM).

The objectives of the program include:

1. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner.
2. Promote full and fair participation in public transportation decision making without regard to race, color, or national origin.
3. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

## GENERAL REQUIREMENTS

As part of the City of Sioux Falls' Title VI Program for transportation services and transit-related benefits, the City maintains certain reporting requirements and provides the Federal Transit Administration the following information regarding these reporting requirements:

### ***1. Requirement to Provide Title VI Assurances***

As the grant recipient, the City of Sioux Falls shall submit its annual Title VI Assurance as part of its Annual Certifications and Assurances submission to FTA. While the City of Sioux Falls does not currently have any sub recipients, should sub recipients exist in the future, the City of Sioux Falls shall collect Title VI Assurances from sub recipients prior to passing through FTA funds.

A copy of the most recent Title VI Assurance included in the Annual Certifications and Assurances submission to FTA is included in Appendix A (FY2022).

## **2. Requirement to Notify Beneficiaries of Protection under Title VI**

Sioux Area Metro posts a public notice in all of the buses, at the bus transfer stations, at the administration facility, and the SAM website: <https://www.siouxfalls.org/sam> notifying all beneficiaries of Sioux Area Metro's obligation as a grant recipient under DOT's Title VI regulations. The notice also informs the public of the protections against discrimination afforded them by Title VI. The notice is displayed in Appendix F.

## **3. Requirement to Develop Title VI Complaint Procedures and Complaint Form**

The City of Sioux Falls has developed procedures for investigating and tracking Title VI complaints that may be filed against Sioux Area Metro and for making these procedures available to members of the public upon request. Should the City of Sioux Falls have any sub recipients in the future, sub recipients shall be required to have such procedures and shall be encouraged to adopt the City of Sioux Falls' complaint investigation and tracking procedures for the City's public transportation services or transit-related benefits.

The complaint procedures and complaint form have been translated into Spanish and are posted to the website: <https://www.siouxfalls.org/sam/civil-rights>

A copy of the City of Sioux Falls' Title VI Complaint and Investigation Procedures and Complaint Form for those wishing to file a complaint against Sioux Area Metro is included in Appendix B. The City of Sioux Falls has appointed the Transit Program Coordinator as the Title VI Compliance Officer to administer the implementation of the various components of this program. The Sioux Falls Attorney's Office, Division of Human Relations, provides technical support and advice to the Title VI Compliance Officer. Sioux Area Metro's Title VI Compliance Officer can be contacted at Transit Program Coordinator, City of Sioux Falls, Planning Office, P.O. Box 7402, Sioux Falls, SD 57117-7402, 605-367-8689.

## **4. Requirement to Record and Report Transit-related Title VI Investigations, Complaints, and Lawsuits**

In compliance with 49 CFR Section 21.9(b), the City of Sioux Falls (and any sub recipient) shall prepare and maintain a list of any active investigations against Sioux Area Metro (conducted by entities other than the FTA), lawsuits, or complaints naming Sioux Area Metro alleging discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the City of Sioux Falls (or sub recipient) in response to the investigation, lawsuit, or complaint.

The City of Sioux Falls' form for recording this information is included in Appendix C. The list shall comprise all of the records of active investigations, lawsuits, and complaints recorded on these forms. During the processing of active investigations, lawsuits, or complaints, the Title VI Compliance Officer shall update the recording form as necessary. Upon resolution and closure of an investigation, lawsuit, or complaint, the Title VI Compliance Officer shall record such closure on this form.

During this reporting period (May 2019 - May 2022), there were no Title VI complaints, investigations, or lawsuits filed with the City of Sioux Falls against Sioux Area Metro.

## **5. Promote Inclusive Public Participation**

The Sioux Falls Metropolitan Planning Organization's (MPO) public participation process focuses on the type of participation that helps decisions to be made and ensures the public has the opportunity to be included in the decision-making process. Prior to the development of any transportation-related planning product requiring approval, the Sioux Falls MPO considers a four-step process and designs a specific public participation plan for each project. The public participation plan includes *goals and actions, Stakeholders, Participation Method, Assessment*. The public participation plan is posted on the local MPO website: [siouxfallsmpo.org](http://siouxfallsmpo.org); click on Resources, then Publications (under Other Planning Documents).

The City of Sioux Falls also publishes its Program of Projects each year in the largest newspaper of general circulation and holds a public hearing for each program in an effort to engage the public in the process.

In addition, as required by the City of Sioux Falls' Executive Order No. 163, public comment is considered prior to raising fares or implementing a major reduction in transit services. Public hearing notices are published in the official city newspaper, distributed to all media sources in the area, posted on the website stated above, posted in the buses and at transfer stations, and sent via the City of Sioux Falls' text communication system. Public hearings are held at an accessible facility. Interpretation services are also available if requested.

## **6. Requirement to Provide Meaningful Access to Limited English Proficient (LEP) Persons**

It is the responsibility of the City, and not the LEP person, to take reasonable steps to ensure that access to the benefits, services, information, and other important aspects of its public transportation services and transit-related programs are not impaired as a result of the limited English proficiency of the individual.

The City of Sioux Falls has referred to the Department of Transportation's "Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient Persons" (January 2015) and the Department of Justice's guidelines on self-assessment entitled "Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs" (May 2011) in its evaluation of its LEP activities.

The following questions were used to determine the City of Sioux Falls' obligation to provide LEP services relating to the provision of public transportation services and transit-related activities:

- a. The number or proportion of LEP persons eligible to be served or likely to be encountered by a public transportation or transit-related program, activity, or service of the City of Sioux Falls.

*Most people living in the city of Sioux Falls read, write, speak, and understand English. However, according to the 2020 American Community Survey, approximately 11.1 percent of the total population 5 years of age or older speaks a language other than English. (See **Appendix D.)** [Census - Table Results](#) Of those, approximately 6,652 (4%) use Spanish as their primary language with 36.7 percent speaking English less than "very well". No other one*

*language reached the same threshold. Therefore, Sioux Area Metro will focus its LEP services on Spanish translation activities.*

- b. The frequency with which LEP individuals come in contact with the public transportation service or transit-related benefits.

*Appendix E provides a map of the minority populations within the city of Sioux Falls by census tract. Sioux Area Metro routes are also shown on the map to highlight the relation of the routes to those minority populations. They appear to be well served by the current transit system and may have a high likelihood of interacting with the public transit system. Also included is a map indicating poverty levels with the bus route overlay.*

- c. The nature or importance of the program, activity, or service provision related to public transportation service or transit-related benefits provided by the City of Sioux Falls to the people's lives.

*Public transportation is vital to the lives of LEP individuals since many are new to the community and are likely to be dependent on the public transit system initially to meet their transportation needs. Sioux Area Metro works with Lutheran Social Services on providing transit travel training services for newly settled immigrants. This training is held the last Tuesday of each month.*

- d. The resources available to the City of Sioux Falls for the costs related to accommodating LEP individuals.

*The costs related to taking reasonable steps to provide access to the public transit system to LEP individuals are manageable at this time. There are minimal costs associated with interpretative services converting informational materials related to public transit service to other languages if requested, and training staff in dealing with LEP.*

The City of Sioux Falls is committed to making its public transit system accessible to the entire community and understands its obligation to reduce language barriers that can preclude access to the system. Therefore, the following guidelines have been identified to accommodate the LEP persons of the community:

- a. The organization known as Lutheran Social Services (LSS) works with immigrants to help them assimilate to the community and the services available within it. The Operations Manager of Sioux Area Metro presents a training session on riding the bus at the LSS facility when requested, as well as the last Tuesday of each month. LSS provides an interpreter at the presentation. The Sioux Falls Multi-Cultural Center is a resource Sioux Area Metro is also able to utilize.
- b. If an interpreter is needed immediately, in person, or on the telephone, staff uses the Language Identification Card to help determine what language the assistance will be needed in and then contacts Language Line solutions either by phone or

[www.languageline.com](http://www.languageline.com).

- c. The Title VI Program, which includes the Complaint and Investigation Procedures, is available on Sioux Area Metro's website at [www.siouxfalls.org/sam](http://www.siouxfalls.org/sam). The following documents have been translated into Spanish:
  - (1) Complaint and Investigation Procedures
  - (2) Complaint Form
- d. Sioux Area Metro will ensure that staff is educated on the following procedures:
  - (1) Understanding the Title VI policy and LEP responsibilities.
  - (2) How to access language assistant services via phone or [www.languageline.com](http://www.languageline.com).
  - (3) Documenting language assistance requests.
  - (4) Following the proper procedures if a Title VI and/or LEP complaint is filed.
- e. If Sioux Area Metro has a request for materials in languages other than what is currently provided, it will consider making the accommodation.

## **7. *Minority Representation on Planning and Advisory Bodies***

The current boards and committees involved in the transit-related planning activities of Sioux Area Metro include the three committees of the MPO (the Urbanized Development Commission, Technical Advisory Committee, and Citizens Advisory Committee) and the Public Transit Advisory Board (PTAB). It is made clear on the board and committee applications that an applicant will not be discriminated against based on their race, color, or national origin. Of the 47 members on the MPO committees and seven members on PTAB, three are minorities. During the last three years, one minority was on the Technical Advisory Committee. On PTAB, one current member is a person with a disability. On the CAC, one current member is a person with a disability. Very few applications for minority board members on PTAB and CAC have been received, which reflects an overall population with limited numbers of minorities. A continuing emphasis on encouraging minorities to apply is a priority.

### **PUBLIC TRANSIT ADVISORY BOARD**

Sean Garney, male  
Mike Lynch, male  
Erik Nelson, male  
Brett Glirbas, male, limited mobility and wheelchair user  
Bailey Abbot, female, minority  
Allen Svennes, male  
Manny Gutierrez, male, minority

### **MPO COMMITTEES:**

Urbanized Development Commission Members:

- Carol Twedt (Chair)
- Jim Heinitz, Mayor of Brandon

- John Lawler, Mayor of Tea
- Paul TenHaken, Mayor of Sioux Falls
- Derick Wenck, Mayor of Harrisburg
- Janet Brekke, Sioux Falls City Council
- Rick Kiley, Sioux Falls City Council
- Greg Neitzert, Sioux Falls City Council
- Pat Starr (Vice-Chair), Sioux Falls City Council
- Joel Arends, Lincoln County Commission
- Jim C. Jibben, Lincoln County Commission
- Tiffani Landeen, Lincoln County Commission
- Jeff Barth, Minnehaha County Commission
- Gerald Beninga, Minnehaha County Commission
- Dean Karsky, Minnehaha County Commission
- Vacant, SDDOT Transportation Commission
- Mark Hoines, Federal Highway Administration

Technical Advisory Committee Members:

- Scott Anderson (Chair), Minnehaha County Planning
- Shannon Ausen, City of Sioux Falls Engineering
- Ron Baumgart, Private Transportation Carrier
- Andy Berg, City of Sioux Falls Engineering
- Toby Brown, Lincoln County Planning
- Jack Dokken, SDDOT Office of Secretary (Air, Rail and Transit)
- Travis Dressen, SDDOT Division of Operations
- Terry Fluit, Lincoln County Highway
- Sarah Gilkerson, SDDOT Project Development
- Mark Hoines\*, Federal Highway Administration
- Sophie Johnson, South Eastern Council of Governments
- Dan Letellier, Air Transportation
- Jacob Maras, Minnehaha County Highway
- Clark Meyer, Railroad
- Robert Speeks, Sioux Falls Public Transportation
- Sam Trebilcock, City of Sioux Falls Planning
- Todd Vik, Sioux Falls School District
- Vacant, Trucking

Citizen Advisory Committee Members:

- Cory Diedrich (Chair), Private Transportation
- Jesse Fonkert, Business
- Ryan Groeneweg, Persons with Disabilities
- Mark Hoffman, Construction and Development
- David Jackson, Business
- Luke Jessen, Concerned Citizens
- Rick Laughlin, Private Transportation
- Rachael Neiman, Community Service Boards
- Dennis Olson, Construction and Development
- Chuck Parsons (Vice-Chair), Retirement Community
- Gayleen Riedemann, Concerned Citizens
- Amanda Snoozy, Retirement Community
- Vacant



## **8. Determination of Site or Location of Facilities**

The City of Sioux Falls will likely begin the construction/grant process for a new facility or relocating facilities (operations/maintenance/garaging) within the period of this three-year program. A study is in process for the future development. Requirements and Guidelines for Fixed Route Transit Providers will be followed.

Sioux Area Metro provides fixed-route transit services. Sioux Area Metro has 26 fixed-route buses on 12 routes. Service is Monday through Saturday. With fixed-route service, Sioux Area Metro has set service standards to ensure equitable service is provided within our service area. A pilot program, Sam-on-Demand, was implemented beginning in December of 2020 to spur ridership and enhance transportation with the limitation of resources currently experienced. The service standards are included in Appendix G.

## **9. Environmental Analysis of Construction Projects**

The City of Sioux Falls shall integrate an environmental justice analysis into their National Environmental Policy Act (NEPA) documentation of construction projects of which require NEPA. If a Categorical Exclusion (CE) is performed, the City of Sioux Falls shall complete the FTA's standard CE check-list which includes a section on community disruption and environmental justice. While preparing an Environmental Assessment (EA) or Environmental Impact Statement (EIS), the City of Sioux Falls shall integrate into their documents, the following:

- 1) 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;
- 2) A discussion of adverse effects that would affect the identified minority and low-income population;
- 3) A discussion of all positive effects that would affect the identified minority and low-income population;
- 4) 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, if applicable;
- 5) A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
- 6) For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison will be completed of mitigation and environmental enhancement actions between the two stated areas. If there is no basis for such comparison, the City of Sioux Falls shall describe why this is so.

## **10. Requirement to Provide Additional Information Upon Request**

The City of Sioux Falls and Sioux Area Metro will provide any additional information outside the scope of the information provided in the guidance in Circular C 4702.1B at the request of the Federal Transit Administration.

## APPENDIX A

### CITY OF SIOUX FALLS TITLE VI ASSURANCE (FY 2022)

#### Included in Annual Certifications and Assurances

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
  - (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 C.F.R. Part 21;
  - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681– 1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 C.F.R. Part 25;
  - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
  - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 C.F.R. Part 27;
  - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
  - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
  - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
  - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
  - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
  - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.

#### 1.2 Standard Assurances: Additional Assurances for Construction Projects.

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.

## Certifications & Assurances | FY 2022 C&A Affirmations

### Recipient Details

**Recipient ID**  
1163

**Recipient Name**  
SIOUX FALLS, CITY OF

### Certification and Assurance Information

**Fiscal Year** 2022  
**Assigned Date** 2/3/2022  
**Due Date** 5/4/2022

**Original Certification Date** 4/20/2022  
**Latest Certification Date** 4/20/2022

### Certifications and Assurances

#### Certification History

Certification Date: 4/20/2022 | Official: Sam Trebilcock | Attorney: Paul Bengford

Category	Title	Certified
01	Certifications and Assurances Required of Every Applicant	✓
02	Public Transportation Agency Safety Plans	✓
03	Tax Liability and Felony Convictions	✓
04	Lobbying	✓
05	Private Sector Protections	✓
06	Transit Asset Management Plan	✓
07	Rolling Stock Buy America Reviews and Bus Testing	✓
08	Urbanized Area Formula Grants Program	✓
09	Formula Grants for Rural Areas	✓
10	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	✓
11	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	✓
12	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	✓
13	State of Good Repair Grants	✓
14	Infrastructure Finance Programs	✓
15	Alcohol and Controlled Substances Testing	✓
16	Rail Safety Training and Oversight	✓
17	Demand Responsive Service	✓
18	Interest and Financing Costs	✓
19	Cybersecurity Certification for Rail Rolling Stock and Operations	✓
20	Tribal Transit Programs	✓
21	Emergency Relief Program	✓

### Affirmation of Applicant

**Affirmation of Applicant** BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year. Irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

**Official's Name** Sam Trebilcock  
 I accept the above

**Certification Date** Apr 05, 2022

### Affirmation of Attorney

**Affirmation of Applicant's Attorney** As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

**Attorney's Name** Paul Bengford  
 I accept the above

**Certification Date** Apr 20, 2022

**APPENDIX B  
CITY OF SIOUX FALLS**

**TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 for alleged discrimination in any program or activity administered by the City of Sioux Falls for public transportation services or transit-related benefits.

If this information is needed in another language, please contact the Title VI Compliance Officer at 605-367-8689.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the City of Sioux Falls may be utilized for resolution. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a written complaint to the following address:

**Title VI Compliance Officer Contact Information:**

Transit Program Coordinator, Title VI  
Compliance Officer, City of Sioux Falls,  
Planning Office  
231 North Dakota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
Phone: 605-367-8689

The following measures will be taken to resolve Title VI complaints:

1. A formal complaint must be filed within 180 calendar days of the date of the alleged occurrence. Complainants will complete the Title VI Complaint Form (following these instructions), sign it, and submit to the Title VI Compliance Officer at the address listed on the form. A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.
2. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Compliance Officer. Under these circumstances, the complainant will be interviewed and the Title VI Compliance Officer will assist the Complainant in converting the verbal allegations to writing.
3. When a complaint is received, the Title VI Compliance Officer will provide written acknowledgment to the Complainant within ten days by registered mail.

4. If a complaint is deemed incomplete, additional information will be requested and the Complainant will be provided 60 calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
5. Within 15 calendar days from receipt of a complete complaint, the Title VI Compliance Officer, with support and advice from the City of Sioux Falls' Attorney's Office, will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five days of this decision, the Title VI Compliance Officer, or his/her authorized designee, will notify the Complainant by registered mail informing them of the disposition.
  - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
  - b. If the complaint is to be investigated, the notification shall state the grounds of the City of Sioux Falls' jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When the City of Sioux Falls does not have sufficient jurisdiction, the Title VI Compliance Officer, or his/her authorized designee, will refer the complaint to the appropriate state or federal agency holding such jurisdiction.
7. If the complaint has investigative merit, the Title VI Compliance Officer, or his/her authorized designee, will assign an investigator. A complete investigation will be conducted and an investigative report will be submitted to the Title VI Compliance Officer within 60 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities and an extension will be requested.
8. The Title VI Compliance Officer, or his/her authorized designee, will issue letters of finding to the Complainant and Respondent within 90 calendar days from receipt of the complaint.
9. If the Complainant is dissatisfied with City's resolution of the complaint, he/she has the right to file a complaint with the:

**Federal Transit Administration  
Office of Civil Rights  
Attn: Title VI Program Coordinator East  
Building, 5th Floor—TCR 1200 New  
Jersey Avenue SE Washington, DC  
20590**

**CITY OF SIOUX FALLS  
TITLE VI COMPLAINT FORM**

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in public transportation services or transit-related benefits, please provide the following information in order to assist us in processing your complaint and send it to:

Transit Program Coordinator, Title VI  
Compliance Officer, City of Sioux Falls,  
Planning Office  
231 North Dakota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
605-367-8890

Please print clearly.

**SECTION I:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_(home) \_\_\_\_\_(cell)

Email: \_\_\_\_\_

Accessible format requirements?  Large Print  Audio Tape  TDD  Other

**SECTION II:**

Person discriminated against: \_\_\_\_\_

Address of person discriminated against: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**SECTION III:**

Please indicate why you believe the discrimination occurred.

- Race
- Color
- National Origin

What was the date of the alleged discrimination (Month, Day, Year)? \_\_\_\_\_

Where did the alleged discrimination take place? \_\_\_\_\_  
\_\_\_\_\_

Please describe, as clearly as possible, the circumstances as you saw it and why you believe you were discriminated against. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list all persons involved and any witnesses with their names and phone numbers (if known).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION IV:**

Have you previously filed a Title VI complaint with this agency?  Yes  No

**SECTION V:**

Have you filed this complaint with any other federal, state, or local agency or with any federal or state court?  Yes  No

If yes, check all that apply:

- Federal agency  State agency
- Federal court  State court
- Local agency

Please provide information about a contact person at the agency/court where the complaint was filed.

Name and Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**SECTION VI:**

Name of agency complaint is against: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please attach any documents you have that support the allegation. Date and sign this form and send to the Title VI Compliance Officer at:

Transit Program Coordinator, Title VI  
Compliance Officer, City of Sioux Falls,  
Planning Office  
231 North Dakota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print your name

\_\_\_\_\_  
Date



**APPENDIX C**

**CITY OF SIOUX FALLS  
TITLE VI RECORD OF COMPLAINTS**

**Record of Title VI Complaint, Investigation, and Resolution 49 CFR  
21.9(b)**

1. Date Title VI complaint was received by the City of Sioux Falls:

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2. Summary of complaint allegation(s):

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3. Status of investigation of complaint:

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4. Action(s) taken by the City of Sioux Falls:

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5. Date complaint was resolved or closed:

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## APPENDIX D

## LANGUAGE SPOKEN AT HOME

## 2017-2022 American Community Survey 5-Year Estimates

<b>Language Spoken at Home City of Sioux Falls</b>			
<b>Category</b>	<b>Total</b>	<b>Speak English “very well”</b>	<b>Speak English less than “very well”</b>
	<b>% of Total Pop over 5 years</b>	<b>% of category</b>	<b>% of category</b>
Population 5 years and over	100%	95.5%	4.5%
English only	90.0%	(X)	(X)
Language other than English	10.0%	54.9%	45.1%
Spanish	3.8%	61.4%	38.6%
Indo-European	2.3%	52.7%	47.3%
Asian and Pacific Island	1.4%	49.0%	51.0%
Other languages	2.6%	50.5%	49.5%

According to these survey estimates, approximately 18,602 people in Sioux Falls speak a language other than English and of them, 6,823 speak English less than “very well.” Spanish is the largest language spoken at home other than English with 4 % of households or about 6,652 people speaking the language within the home. 2,397 people that use Spanish as their primary language speak English less than “very well” in Sioux Falls. Other Indo-European languages have 4,497 people speaking the language in the home of which 1,591 people speak English less than “very well”. However, it is estimated that the Asian and Pacific Island languages noted 1,675 people and 1,032 report speaking English very well. The other languages spoken at home in Sioux Falls estimated at 4,029 people. All three of these language categories show a significant percentage of those people speak English less than “very well”.

# APPENDIX E

## Minority Population and Transit Routes

Percent of Total Minority Population by Census Tract\*

- 0% to 10%
- 10% to 20%
- 20% to 30%
- 30% to 40%
- More than 40%

Appendix E

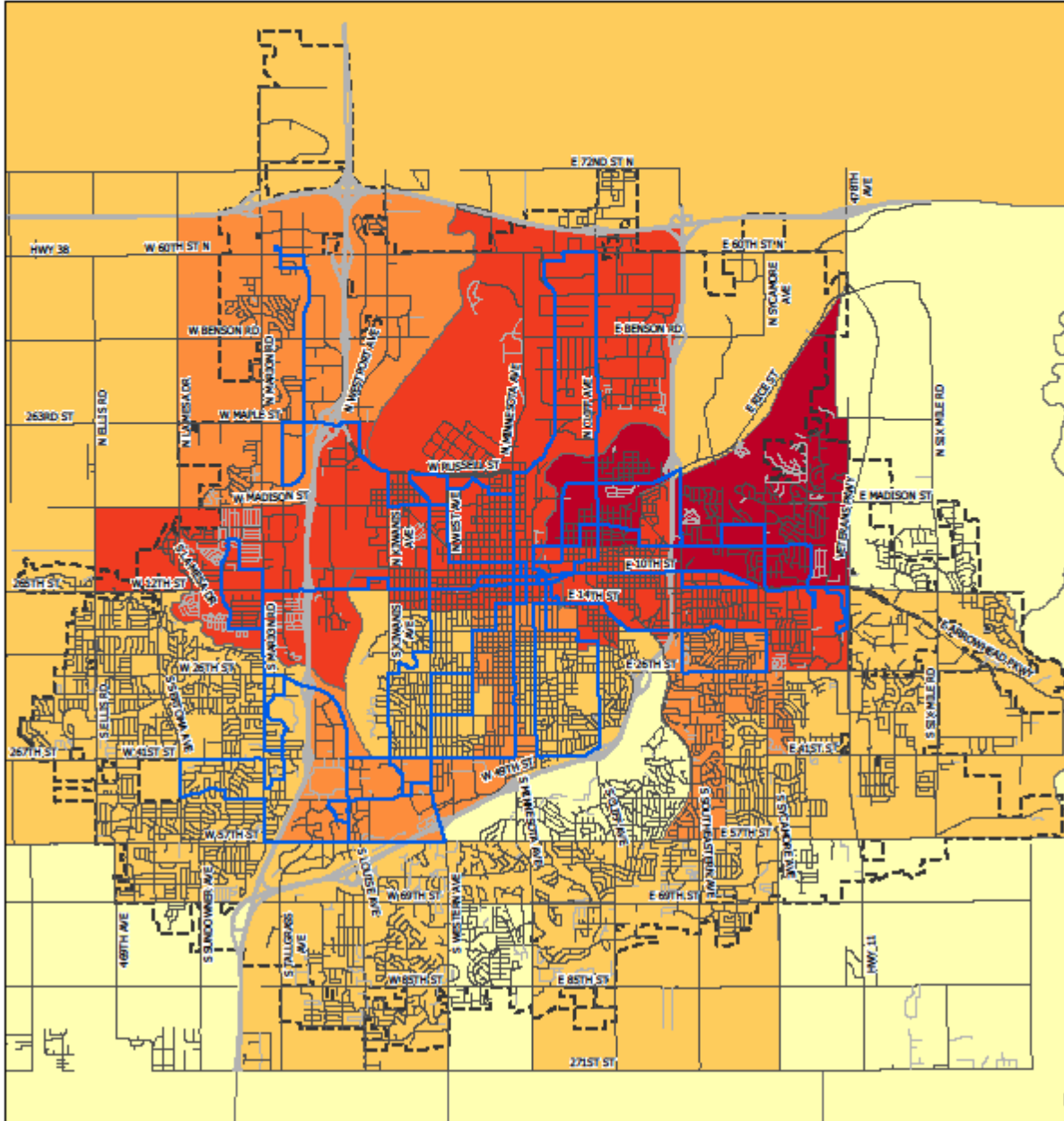


Bus Routes

Municipal Boundary



\*Data Source: 2020 U.S. Decennial Census

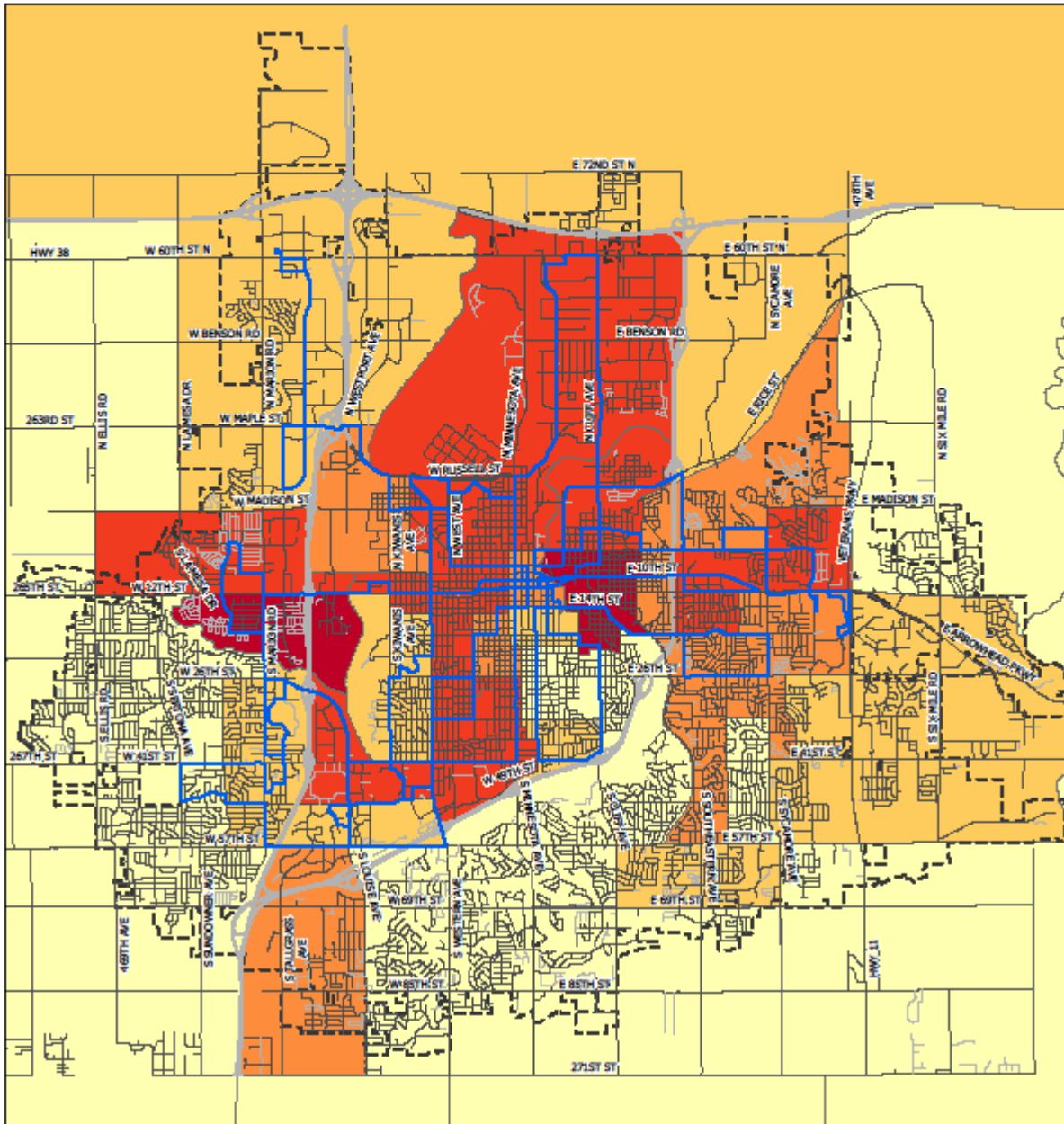


# Poverty and Transit Routes

Percent of Population Below Poverty Level by Census Tract\*



\*Data Source: 2016-2020 American Community Survey



**APPENDIX F  
CITY OF SIOUX FALLS  
TITLE VI NOTICE TO THE PUBLIC**

The City of Sioux Falls hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes as they relate to public transportation services and transit-related activities. Title VI and related statutes prohibiting discrimination in federally assisted programs require that no person in the United States of America shall on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding the City of Sioux Falls' public transportation programs has a right to file a Title VI complaint. Any such complaint must be submitted on the Title VI Complaint Form found on the City's website at <http://siouxfalls.org/sam/civil-rights> to the City of Sioux Falls' Title VI Compliance Officer within 180 calendar days following the date of the alleged occurrence.

If this information is needed in another language, please contact the Title VI Compliance Officer at 605-367-8689.

For more information regarding civil rights complaints, please contact:

Transit Program Coordinator, Title VI  
Compliance Officer, City of Sioux Falls,  
Planning Office  
231 N Dakota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
605-367-8689

Or

*<https://www.siouxfalls.org/sam/civil-rights>*

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor—TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

## APPENDIX G

### TITLE VI SERVICE STANDARDS

#### SERVICE STANDARDS – SIOUX AREA METRO

##### **Mission Statement**

To provide safe and efficient public transportation to the City of Sioux Falls.

To ensure that our employees have the support and resources to deliver an affordable customer focused service on a cost-effective basis.

##### **Hours of Service**

The transit routes shall have the following minimum hours of service:

Monday-Friday  
5:45 AM to 8:45 PM

Saturday  
7:45 AM to 6:45 PM

##### **Headways**

Regular transit routes shall operate a minimum of once each hour. 30-minute frequencies during peak weekday travel periods are preferred.

##### **Vehicle Loadings**

Vehicles shall not exceed 150 percent of seating capacity.

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

Buses shall operate within zero minutes early to 5 minutes late at least 95 percent of the time.

##### **Safety Standard**

Sioux Area Metro shall perform above the national average in terms of accidents per mile.

##### **Ridership Levels**

Routes which perform below 80 percent of the system average in terms of passenger boardings per hour shall be subject to modification and/or restructuring.

##### **Bus Stop Spacing**

The preferred distance between bus stops is every two blocks where practical.

##### **Bus Shelters**

While existing locations shall be grandfathered, new shelter locations shall require a minimum of 15 daily boardings, based on safety concerns relating to designated stop area insufficiencies.

## Sioux Area Metro ADA Accessible Facilities

**Facilities:**

- Sioux Area Metro Main Office/Garage – 500 East 6<sup>th</sup> Street, SFSD
- The Bus Depot – Main Transfer Center – 120 East 11<sup>th</sup> Street, SFSD
- The Southwest Transfer Center – 4409 South Louise Avenue, SFSD

**Vehicles: 3-4-2022**

Fixed Route Buses:	Paratransit Buses:	Mini Vans:
1. 901	1. 1884	1. 2013 Dodge Grand Caravan
2. 902	2. 1885	2. 2014 Dodge Grand Caravan
3. 903	3. 1886	3. 2014 Dodge Grand Caravan
4. 904	4. 1887	4. 2020 Ford F-350 Pickup
5. 905	5. 1888	5. 2015 Ford F-350 Pickup
6. 906	6. 1889	6. 2017 Chevrolet Pickup
7. 907	7. 1480	
8. 908	8. 1481	
9. 909	9. 1482	
10. 910	10. 1483	
11. 911	11. 1277	
12. 912	12. 1278	
13. 913	13. 1279	
14. 914	14. 2190	
15. 915	15. 2191	
16. 916	16. 2192	
17. 917	17. 2193	
18. 1518	18. 2194	
19. 1519	19. 2195	
20. 1520	20. 2196	
21. 1521	21. 2197	
22. 1522		
23. 1823		
24. 1824		
25. 1825		
26. 1826		



P.O. Box 7402, Sioux Falls, SD 57117-7402

**PUBLIC TRANSIT ADVISORY BOARD  
IN-PERSON AND VIRTUAL MEETING  
MONDAY, JUNE 27, 2022  
3:30 PM**

**Staff Liaison:**

Sam Trebilcock, [strebilcock@siouxfalls.org](mailto:strebilcock@siouxfalls.org) (605) 367-8890  
Bren Schweitzer, [bschweitzer@siouxfalls.org](mailto:bschweitzer@siouxfalls.org) (605) 367-8689  
Karla Resendiz, [kresendiz@siouxfalls.org](mailto:kresendiz@siouxfalls.org) (605) 367-8895

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE HUMAN RELATIONS OFFICE, FIRST FLOOR, CITY HALL, 224 WEST 9<sup>TH</sup> STREET, SIOUX FALLS, SD AT 367-8745 (VOICE) OR 367-7039 (TDD) 48 HOURS IN ADVANCE OF THE MEETING.

*Public Transit Advisory Board Member Participants: Allen Svennes, Erik Nelson, Brett Glirbas, Manny Gutierrez, Bailey Abbott*

*Public Transit Advisory Board Members absent: Sean Garney, Mike Lynch*

*Staff Participants: Sam Trebilcock, Jim Feeney, Robert Speeks, Karla Resendiz, , Pam Jump, Bren Schweitzer, Glenn Wright*

*Public Participants: Phyllis Arends, Pattie Marose*

## **Minutes**

Facilitator: Allen Svennes, Chair

Call to Order and Quorum Determination: Allen Svennes, Chair called the meeting to order at 3:31pm and welcomed all participants. Member participants represented a quorum.

- 1. Meeting Procedures:** Sam Trebilcock read the meeting procedures for the PTAB informational meeting.
- 2. Approval of Agenda:** *A motion was made by Brett Glirbas and a second by Manny Gutierrez to approve the June 2022 PTAB Agenda. Motion passed.*
- 3. PTAB Meeting Minutes:** *A motion was made by Manny Gutierrez and a second by Brett Glirbas to approve the April 2022 PTAB Minutes and May Informational Meeting notes. The motion passed unanimously.*



#### **4. Public input on non-agenda items:**

- a. Pattie M. indicated that she attended the meeting to learn more about how SAM operates. More specifically, she is the parent of a young adult who requires paratransit services and then must live in an area that provides paratransit services which limits her ability for housing because of limited services. .

#### **Unfinished Business**

#### **5. Free Transit Rides for Youth**

*A motion was made by Manny Gutierrez and a second by Brett Glirbas to open the public hearing.*

Brett suggested edits to the verbiage of the ordinance in order to clarify the age requirements. Ages ten and under accompanied with an adult will be free. School ID or Freedom Pass is also required. Conversation and consideration for those students who were 21 or under that qualified through special education services will also be included.

*A motion was made by Brett Glirbas and a second by Manny Gutierrez to open the floor for board action and comment.*

Melanie Bliss had provided a letter of support for the consideration of free transit rides for youth.

Brett questioned what revenue loss would be with implementing this ordinance. Sam clarified that it would likely be less than 10% and paratransit would be the most affected.

*Brett Glirbas made a motion to table the item second by Bailey Abbott.*

Aye – Brett Glirbas and Bailey Abbott

Nay – Erik Nelson, Manny Gutierrez, and Allen Svennes

*Motion failed*

*Motion by Manny, second by Erik to approve the ordinance for free youth transit rides.*

Roll call vote to approve free youth transit rides ordinance

Aye – Erik Nelson, Manny Gutierrez, Allen Svennes, and Bailey Abbott

Nay – Brett Glirbas

*Motion passed.* This ordinance consideration will be brought before the city council.

#### **6. Transit Development Plan – Survey and Stakeholder Meetings**

Surveys have been created and printed. There are three separate surveys. One survey is targeted for paratransit, one for fixed transit riders, and the last survey for the general public that may not currently use transit. The survey is aimed to engage the public about the future of transit. Routes that have the highest ridership will remain. Routes with the

least amount of ridership will be reviewed and considered under the On-Demand system. Results from the transit survey will be reviewed at the next PTAB meeting.

**7. Mobile Ticketing RFP – Updates**

The request that started in May to engage vendors to submit a proposal for mobile ticketing will be awarded on July 8th. Mobile ticketing allows for efficiency, convenience and opportunities for purchasing, gifting and fare-capping. The goal of these efforts is to provide equitable transit to residents regardless of their resources.

**8. Driver Recruitment Update** (Informational) No major staff changes since August 16, 2021. Recruitment efforts remain the same.

**New Business**

**9. Election of PTAB Officers.**

*A motion was made by Manny Gutierrez and a second by Brett Glirbas to switch board chairs to Erik Nelson as chair and Allen Svennes as vice chair, respectively.*

Aye – Erik Nelson, Brett Glirbas, Manny Gutierrez, Allen Svennes, and Bailey Abbott

Nay – none. *Motion passed.*

**10. Annual Report of PTAB** (Informational). Bren S. provided new and accurate charts from the 2021 Annual Report. The focus is to review these reports and identify possible opportunities to increase ridership and find efficiencies. Moving forward, routes that can be updated to better serve Sioux Falls is the goal. A majority of paratransit rides have been given by a third party transit provider (CCTS) and accounts for decreases in para transit ridership the past five years. Overall, SAM ridership trends mirror national statistics.

**11. Title VI Update** (Informational/Action). This Title VI report must be reviewed and updated every three years and submitted to FTA. SAM is required to show that services are fair and equitable. This report supports the City of Sioux Falls/Sioux Area Metro's compliance in meeting the civil rights regulations. *Motion to approve Brett Glirbas and second by Manny Gutierrez. Motion passed.*

**12. May 2022 Operations Report** (Informational) April's fixed-route ridership is down 4% compared to 2021 and 99% of rides were completed on time. Fixed route transit received one complaint.

**13. Annual Audit** was completed by Eide Bailly for the Sioux Area Metro system. The audit is included as part of city wide audit. The audit review found no major violations. Limited oversight is the standard finding and is being addressed by SAM.

**Announcements:** Next PTAB meeting: July 29, 2022 with both in-person and virtual options.

Adjournment at 4:54

*Minutes prepared by Karla Resendiz*

This program has been developed in compliance with the Federal Transit Administration Circular FTA C 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients", October 1, 2012.

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**Bren Schweitzer** **Date**  
**Transit Program Coordinator, Title VI Compliance Officer**

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**Catherine Schlimgen** **Date**  
**Assistant City Attorney/ADA Coordinator**

**I hereby authorize and adopt all statements, policies, and forms outlined in this program.**

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**Paul TenHaken** **Date**  
**Mayor, City of Sioux Falls**

ATTEST:

DocuSigned by:  
   
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**Tamara Jorgensen, Assistant City Clerk**  
Assistant City Clerk