



"A City for All Ages"

# ***CITY OF PORT ST. LUCIE***

## TITLE VI AND NONDISCRIMINATION POLICY AND PLAN

### **I. TITLE VI PROTECTION:**

#### **a. POLICY STATEMENT:**

The City of Port St. Lucie values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the City of Port St. Lucie believes that the best programs, transportation systems, and services result from careful consideration of the needs of all of its communities and when those communities are involved in the decision-making process. Thus, the City of Port St. Lucie does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 (Title VI) and other related federal and state laws and regulations, the City of Port St. Lucie will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

#### **b. COMPLAINT PROCEDURES:**

The City of Port St. Lucie has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of City of Port St. Lucie's programs, services or activities may file a complaint with the City of Port St. Lucie's Title VI/Nondiscrimination Coordinator. **However, this procedure for complaints of discrimination in the provision of services, activities, programs or benefits provided by the City of Port St. Lucie shall not apply to complaints relating to employment by the City of Port St. Lucie as other procedures and processes are available for those type of complaints.**

A complaint must be submitted in writing within one hundred eighty (180) days from the date of the alleged discrimination. The complaint must include the name, address and phone number of the Complainant along with a description of the alleged discrimination that also identifies the basis of the allegations (i.e. race, color, national origin, sex, religion, age, disability or family status) and the date(s) of occurrence. The written complaint must be signed by the Complainant or his/her representative(s). If the complaint cannot be submitted in writing, the Complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.

Complaints should be submitted to:

~~Azlina Goldstein Siegel, Asst. City Attorney & Title VI/Nondiscrimination Coordinator~~  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, FL 34984  
Email: [AGoldstein@cityofpsl.com](mailto:AGoldstein@cityofpsl.com)  
Telephone: (772) 873-6321



"A City for All Ages"

# ***CITY OF PORT ST. LUCIE***

## **TITLE VI AND NONDISCRIMINATION POLICY AND PLAN**

Kristina Ciuperger, Deputy City Manager & Title VI/Nondiscrimination Coordinator  
121 SW Port St. Lucie Blvd  
Port St. Lucie, FL 34984  
Telephone: (772) 871-5207  
Email: [kristinac@cityofpsl.com](mailto:kristinac@cityofpsl.com)

\*If Complainant is hearing or speech impaired, please call the Florida Relay Service (FRS) by dialing 711 or 1-800-955-8771 (TTY)

The Title VI/Nondiscrimination Coordinator will take reasonable steps to resolve the matter. The Title VI/Nondiscrimination Coordinator has "easy access" to the City Manager and is not required to obtain management or other approval to discuss discrimination issues with the City Manager. Within thirty (30) calendar days after receipt of the complaint the Title VI/Nondiscrimination will provide a written response to the person who filed the complaint. The written response will explain the position of the City of Port St. Lucie and may offer options for a substantive resolution of the complaint. The Complainant may appeal the written response if it does not satisfactorily resolve the issue. Appeals must be submitted in writing to the City Manager within fifteen (15) calendar days from the date of the written response from the Title VI/Nondiscrimination Coordinator.

The Title VI/Nondiscrimination Coordinator shall maintain a copy of the complaint along with the written response and any other documents or writings relating to the disposition of the complaint.

## **II. ADA/504 STATEMENT:**

### **a. POLICY STATEMENT:**

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

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



"A City for All Ages"

# ***CITY OF PORT ST. LUCIE***

## **TITLE VI AND NONDISCRIMINATION POLICY AND PLAN**

### **b. REASONABLE ACCOMODATION REQUESTS:**

The City of Port St. Lucie encourages the public to report any facility, program service or activity that appears inaccessible to those who are disabled. Furthermore, the City of Port St. Lucie will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. However, since providing reasonable accommodation may require outside assistance, organization or resources, any requests for accommodation should be submitted to the City of Port St. Lucie at least five (5) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests (unless otherwise noted) for accommodation should be made, in writing, to the City of Port St. Lucie's ADA Coordinator.

Reasonable accommodation requests should be submitted to:

~~Susan Williams, PHR, Human Resources Director/ADA Coordinator  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, FL 34984  
Email: [SWilliams@cityofpsl.com](mailto:SWilliams@cityofpsl.com)  
Telephone: (772) 871-5207~~

Thema Neal, Human Resources Manager / ADA Coordinator  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, FL 34984  
Telephone: (772) 344-4345  
Email: [Tneal@cityofpsl.com](mailto:Tneal@cityofpsl.com)

\*If Requestor is hearing or speech impaired, please call the Florida Relay Service (FRS) by dialing 711 or 1-800-955-8771 (TTY)

### **III. LIMITED ENGLISH PROFICIENCY (LEP) GUIDANCE:**

#### **a. INTRODUCTION:**

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the U.S. Department of Justice (DOJ) and the U.S. Department of Transportation (USDOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which Limited English Proficiency (LEP) services are required and in which languages, the law requires the analysis of four (4) factors:

- Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the City of Port St. Lucie's programs, services or activities.



"A City for All Ages"

# CITY OF PORT ST. LUCIE

## TITLE VI AND NONDISCRIMINATION POLICY AND PLAN

- Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.
- Factor 3: The nature and importance of the program, service or activity to people's lives.
- Factor 4: The resources available to the City of Port St. Lucie and the likely costs of the LEP services.

### **b. LEP FOUR-FACTOR ANALYSIS:**

#### 1. Factor 1: Review of LEP Populations

Understanding the needs of the community begins with identifying the number of LEP persons eligible to be served, likely to be served, or likely to be encountered by the City of Port St. Lucie through its programs, services or activities. In an effort to determine potential LEP needs in the City of Port St. Lucie, staff reviewed data available through the U.S. Census Bureau American Community Survey (ACS). The ACS produces population, demographic and housing unit estimates, which is then officially produced and disseminated through the Census Bureau's Population Estimates Program.

The 2013 data collected for Port St. Lucie indicates that approximately 8.9% of the total population 5 years and older, which is about 162,156 people, speak English *less than* "very well." Further analysis shows that of the population that does speak English less than "very well," most speak Spanish. The table below shows the breakdown of languages spoken at home by LEP persons.

<b>Language Spoken at Home Other than English in Port St. Lucie, Florida</b>						
Population Age 5 years and older	Estimated Number of Persons who speak English <i>less than</i> "very well" (LEP Persons)	Estimated Percentage (%) of LEP Persons	Percentage (%) of LEP Persons who speak Spanish	Percentage (%) of LEP Persons who speak Indo-Euro Languages	Percentage (%) of LEP Persons who speak Asian or Pacific Islander Languages	Percentage (%) of LEP Persons who speak Other Languages
162,156	14,455	8.9%	5.9%	2.2%	0.7%	0.1%

Source: U.S. Census Bureau 2013 American Community Survey 1-Year Estimates

#### 2. Factor 2: Assessing Frequency of Contact with LEP Persons

The results of the census data indicate that Spanish is the most prevalent language spoken by the LEP population in the City of Port St. Lucie. However, the City of Port St. Lucie realizes that such statistical data can be outdated or inaccurate. Therefore, staff contacted various



# ***CITY OF PORT ST. LUCIE***

## **TITLE VI AND NONDISCRIMINATION POLICY AND PLAN**

*"A City for All Ages"*

departments within the City of Port St. Lucie and sought information from other sources to determine whether the above 2013 ACS data adequately reflects the proportion of LEP person served by the City of Port St. Lucie through its programs, services or activities. To date it is estimated that 10% or less of the requests or calls for services to the various departments of the City of Port St. Lucie were for translation or interpretation of programs, services or activities into Spanish or any other language. The Police Department reported that about 10% of its calls were by LEP persons, while the Human Resources and Public Works Departments reported 1% and the Parks and Recreation Department reported that 5% to 7% of the calls for their programs were by LEP persons. Given this information, the City of Port St. Lucie reasons that a relatively small portion of its service population is comprise of LEP persons.

### **3. Factor 3: Assessing the Importance of City Programs**

All of the City of Port St. Lucie's programs are important; however, those related to safety, public transit, right-of-way, the environment, nondiscrimination and public involvement are among the most important. The City of Port St. Lucie must ensure that all segments of the population, including LEP persons have been involved or have had the opportunity to be involved in the planning processes to be consistent with its nondiscrimination goals.

### **4. Factor 4: Determining Available Resources**

When planning any activity, it is imperative that an organization assess the resources available to conduct the activity in a way that is meaningful and balances those efforts with the overall cost to the organization. Given the percentage of the LEP population and current financial constraints, full language translations of various documents are not considered warranted or cost feasible at this time. However, the City of Port St. Lucie is fortunate to employ bi-lingual individuals and to house within its jurisdiction a number of institutions of higher education and community organizations that offer competent language services. The City of Port St. Lucie will continually evaluate its programs, services and activities to ensure that LEP persons are always provided with its meaningful access.

The analysis of these four (4) factors suggest that the need is limited and extensive LEP services are not required at this time. Nevertheless, the City of Port St. Lucie believes that special language assistance is necessary for certain activities in order to provide broad access by members of the public and the following LEP services plan and procedures will be implemented. The City of Port St. Lucie will:

- Maintain a list of employees who competently speak Spanish and other languages and who are willing to provide translation and/or interpretation services.
- Distribute the list of willing translators/interpreters to staff members who regularly have contact with the public



"A City for All Ages"

# ***CITY OF PORT ST. LUCIE***

## TITLE VI AND NONDISCRIMINATION POLICY AND PLAN

- Provide meeting, program and services availability notifications in English and Spanish, where appropriate, especially where programs or activities are located in an area identified as having higher LEP populations.
- Continue to provide the documents that are currently provided in Spanish, adding and discontinuing documents in Spanish and other languages based upon demand.

The City of Port St. Lucie understands that its community profile is changing and the four-factor analysis may reveal the need for more or varied LEP services in the future. As such, the City of Port St. Lucie will annually examine its LEP plan to ensure that it remains reflective of the community's needs. Persons requiring special language services should contact the City of Port St. Lucie's Title VI/Nondiscrimination Coordinator:

~~Azlina Goldstein Siegel, Asst. City Attorney & Title VI/Nondiscrimination Coordinator~~  
~~121 SW Port St. Lucie Boulevard~~  
~~Port St. Lucie, FL 34984~~  
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#### **IV. DATA COLLECTION:**

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



# ***CITY OF PORT ST. LUCIE***

## **TITLE VI AND NONDISCRIMINATION POLICY AND PLAN**

*"A City for All Ages"*

### **V. ASSURANCES:**

Every three (3) years, or commensurate with a change in the management leadership of the City of Port St. Lucie must certify to FHWA and FDOT, and any other applicable federal and state agencies, that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed "assurances" and serve two (2) important purposes. First, the assurances document the City of Port St. Lucie's commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the City of Port St. Lucie may be held liable for breach. The public may view the assurances on the City of Port St. Lucie's website or by visiting the appropriate City of Port St. Lucie's offices.