

**RESOLUTION NO. 2022 – 3999**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING THE CITY’S TITLE VI NONDISCRIMINATION POLICY AND PLAN IN ACCORDANCE WITH TITLE VI, 42 U.S.C. § 2000D, OF THE CIVIL RIGHTS ACT OF 1964 AS REQUIRED TO RECEIVE FEDERAL PASS-THROUGH FUNDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, as a sub-recipient of federal funds, the City of Miami Springs (the “City”) is required to adopt certain policies, such as the Title VI/Nondiscrimination Policy and Plan (“Title VI Plan”), attached hereto as Exhibit “A,” by resolution to ensure compliance with Title VI, 42 U.S.C. § 2000d of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

**WHEREAS**, the Title VI Plan serves to ensure that users of various services funded through the Federal government are able to make anti-discrimination complaints and that procedures are in place for investigating, tracking, and providing administrative remedies to these types of complaints; and

**WHEREAS**, the City receives Federal funding and aid from various agencies, including: the Federal Emergency Management Agency, the Federal Highway Administration (“FHWA”), and the Federal Transit Authority (“FTA”), among others; and

**WHEREAS**, the FTA requires Title VI plans to be updated and approved by the governing body every three years; and

**WHEREAS**, on August 24, 2015, the City Council adopted Resolution No. 2015-3649 approving the City’s Title VI Nondiscrimination Policy and Plan; and

**WHEREAS**, adopting the updated Title VI Plan attached hereto as Exhibit “A” will provide education to both the community and City staff and discourage discrimination on the basis of race, color, or national origin; and

**WHEREAS**, the Title VI Plan serves to ensure that users of the City’s transit services are able to make anti-discrimination complaints and to have procedures in place for investigating, tracking, and providing an administrative remedy to these types of complaints; and

**WHEREAS**, in order to continue receiving federal pass-through funding from FDOT and other agencies, the City Council desires to approve the updated Title VI Plan; and

**WHEREAS**, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** That the above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

**Section 2. Approval.** That the City Council hereby approves the Title VI Plan, attached hereto as Exhibit "A."

**Section 3. Implementation.** That the City Council is hereby authorized to take all actions necessary to implement the Title VI Plan and the purposes of this Resolution.

**Section 4. Effective Date.** That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilman Best who moved its adoption. The motion was seconded by Vice Mayor Fajet and upon being put to a vote, the vote was as follows:

|                               |            |
|-------------------------------|------------|
| Vice Mayor Dr. Walter Fajet   | <u>YES</u> |
| Councilman Bob Best           | <u>YES</u> |
| Councilwoman Jacky Bravo      | <u>YES</u> |
| Councilman Dr. Victor Vazquez | <u>YES</u> |
| Mayor Maria Puente Mitchell   | <u>YES</u> |

PASSED AND ADOPTED this 9<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
MARIA PUENTE MITCHELL  
MAYOR

ATTEST:  
  
\_\_\_\_\_  
ERIKA GONZALEZ, MMC



CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

A handwritten signature in blue ink, appearing to read "Hayden", is written over a horizontal line.

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
CITY ATTORNEY

**CITY OF MIAMI SPRINGS  
TITLE VI NONDISCRIMINATION POLICY AND PROGRAM PLAN**

**INTRODUCTION**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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” (42 U.S.C. Section 2000d).

The City of Miami Springs is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any Miami-Dade County transit services on the basis of race, color, or national origin, as protected by Federal Transit Laws, Title 49, United States Code, Chapter 53 and in accordance with Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

**TITLE VI INFORMATION NOTICES**

Title VI information notices are prominently and publicly displayed at these locations: City Hall lobby, Police Department, Community Center, Golf Center, Senior Center, Public Works Department, Building & Zoning Department, Finance Department and Human Resources offices.

The name and contact information of the Title VI coordinator is available on the City’s website, at [www.miamisprings-fl.gov](http://www.miamisprings-fl.gov). Additional information relating to the City’s nondiscrimination obligation is provided in this document.

Further information can be obtained directly from the City’s Title VI Coordinator:

Erika Gonzalez, City Clerk, Title VI Coordinator, City of Miami Springs  
201 Westward Drive, Miami Springs, Fl 33166  
305-805-5006

**RECORD KEEPING**

The Title VI Coordinator will maintain permanent records, which include, but are not limited to copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

**TITLE VI COMPLAINT PROCEDURES**

The complainant may file a signed, written complaint no later than 180 days after the date of the alleged discrimination. The complaint procedures are described in detail herein (see Appendix A). Each complaint should include the following information:

- Full name

- Mailing address
- Contact Information (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against, including location, names and contact information of any witnesses
- Other information that you consider significant.

The Title VI Complaint Form, (see Appendix B), may be used to submit the complaint information. The complaint may be filed in writing to the City at the following address:

City of Miami Springs  
Attention: Erika Gonzalez, City Clerk, Title VI Coordinator  
201 Westward Drive  
Miami Springs, Fl 33166

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

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the City will be directly addressed by the Title VI Coordinator who shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English.

Additionally, the City shall make every effort to address all complaints in an expeditious and thorough manner. A letter acknowledging receipt of complaint will be mailed within 7 days (see Appendix C). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

The City of Miami Springs will send a final written response letter (see Appendix D) to the complainant. If the complaint is found to be not substantiated (see Appendix E), the complainant is also advised of his or her right to:

- 1) Appeal within 7 calendar days of receipt of the final written decision from the City, and/or
- 2) File a complaint externally with the U.S. Department of Transportation and/or the FTA.

Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by the City, a written response will be drafted subject to review by the City Attorney. If appropriate, the City Attorney may administratively close the complaint. In this case, the City will notify the complainant of the action as soon as possible.

In addition to the complaint process described above, a complainant may file a Title VI

complaint with the Federal Transit Administration (FTA) by email to [FTACivilRightsCommunications@dot.gov](mailto:FTACivilRightsCommunications@dot.gov) or mail to:

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

### **LIMITED ENGLISH PROFICIENCY (LEP)**

The City of Miami Springs has a land area of 2.88 Square Miles. According to the 2020 Census, the City has an approximate total population of 13,859 people, composed of 1.8% African Americans, 77.7% Hispanic or Latino, 19.6% White and 0.9% other races. Of the City's population over the age of 5, 24.5% of residents speak English at home, 75.5% speak Spanish at home, (58% speak English very well and 42% speak English less than very well).

The City provides information in English and in Spanish when it is requested. Residents can request translations of documents that are in English. Most City departments have at least one or more employees that are bilingual and Spanish speakers are accommodated with a translator when requested. The City regularly disseminates information via its website and utility bills.

The City Title VI Policy and Complaint Procedures are hosted on the City's web page in English and made available in other languages as requested.

The City educates our staff and contractors on the following procedure (see Appendix F):

- a. Understanding the Title VI Policy and LEP responsibilities.
- b. How to access Title VI Policy and Procedures via the City's website.
- c. Document and resolve any language assistance deficiencies.
- d. The procedure if a Title VI and/or LEP complaint is filed.

The City will review LEP procedures annually to determine if modifications are needed to meet language assistance deficiencies.

### **ADA/504 STATEMENT**

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

The City of Miami Springs will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The City will make every effort to ensure

that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City 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. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least 10 calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the City's ADA Coordinator: [Erika Gonzalez-Santamaria at 305.805.5006 or [gonzaleze@miamisprings-fl.gov](mailto:gonzaleze@miamisprings-fl.gov), or designee Deputy City Clerk at 305-805-5007.

### **PUBLIC INVOLVEMENT/PARTICIPATION PLAN**

The City of Miami Springs seeks to engage the public in its planning and decision-making processes. Members of the public may make statements at City Council meetings, which occur the second and fourth Monday of every month. City Council agendas are available for review by the public no less than 2 days before Council meetings. Notices of proposed resolutions or ordinances under Council consideration are announced, as may be required by law, in print in local newspapers.

The City continuously seeks innovative methods to engage the public in its planning and decision-making processes, as well as its outreach activities. Recent outreach initiatives include:

- Public notices in local and county wide newspapers
- Miami Springs/Miami Springs Airport Area Chamber of Commerce
- Florida League of Cities
- On site posting

Ordinances and resolutions adopted by the City to apply for and utilize Federal and State grant funding are placed on the public hearing/meeting agenda and are subject to public notice and comment procedures.

The City and its records are available to the public and the City welcomes their input. The City's Title VI Complaint Procedure is available to the public via the City's website [www.miamisprings-fl.gov](http://www.miamisprings-fl.gov).

### **DECISION MAKING BODIES**

The City of Miami Springs does not have any transit related non-elected planning boards, advisory councils or committees. If any such planning or advisory councils or committees are established in the future, this plan will be amended to depict minority representation on such committees and to describe the efforts made to encourage participation of minorities on such committees.

### **TRANSIT PROGRAMS/SERVICE STANDARDS**

Excluding bus shelters, the City of Miami Springs does not have and/or operate any type of transit programs and/or services, therefore, the City does not have any Service Standards. Transit programs and/or services are provided and operated by Miami-Dade County Transit (MDT). You may contact Miami-Dade County Transit at [www.miami-dade.gov](http://www.miami-dade.gov).

### **TRANSIT FACILITIES**

Since the City of Miami Springs does not operate any type of transit programs, the City does not have any storage, maintenance facilities or operation centers and has no plans, at the present, to establish a transit program. If in the future the City decides to establish a transit program or project related to Title VI, the City will confer with Miami-Dade Transit to ensure the City meets all requirements.



Appendices

|            |   |
|------------|---|
| Appendix A | Complaint Procedures  |
| Appendix B | Complaint Form  |
| Appendix C | Letter Acknowledging<br>Receipt of Complaint                            |
| Appendix D | Letter Notifying Complainant<br>That the Complaint is Substantiated     |
| Appendix E | Letter Notifying Complainant<br>That the Complaint is not Substantiated |
| Appendix F | Employee Annual Education Form  |
| Appendix G | Record of Investigations, Complaints and/or Lawsuits                    |

## Appendix A

### Complaint Procedures

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.”

Any person who believes he or she has been discriminated against on the basis of race, color, or national origin by the City of Miami Springs may file a Title VI complaint by completing and submitting the City’s Title VI Complaint Form. A complaint may be filed no later than 180 days after the date of the alleged incident. The City or its designated Title VI Coordinator will process complaints that are complete.

Once the complaint is received, the City, through its Title VI Coordinator, will review it to determine if our office has jurisdiction. A letter acknowledging receipt of complaint will be mailed within 7 days to the complainant informing him/her whether the complaint will be investigated by our office.

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

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

If the complainant wishes to appeal the decision, he/she has 7 business days after the date of the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration by email to [FTACivilRightsCommunications@dot.gov](mailto:FTACivilRightsCommunications@dot.gov) or complaints may be mailed to Federal Transit Administration, Office of Civil Rights, Attention: Complaint Team  
East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE  
Washington, DC 20590

**Appendix B**

Complaint Form

If you feel you have been discriminated against, please provide the following information in order to assist us in processing your complaint and send it to:

City of Miami Springs  
City Clerk, Title VI Coordinator  
201 Westward Drive  
Miami Springs, Fl 33166

Please print clearly:

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

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

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

Telephone Number: (cell) \_\_\_\_\_ (home) \_\_\_\_\_

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

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

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

Please indicate why you believe the discrimination occurred:

- \_\_\_\_\_ Race or color
- \_\_\_\_\_ National origin
- \_\_\_\_\_ Income
- \_\_\_\_\_ Other

What was the date of the alleged discrimination? \_\_\_\_\_

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

\_\_\_\_\_  
Please describe the circumstances as you saw it:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Appendix C**

**Letter Acknowledging Receipt of Complaint**

City Letterhead

Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

This letter is to acknowledge receipt of your complaint against the City of Miami Springs alleging:

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An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 305-805-5170, or write to me at this address.

Sincerely,

City of Miami Springs  
City Clerk, Title VI Coordinator  
201 Westward Drive  
Miami Springs, Fl 33166

**Appendix D**

Letter Notifying Complainant that the Complaint is Substantiated

City Letterhead

Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

The matter referenced in your letter of \_\_\_\_\_ (date) against the City of Miami Springs alleging Title VI violation has been investigated.

The violation of the Title VI of the Civil Rights Act of 1964 mentioned in your letter was identified. Corrective action of this deficiency(s) is being implemented to ensure that this issue does not arise again

Thank you for bringing this important matter to our attention.

Sincerely,

City of Miami Springs  
City Clerk, Title VI Coordinator  
201 Westward Drive  
Miami Springs, Fl 33166

**Appendix E**

**Letter Notifying Complainant that the Complaint is not Substantiated**

[INSERT ON CITY LETTERHEAD]

Date

Complainant's Name  
Complainant's Address

Dear (Mr/Ms)

The matter referenced in your complaint of \_\_\_\_\_ the City of Miami Springs alleging has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The City Attorney has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to:

- 1) Appeal within 7 calendar days of receipt of this final written decision from the City, and/or
- 2) File a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at:

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

City of Miami Springs  
City Clerk, Title VI Coordinator  
201 Westward Drive  
Miami Springs, Fl 33166



**Appendix F**

**Employee Annual Education Form**

To all employees of the City of Miami Springs:

No person shall, on the grounds 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.

All employees of the City of Miami Springs, its contractors, and subcontractors are expected to consider, respect, and comply with this policy in their daily work and duties.

If a citizen approaches you with a question or complaint, direct him or her to contact:

City of Miami Springs  
Attention: Erika Gonzalez, City Clerk, Title VI Coordinator  
201 Westward Drive  
Miami Springs, Fl 33166

In all dealings with citizens, use courtesy titles (i.e. Mr., Ms., etc.) to respectfully address the citizens without regard to race, color or national origin.

**Appendix G**

Record of Investigations, Complaints and/or Lawsuits

| <u>TYPE of COMPLAINT</u> | <u>DATE of COMPLAINT</u> | <u>BASIS of COMPLAINT</u> | <u>STATUS of COMPLAINT</u> | <u>ACTION(S) TAKEN</u> |
|--------------------------|--------------------------|---------------------------|----------------------------|------------------------|
|                          |                          |                           |                            |                        |
|                          |                          |                           |                            |                        |
|                          |                          |                           |                            |                        |
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|                          |                          |                           |                            |                        |
|                          |                          |                           |                            |                        |
|                          |                          |                           |                            |                        |

Note: The City of Miami Springs does not have any investigations, complaints, or lawsuits to disclose at this time. Any future disclosures will be listed under the Title VI Program Plan.