

# TRANSPORTATION ADVISORY COMMITTEE

City of Brainerd, Minnesota  
City Hall, 501 Laurel Street, Council Chambers  
Thursday, November 10, 2022 @ 2:00pm

The public is invited to attend this meeting in person  
Meeting is also televised on CTC Cable channel 8 and streamed live on  
YouTube: [www.youtube.com/CityOfBrainerdMN](http://www.youtube.com/CityOfBrainerdMN)

1. **Call To Order - 2:00 PM**

2. **Roll Call**

\_\_\_\_ M. Koep \_\_\_\_ J. Lambert \_\_\_\_ N. Bertram \_\_\_\_ D. Stenberg

\_\_\_\_ L. Nebel \_\_\_\_ T. Erickson \_\_\_\_ J. Czeczok

3. **Approval Of Agenda**

4. **Approval Of Minutes**

2022.08.18 TAC Meeting Minutes

*Documents:*

*2022.08.18 TAC Minutes.pdf*

5. **Financial Reports**



*Documents:*

*Revenue and Expenditures Report and Operating Stats.pdf*

6. **Unfinished Business**

None

7. **New Business**

A. **Approve Transit Title VI Plan**

*Documents:*

*Transit Title VI Plan.pdf*

B. **Approve Transit Marketing Plan**

*Documents:*

***Marketing Plan.pdf***

8. **Public Forum**

Time allocated for citizens to bring matters not on the agenda to the attention of the Committee - Time limits may be imposed

9. **Staff Reports**

*Documents:*

***Department Update Memo.pdf***

10. **Committee Member Comments/Questions**

11. **Adjourn**

*"It is the Mission of the Brainerd & Crow Wing County Public Transit agency to facilitate mobility by providing options for safe, efficient and reliable transportation"*

**TRANSPORTATION ADVISORY COMMITTEE**  
**Thursday, August 18, 2022, 3:00 p.m.**  
**City Hall Council Chambers**

Pursuant to due call and notice thereof, the regular meeting of the Transportation Advisory Committee was called to order at 3:00 p.m.

Upon roll call, the following members were noted as present: Czeczok, Koep, Lambert, Bertram, Stenberg, Nebel and Erickson. Also noted present were Transit Coordinator Stone, Transit Operations Specialist Gauthier, City Engineer Dehn.

**Oath of Office**

Transit Coordinator Stone administered the Oath of Office to Lisa Nebel, Transportation Advisory Committee Member.

**Approval of Agenda**

MOVED AND SECONDED BY COMMITTEE MEMBERS BERTRAM AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA.

**Approval of Minutes for the meeting held on October 28, 2021**

MOVED AND SECONDED BY COMMITTEE MEMBERS LAMBERT AND BERTRAM, DULY CARRIED, TO APPROVE THE MINUTES OF THE OCTOBER 28, 2021 TAC MEETING.

**Financial Reports**

Discussion was held. Committee Member Koep requested clarification from staff regarding the revenue/expense report. City Engineer – Public Works Director Dehn stated he would get back to the committee with clarification.

**Presentations**

Kevin Pursey with Blue Sky Transit updated the committee on the past year of progress and future goals.

City Engineer – Public Works Director Dehn introduced himself and expressed his gratitude for the new opportunities working with the TAC.

TAC acknowledged the retirement of Transit Coordinator Stone and thanked Stone for his years of dedication to Transit.

**Unfinished Business**

**Discussion on the update to the 3<sup>rd</sup> Party Contractor Cost Evaluation and Future Projections memo and current ridership**

Transit Coordinator Stone reviewed the memo, projections, and current ridership. The Committee held discussion regarding the information presented.

## **New Business**

### **Approve Crow Wing County Fuel Agreement**

The Committee held discussion regarding the Crow Wing County Fuel Agreement.

MOVED AND SECONDED BY COMMITTEE MEMBERS LAMBERT AND ERICKSON, DULY CARRIED, TO ACCEPT THE CROW WING COUNTY FUEL AGREEMENT AND TO DIRECT STAFF TO DISCUSS THE AGREEMENT FURTHER WITH THE APPROPRIATE COUNTY STAFF

### **Update regarding Acting Transit Coordinator and Follow Up From August 15 City Council Meeting**

City Engineer – Public Works Director Dehn provided updates from the August 15, 2022 City Council Meeting in which Council Members approved the recommendation for Transit Operations Specialist Gauthier to assume the role of Acting Transit Coordinator upon Stone’s retirement

## **Staff Reports**

Transit Coordinator Stone provided updates on receiving the 2020 capital grant transit bus in June of 2022 and provided updates on the 2021 and 2022 capital grant buses. As well as updates on RouteMatch software’s newest requisition by TripSpark transit business.

Transit Operations Specialist Gauthier provided updates on the transit marketing goals and technology updates.

## **Public Forum**

The Chair opened public forum at 4:10 p.m.

No one came forward.

The Chair closed public forum at 4:11 p.m.

## **Committee Member Comments/Questions**

Committee Chair Czczok requested further information pertaining to the updates to the RouteMatch Software. Transit Coordinator Stone provided details related to RouteMatch advances.

Member Erickson congratulated Coordinator Stone on his upcoming retirement and Member Bertram echoed that. Member Lambert congratulated all staff on their accomplishments, Member Koep agreed with the acknowledgements.

There were no further comments/questions.

## **Adjourn**

MOTION AND SECONDED BY COMMITTEE MEMBERS LAMBERT AND STENBERG, DULY CARRIED, TO ADJOURN THE MEETING AT 4:12 P.M.

ACCOUNT DESCRIPTION	ACTIVITY FOR 2022 MONTH 10/31/2022 AMENDED BUDGET	CHANGE (DECREASE) OR INCREASE (ABNORMAL)	YTD BALANCE 10/31/2022 (ABNORMAL)	AVAILABLE BALANCE (ABNORMAL)	% BGDGT USED
<b>Fund 203 - TRANSIT FUND</b>					
<b>Revenues</b>					
Function: Unclassified					
Dept 0000					
<b>FEDERAL GRANTS</b>					
33100 FEDERAL GRANTS-OPERATING	431,296.80	0.00	131,783.38	299,513.42	30.56
<b>FEDERAL GRANTS</b>	<b>431,296.80</b>	<b>0.00</b>	<b>131,783.38</b>	<b>299,513.42</b>	<b>30.56</b>
<b>STATE GRANTS &amp; AIDS</b>					
33422 STATE GRANTS - OPERATING	856,103.20	214,025.80	1,053,603.83	(197,500.63)	123.07
33423 STATE GRANT - CAPITAL	90,000.00	0.00	0.00	90,000.00	0.00
<b>STATE GRANTS &amp; AIDS</b>	<b>946,103.20</b>	<b>214,025.80</b>	<b>1,053,603.83</b>	<b>(107,500.63)</b>	<b>111.36</b>
<b>CHARGES FOR SERVICES</b>					
34910 BUS REVENUE	122,291.83	3,253.45	36,075.63	86,216.20	29.50
34920 COUNTER SALES	0.00	1,955.00	25,680.00	(25,680.00)	100.00
34930 INVOICE BILLING	14,400.00	12,603.00	46,961.50	(32,561.50)	326.12
34960 ADVERTISING ON BUS REVENUE	5,760.00	0.00	0.00	5,760.00	0.00
<b>CHARGES FOR SERVICES</b>	<b>142,451.83</b>	<b>17,811.45</b>	<b>108,717.13</b>	<b>33,734.70</b>	<b>76.32</b>
<b>OTHER REVENUE</b>					
36210 INTEREST INCOME	5,000.00	0.00	1,864.64	3,135.36	37.29
<b>OTHER REVENUE</b>	<b>5,000.00</b>	<b>0.00</b>	<b>1,864.64</b>	<b>3,135.36</b>	<b>37.29</b>
<b>Total Dept 0000</b>	<b>1,524,851.83</b>	<b>231,837.25</b>	<b>1,295,968.98</b>	<b>228,882.85</b>	<b>84.99</b>
<b>Total - Function Unclassified</b>	<b>1,524,851.83</b>	<b>231,837.25</b>	<b>1,295,968.98</b>	<b>228,882.85</b>	<b>84.99</b>
<b>TOTAL REVENUES</b>	<b>1,524,851.83</b>	<b>231,837.25</b>	<b>1,295,968.98</b>	<b>228,882.85</b>	<b>84.99</b>
<b>Expenditures</b>					
Function: Unclassified					
Dept 9000 - TRANSIT FUND					
<b>PERSONNEL SERVICES</b>					
41101 SALARY	150,981.97	6,835.62	109,747.73	41,234.24	72.69
41112 SEVERANCE PAY	0.00	0.00	27,696.23	(27,696.23)	100.00
41121 PERA	11,323.65	512.67	8,231.10	3,092.55	72.69
41122 FICA	9,756.62	442.85	8,093.96	1,662.66	82.96
41123 MEDICARE	2,281.80	103.59	1,892.95	388.85	82.96
41130 DEF COMP/CAFE/PEHCSP	1,582.80	0.00	1,096.92	485.88	69.30
41131 HEALTH INSURANCE	25,137.52	631.02	17,488.71	7,648.81	69.57
41133 LIFE INSURANCE	154.83	5.66	113.04	41.79	73.01
41134 LTD INSURANCE	226.47	10.35	178.56	47.91	78.84
41150 WORKERS COMP	1,031.97	33.76	597.72	434.25	57.92
<b>PERSONNEL SERVICES</b>	<b>202,477.63</b>	<b>8,575.52</b>	<b>175,136.92</b>	<b>27,340.71</b>	<b>86.50</b>
<b>SUPPLIES</b>					
42200 OFFICE SUPPLIES	3,300.00	0.00	1,353.68	1,946.32	41.02
42210 OPERATING SUPPLIES	0.00	0.00	1,971.56	(1,971.56)	100.00
42212 MOTOR FUELS	68,266.00	8,835.57	89,933.18	(21,667.18)	131.74
<b>SUPPLIES</b>	<b>71,566.00</b>	<b>8,835.57</b>	<b>93,258.42</b>	<b>(21,692.42)</b>	<b>130.31</b>
<b>SERVICES</b>					
43300 PROFESSIONAL SERVICES	3,000.00	0.00	0.00	3,000.00	0.00
43309 COMPUTER TECHNICAL SUPPORT	28,493.00	9,471.00	36,646.03	(8,153.03)	128.61
43321 TELEPHONE	360.00	64.03	548.88	(188.88)	152.47
43322 POSTAGE	500.00	18.83	135.46	364.54	27.09
43330 PROFESSIONAL DEVELOPMENT	2,580.00	0.00	0.00	2,580.00	0.00
43340 ADVERTISING/MARKETING	6,100.00	0.00	529.00	5,571.00	8.67
43350 PRINTING/LEGAL PUBLICATION	1,400.00	0.00	19.36	1,380.64	1.38
43361 INS - GENERAL LIABILITY	1,301.30	0.00	1,254.75	46.55	96.42
43363 INS - AUTO	5,600.00	0.00	3,920.25	1,679.75	70.00
43365 INS - OTHER	271.70	0.00	251.17	20.53	92.44
43401 VEHICLE REPAIRS	76,125.00	8,716.84	78,375.90	(2,250.90)	102.96
43410 RENTAL EXPENSE	12,816.00	660.00	11,400.00	1,416.00	88.95
43430 MISCELLANEOUS	1,000.00	0.00	192.50	807.50	19.25
43433 DUES & SUBSCRIPTIONS	1,840.00	750.00	1,548.00	292.00	84.13
43440 TRANSIT SERVICE CONTRACT PY	1,056,000.00	92,274.34	809,963.60	246,036.40	76.70
<b>SERVICES</b>	<b>1,197,387.00</b>	<b>111,955.04</b>	<b>944,784.90</b>	<b>252,602.10</b>	<b>78.90</b>
<b>CAPITAL OUTLAY</b>					
45550 CAPITAL - VEHICLES	100,000.00	0.00	90,581.00	9,419.00	90.58

ACCOUNT DESCRIPTION	ACTIVITY FOR		YTD BALANCE	AVAILABLE	% BDGT USED
	2022 MONTH	10/31/2022	10/31/2022	BALANCE	
	AMENDED BUDGET	± (DECREASE)	± (ABNORMAL)	± (ABNORMAL)	
Fund 203 - TRANSIT FUND					
Expenditures					
45580 CAPITAL - OTHER EQUIPMENT	1,500.00	0.00	0.00	1,500.00	0.00
CAPITAL OUTLAY	101,500.00	0.00	90,581.00	10,919.00	89.24
<hr/>					
Total Dept 9000 - TRANSIT FUND	1,572,930.63	129,366.13	1,303,761.24	269,169.39	82.89
<hr/>					
Total - Function Unclassified	1,572,930.63	129,366.13	1,303,761.24	269,169.39	82.89
<hr/>					
TOTAL EXPENDITURES	1,572,930.63	129,366.13	1,303,761.24	269,169.39	82.89
<hr/>					
Fund 203 - TRANSIT FUND:					
TOTAL REVENUES	1,524,851.83	231,837.25	1,295,968.98	228,882.85	84.99
TOTAL EXPENDITURES	1,572,930.63	129,366.13	1,303,761.24	269,169.39	82.89
NET OF REVENUES & EXPENDITURES	(48,078.80)	102,471.12	(7,792.26)	(40,286.54)	16.21



## Operating Statistics - Brainerd

For Time Period: 1/1/2021 - 12/31/2021

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	Operating Days	One Way Trips	Attendant	Guest	No Show	Total Passengers	Cancel	New Customer	Revenue
	Service Hours	Revenue Hours	Non Revenue Hours	Service Miles	Revenue Miles	Non Revenue Miles	Passengers/Service Hour	Service Miles/Service Hour	Passengers/Service Miles
<b>1/1/2021-12/31/2021</b>	253 16,934.47	40,779 13,662.33	560 3,272.13	3,167 222,471	951 190,378	44,506 32,093	4,474 2.63	407 13.14	\$ 175,095.00 0.20
<b>December 2021</b>	21 1,352.72	4,022 1,089.50	32 263.22	138 18,857	183 15,926	4,192 2,931	725 3.10	56 13.94	\$ 16,706.25 0.22
<b>November 2021</b>	20 1,353.75	3,970 1,113.97	43 239.78	129 19,221	105 16,457	4,142 2,764	452 3.06	33 14.20	\$ 16,364.50 0.22



# Operating Statistics - Brainerd

For Time Period: 1/1/2022 - 10/31/2022

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	Operating Days	One Way Trips	Attendant	Guest	No Show	Total Passengers	Cancel	New Customer	Revenue
	Service Hours	Revenue Hours	Non Revenue Hours	Service Miles	Revenue Miles	Non Revenue Miles	Passengers/Service Hour	Service Miles/Service Hour	Passengers/Service Miles
<b>1/1/2022-10/31/2022</b>	213 13,712.03	41,753 12,520.75	513 1,191.28	2,228 188,239	2,272 179,585	44,494 8,654	7,456 3.24	376 13.73	\$ 120,244.75 0.24
<b>October 2022</b>	21 1,372.98	4,231 1,298.90	55 74.08	198 19,334	78 18,842	4,484 492	1,130 3.27	40 14.08	\$ 12,348.50 0.23
<b>September 2022</b>	21 1,384.37	4,365 1,312.40	50 71.97	93 19,839	320 19,385	4,508 454	833 3.26	49 14.33	\$ 12,739.25 0.23



# Brainerd Transportation Advisory Committee Agenda Request

**Requested Meeting Date:**

**Title of Item:**

<p>INFORMATION ONLY</p> <p>ACTION REQUESTED</p>	<p><b>Action Requested:</b></p> <p>Direction Requested</p> <p>Discussion Item</p>
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**Submitted by:**

**Department:**

**Presenter:**

**Estimated Time Needed:**

**Summary of Issue:**

**Alternative, Options, Effects on Others/Comments:**

**Recommended Action/Motion:**

**Financial Impact:**

*Is there a cost associated with this request:*

*What is the total cost, with tax and shipping:*

*Is this budgeted? (Please Explain)*

Brainerd and Crow Wing County Public Transit



## Language Assistance Plan



**Ensuring Meaningful Access for Limited English Proficient Individuals**

**Effective:**  
October 17<sup>th</sup>, 2022

**Revisions:**

**Purpose.....1**

**Definitions .....2**

**Identification of LEP Individuals - the Four Factor Analysis .....3**

**A. Language Assistance Measures.....3**

    Recording Use of Language Assistance Services.....4

    Public Engagement / Participation.....4

**B. Staff Training .....5**

    Staff Training Program and Training Log .....6

**C. Notice to LEP individuals .....6**

**D. Monitoring and Updating the Language Assistance Plan .....7**

**E. Contact Information ..... 8**

## **Appendices**

- Appendix A:** Four-Factor Analysis
- Appendix B:** Limited English Proficiency (LEP) Data
- Appendix C:** Language Identification
- Appendix D:** Public Participation Plan
- Appendix E:** Language Service / Public Participation Log
- Appendix F:** Staff Training Resources and Training Log
- Appendix G:** Public Notice of Rights under Title VI
- Appendix H:** Title VI Complaint Procedure
- Appendix I:** Title VI Complaint Form
- Appendix J:** Title VI Investigations, Complaints & Lawsuits Log
- Appendix K:** Title VI Non-elected Decision Makers
- Appendix L:** LAP Resolution Template

## Purpose

The purpose of this Language Assistance Plan (hereinafter "LAP") is to meet Federal Transit Administration's (FTA's) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.

*"No person shall, on 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 assistance." - Civil Rights Act of 1964*

As a subrecipient of FTA funds, Brainerd and Crow Wing County transit system resolves to take reasonable steps to provide meaningful access to its public transit services for persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

The completion of this LAP for persons with Limited English Proficiency conforms to the requirements of the FTA Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

The U.S. DOT's FTA Office of Civil Rights' publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons – A Handbook for Public Transportation Providers," dated April 13, 2007, was used in the preparation of this plan.

The LAP provides guidance to Brainerd and Crow Wing County transit staff who may interact directly with LEP individuals or whose work involves providing information or services to the public. The plan provides protocols for identifying LEP individuals, language assistance measures, and staff responsibilities and training related to ensuring meaningful access for LEP individuals.

The DOT LEP Guidance recommends that all recipients, especially those that serve large LEP populations, should develop an implementation plan to address the needs of the LEP populations they serve. The DOT LEP Guidance provides that to provide for effective implementation plans would typically include the following five elements:

1. Identifying LEP individuals who need language assistance (Four Factor Analysis)
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP individuals
5. Monitoring, evaluating, and updating the plan

For further questions regarding this plan, please contact:

Crystal Gauthier  
Transit Coordinator  
Brainerd and Crow Wing County Public Transit  
218-454-3429  
cgauthier@ci.brainerd.mn.us

## Definitions

**Disproportionate Burden:** Refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

**Four Factor Analysis:** The assessment provided by federal regulation to help the Transit system determine the level of language assistance required for a program or activity.

**Interpretation:** The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

**Language Assistance Guide:** Provides an itemized list of non-English languages and can be used as a tool to help an LEP individual identify their preferred language to the Transit system staff.

**Language Assistance:** Oral and written language services needed to help LEP individuals communicate effectively with staff and ensure meaningful access to, and equal opportunity to fully participate in, the programs and activities provided by the Transit system.

**Limited English Proficient (LEP):** Individuals whose primary language is not English and who have a limited ability to read, speak, write, or understand English. Individuals may be proficient in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).

**Meaningful Access:** Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

**Public Engagement:** Any process that (1) involves the public in identifying and solving challenges and problems and uses public input to make sustainable decisions, (2) educates or informs the public about a topic or issue, or (3) seeks to build meaningful connections and trust with the public through communication and interaction.

**Timely:** Language assistance provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of undue burden on or delay in important rights, benefits, or services to LEP individuals.

**Translation:** The replacement of a word, phrase, or text in one language (source language) with an equivalent-meaning word, phrase, or text in another language (target language).

**Vital Documents:** Paper or electronic written material containing information that is (1) critical for accessing programs, services, benefits, or activities, (2) directly and substantially related to public safety, or (3) required by law.

# Identification of LEP Individuals – the Four-Factor Analysis

Title VI and its regulations require subrecipients to take reasonable steps to ensure meaningful access to the transportation system's information and services. What constitutes reasonable steps to ensure meaningful access is contingent on a four-factor analysis established by the U.S. Department of Justice.<sup>1</sup> The four-factor analysis is an individualized assessment that should be applied to all transportation system programs and activities to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals.

Brainerd and Crow Wing County transit has completed the four-factor analysis attached as **Appendix A**. The Analysis is intended to assist in ensuring compliance with federal limited English proficiency guidance and Title VI of the Civil Rights Act of 1964. This analysis does not cover every situation, and compliance determinations are made on a case-by-case basis.

## Safe Harbor for Written Translations

U.S. DOT LEP Guidance provides a "safe harbor" to help ensure greater clarity regarding whether a subrecipient is meeting its obligation to provide written translations. These provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

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<sup>1</sup> Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons with Limited English Proficiency, effective August 11, 2000. Available here: <https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/eolep.pdf>

## A. Language Assistance Measures

Various language assistance services or protocols are necessary to ensure meaningful access to LEP individuals. Brainerd and Crow Wing County has identified available language assistance services and operational measures where language assistance measures are needed based on the first two factors in the four-factor analysis.

Based on our analysis, Brainerd and Crow Wing County transit has determined the importance of language assistance to our program(s), activity(ies), or service(s) as:

- A.  Low level (little to no LEP population)
- B.  Mid-Level (some LEP population)
- C.  High Level (significant LEP population)

Brainerd & Crow Wing County transit has looked at differing considerations in communicating with LEP populations about transit services and information. The conclusions drawn from examining this information about LEP persons seeking transit services is that while there are zero requests at this time, we will continue to reach out to the LEP population throughout the community via print and outreach to organizations that regularly work with the LEP population.

## Recording Use of Language Assistance Services

Brainerd & Crow Wing County transit has the responsibility to document all interpretation and translation services provided proactively or upon request. A written log documenting all language assistance services provided must be maintained. A template for the Language Service / Public Participation Log is attached as **Appendix E**.

Brainerd & Crow Wing County provides language assistance services that would fulfill requests for interpretation and translation services in a timely manner. The following outlines how each of these services would be provided for:

**Translation (written):** *Translation is the replacement of a word, phrase, or text in one language (source language) with an equivalent meaning word, phrase, or text in another language (target language).* Outside resources available to the transit system include a translator list available through the Crow Wing County Sheriff's office and an offer from Central Lakes College to assist the transit system with language translation and interpretation. Also available is the AT&T Language Line and Bridge World Language Services and the City of Brainerd Police Department has tablets equipped with language assistance applications.

**Interpretation (oral):** *Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.* Outside resources available to the transit system include a translator list available through the Crow Wing County Sheriff's office and an offer from Central Lakes College to assist the transit system with language translation and interpretation. Also available is the AT&T Language Line and Bridge World Language Services.

## Public Engagement/Participation

Brainerd & Crow Wing County transit has incorporated Title VI and LEP considerations into an established public participation plan. The Public Participation Plan which outlines the steps our agency follows is attached as **Appendix D**. The attached plan provides a clear process for engaging and involving the public, including minority and LEP populations. Consideration of LEP communities is documented by first using the results of the four-factor analysis that determines the level and type of language assistance necessary for a particular public engagement plan or activity.

The plan aims to seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. Brainerd & Crow Wing County transit public participation strategy offers adequate notice of public participation activities, as well as early and continuous opportunities for public review and comments at key decision points to identify social, economic, and environmental impacts of proposed transportation decisions. The plan describes the proactive strategies, procedures, and projected outcomes that align with the public participation activities throughout the year(s). Every effort is made to involve minority and LEP populations in effective participation in our decision-making process. The following practices include, but are not limited to:

- Scheduling meeting at times and locations that are convenient and accessible for minority and LEP communities
- Employing different meeting sizes and formats
- Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities

- Considering radio, television, newspaper, social media ads on stations, outlets, and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Preparing for public engagement activities by determining ways to provide language assistance when no interpreter is present or whether needed or not, providing written documents in other languages, if requested, including ethnic media, schools, and religious or community organizations to assist in providing information.

All language assistance services provided during public engagement or community outreach will be recorded on the Language Service / Public Participation Log is attached as **Appendix E**.

## B. Staff Training

To ensure transit staff, and/or appropriate overall agency staff, understand the obligations to provide meaningful access to information and services for LEP individuals, all employees in public contact positions will be properly trained. This plan outlines the training provided on an annual, on-going and/or on-demand basis to implement the following:

- Staff have been trained and understand meaningful LEP policies and procedures
- New staff will have appropriate training as part of the orientation for new employees
- Staff who have contact with the public is trained to work effectively with in-person and telephone interpreters
- Management staff, even if they do not interact regularly with LEP individuals, will be fully aware of and understand the plan to reinforce the importance of the program and ensure it is implemented accordingly by/to staff

Brainerd & Crow Wing County transit has developed standard presentations, resource connections and other language assistance trainings that provide for cost-effective and flexible opportunities for staff and management to understand the LAP Plan, the Public Participation Plan and responsibilities. Existing employees, especially managers and those who work with the public will be offered re-training or new training sessions to keep up to date on their responsibilities to LEP individuals. The following outlines the information incorporated within the training provided annually, on-going or on-demand:

- Standard presentation provided to new, existing and management on the staff responsibility to LEP populations. Template is used at multiple agency trainings and is updated on a regular and as-needed basis
  - Consistent information will be included on transit agency's responsibilities to LEP populations
  - Summary of Language Assistance Plan
  - Demographic data about local LEP population
  - Frequency of contacts between LEP populations and the transit system's services, programs, and activities
  - The importance of community outreach and inclusion of activities for LEP populations
  - Description of the type of language assistance currently providing and instructions on how staff can access these products and services
  - Description of Brainerd & Crow Wing County transit and/or overall agency's cultural sensitivity policies and practices
- Printed LEP resources: understanding the information, how to use information and method in presenting information to LEP populations
- Resources and methods in response to verbal requests for transit service in a foreign language

- responsibility to notify transit manager about any LEP persons' unmet needs

### Staff Training Program and Training Log

An outline of the training program, which includes the training title, type of resource (video, presentation, written documents, etc.) and training log (identifies training and training schedule (annually, orientation, on-going, and/or on-demand)) is attached as Staff Training Program and Training Log in **Appendix F**.

- “Breaking Down the Language Barrier: Translating Limited English Proficiency into Practice.” This video, which is available as a streaming video link on [www.lep.gov](http://www.lep.gov), explains the language access requirements of Title VI and Executive Order 13166 through vignettes that expose the problems resulting from the absence of language assistance. The video goes on to show how these same situations could have been handled more appropriately if the service provider took reasonable steps to provide meaningful access
- “How to Engage Low-Literacy and Limited English Proficient Populations in Transportation Decision making,” available at [https://www.fhwa.dot.gov/planning/publications/low\\_limited/index.cfm](https://www.fhwa.dot.gov/planning/publications/low_limited/index.cfm) This report documents “best practices” in identifying and engaging low-literacy and LEP populations in transportation decision making. These “best practices” were collected during telephone interviews with individuals in 30 States.
- “Guidelines for Developing Traffic Safety Educational Materials for Spanish-Speaking Audiences,” a manual developed by the Education in Traffic Safety project, Education Development Center, Inc., with funding from the National Highway Traffic Safety Administration. The manual is organized into three sections: research and planning, creating materials, and dissemination and evaluation. Available at [http://www.casaferoutestoschool.org/wp-content/uploads/2011/05/TSEM\\_Guidelines.pdf](http://www.casaferoutestoschool.org/wp-content/uploads/2011/05/TSEM_Guidelines.pdf)

## C. Notice to LEP individuals

Based on the four-factor analysis, Brainerd & Crow Wing County transit has determined that language services will be provided for the LEP populations identified as having a need. For those languages that meet the translation need for written documents threshold based on Safe Harbor guidance, notices will be in the language the LEP individual would understand. For languages that do not meet the written document requirement, based on the Safe Harbor guidance, Brainerd & Crow Wing County transit will provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable. All notifications will provide that identified services are available free of charge to LEP individuals.

Examples of notification considered include:

- Transit intake areas, transfer stations, transit shelters, transit stops, or similar areas  
It is important that LEP individuals can identify how to access language services available to them at initial points of contact
- Signs on buses
- Brochures or Pamphlets
- Posters
- Targeted Community Outreach events or meetings
- Information provided to local organizations that work with LEP individuals
- Telephone messages
- Local ads (print, radio, TV, social media, billboards)
- Website notices

- Information tables/booths at local events, community businesses, schools, and churches
- Employee Outreach and Recruitment
- Other: Describe:

All facility(ies) where Brainerd & Crow Wing County transit interacts with the public in-person will have a Public Notice of Rights Under Title VI posted clearly and conspicuously, including non-English versions of the notice, if deemed necessary after conducting a four-factor analysis. Notice in English is attached as **Appendix G**. Brainerd and Crow Wing transit will continue to monitor requests for service and attempt to identify those individuals needed language assistance. In addition to monitoring, we will work with our community partners to notify the LEP population of available service. Staff will use, when necessary, a language guide tool or a process similar to interact with LEP individuals. All interactions with LEP individuals will be recorded on the Language Service / Public Participation Log as **Appendix E**.

This Language Assistance Plan and the Notice are available on our website at <http://www.ci.brainerd.mn.us/200/Title-VI-Notification-to-the-Public>

## D. Monitoring, Evaluating and Updating Plan

Brainerd & Crow Wing County transit has developed a process for determining whether new documents, programs, services, and activities need to be made accessible for LEP individuals and will provide notice of any changes in services to the LEP public and to staff. The process includes an annual review to consider changes in demographics, types of services, or other needs that may require an annual reevaluation. Brainerd & Crow Wing County transit will also seek feedback from LEP populations and community outreach programs with follow-up meetings, focus groups and/or with surveys.

The Language Assistance Plan considers the following five elements:

1. Identifying LEP individuals who need language assistance (Four Factor Analysis)
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP individuals
5. **Monitoring, evaluating, and updating the plan**

In addition to the five elements, the plan sets clear goals, management accountability, and opportunities for staff and community input and planning throughout the process.

Areas of consideration when monitoring, evaluating and updating include:

- Current LEP populations in the service area or population affected or encountered.
- Frequency of encounters with LEP language groups.
- Nature and importance of activities to LEP persons.
- Availability of resources, including technological advances and sources of additional resources, and the costs imposed.
- Whether existing assistance is meeting the needs of LEP persons.
- Whether staff knows and understands the LEP plan and how to implement it.
- Whether identified sources for assistance are still available and viable.
- Whether staff training is sufficient.
- Review any complaints from LEP individuals received during the past year.

The Brainerd & Crow Wing County transit is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin by the Brainerd & Crow Wing County transit, providing programs and services in the following city, cities, county, counties of XXXXX. Person who allege that a violation to the Title VI requirements has been made may file a Title VI complaint by completing and submitting the Title VI Complaint Form to Brainerd & Crow Wing County transit and/or to MnDOT Office of Transit and Active Transportation Attn: Compliance Coordinator. Brainerd & Crow Wing County transit and/or MnDOT, will investigate complaints received no more than 180 days after the alleged incident. All complaints that are complete will be processed and responded to based on the Title VI Complaint Procedures attached as **Appendix H**.

Brainerd & Crow Wing County transit has created and made available a Title VI Complaint Form for use by customers who wish to file a Title VI complaint. The complaint form is available on Brainerd & Crow Wing County's transit website at <http://www.ci.brainerd.mn.us/200/Title-VI-Notification-to-the-Public>. The Title VI Complaint Form specifies the three classes protected by Title VI—race, color, and national origin—and allows the complainant to select one or more of those protected classes as the basis/bases for discrimination. The Title VI Complaint Form is a vital document. If a Limited English Proficient (LEP) populations in the Brainerd & Crow Wing County transit area meets the Safe Harbor threshold, then the procedure is provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. Attached as **Appendix I** is the Title VI Complaint Form.

## E. Contact Information

Based on the feedback received from agency staff, community members, LEP populations, and other key stakeholders; incremental changes may be needed for the type of written and oral language assistance provided, along with any staff training and community outreach efforts.

This Language Assistance Plan will be reviewed by our transit system every other year, with any revisions being approved by the Board of Directors or Policy Board and dated. The next review will occur in October 2024.

Questions or comments about this plan may be submitted to:

Crystal Gauthier  
Transit Coordinator  
501 Laurel Street Brainerd MN 56401

218-454-3429  
cgauthier@ci.brainerd.mn.us

*All elements of this Plan are in compliance with FTA Circular 4702.1B Title Vi, FTA "A Handbook for Public Transportation Providers, and Minnesota State DOT - Office of Transit and Active Transportation Title VI Program: FTA*

## Brainerd and Crow Wing County Public Transit



## Limited English Proficiency Four-Factor Analysis

**Date:** 10 / 10 / 2022

**Completed by/title:** Crystal Gauthier/Transit Coordinator

### **Briefly describe the program or activity subject to analysis:**

Title VI and its regulations require subrecipients to take reasonable steps to ensure meaningful access to the transportation system's information and services. The four-factor analysis is an individualized assessment that should be applied to all transportation system programs and activities to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals. This population will be program-specific and includes people who are in the Transit system's geographic area.

The purpose of this Language Assistance Plan (hereinafter "plan") is to meet Federal Transit Administration's (FTA's) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin. As a subrecipient of FTA funds, this transit system is pledged to take reasonable steps to provide meaningful access to its transit services for persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons.

The completion of this plan for persons with Limited English Proficiency conforms to the requirements of the FTA Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

The U.S. DOT's FTA Office of Civil Rights' publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons – A Handbook for Public Transportation Providers," dated April 13, 2007, was used in the preparation of this plan.

The plan for the Brainerd & Crow Wing Public Transit system contains:

- A. A needs assessment based on the four-factor analysis
- B. Language assistance measures

- C. A staff training plan
- D. Methods for notifying LEP persons about available language assistance
- E. Methods for monitoring, evaluating, and updating the plan

**Factor #1: The number or proportion of LEP persons eligible to be served or likely to be encountered through the program or activity?**

The greater the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population, the more likely language assistance services are necessary. Ordinarily, “individuals eligible to be served or likely to be encountered” by a program or activity are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes people who are in the Transit system’s geographic area.

Brainerd and Crow Wing County transit first examined prior experiences with LEP individuals and determined the number and proportion of LEP persons served or encountered within the service area. Included in our examination, a transit system user survey was completed on 10.01.2021 and included questions to address experiences with LEP individuals and their language assistance service needs. Brainerd and Crow Wing County transit also included LEP populations that are eligible to be served or likely to be affected or encountered.

To support the efforts of conducting the four-factor analyses, Brainerd and Crow Wing County transit referred to the data compiled from the [MnDOT’s LEP Data Tool](#) for our system’s jurisdiction of services at the city and county-level attached as **Appendix B**.

**Primary Languages for Transit System County Programs or Information**

The data provided in **Appendix B** identified Spanish, other unspecified, other Indo European, and Other Asian or Pacific Island languages as the top four LEP groups in the jurisdiction providing service.

Data from the American Community Survey indicates a slightly higher proportion of LEP persons to the total eligible service population in the regional center of the City of Brainerd. While the proportion is still less than 1% we will continue to monitor this data to identify changes in total LEP populations in the future.

1. Counties (City) served: Crow Wing
2. Total county/counties population: 64,889
3. The total number of LEP individuals in our service area is: 251
4. The total eligible population in our service area is:64,889
5. The proportion (percentage) of LEP population to the total eligible service population is: >1%

**Reliable External Data Sources for Identifying LEP Groups**

Brainerd and Crow Wing County transit used reliable external data sources to determine the number or proportion of individuals eligible to be served or likely to be affected or encountered based on the expected geographic area served (ie. city, county, regional area, etc.) Reliable external data sources included:

- ☒ [MnDOT’s LEP Data Tool](#): Allows subrecipients to identify LEP language groups by county city, and school district. Webpage includes further details about how to use the tool.

- [American Community Survey](#): An annual survey conducted by the U.S. Census Bureau providing vital demographic information and is widely considered the most reliable source of detailed information about the United States population.
- [Minnesota Compass](#): A Wilder Research project providing Minnesotans with credible, user-friendly data about their communities.
- [EJSCREEN](#): A mapping tool created by the U.S. Environmental Protection Agency based on nationally consistent data and an approach that combines environmental and demographic indicators in maps and reports. The functions include automated demographic reporting for a geographic area around an identified project area.
- [MN State Demographic Center](#): Provides data and reporting on various topics, including language and immigration.

In addition to identifying and examining prior experiences with LEP individuals and the external data sources outlined above, Brainerd and Crow Wing County transit looked at local data resources to determine the number or proportion of LEP individuals who may be eligible to be served. These include:

- Survey results:
  - Counties (City) served: Crow Wing
  - Total county/counties population: 64,889
  - The total number of LEP individuals in our service area is: 251
  - The total eligible population in our service area is: 64,889
  - The proportion (percentage) of LEP population to the total eligible service population is >1%
- Locally Coordinated Human Services/Transit Plan
- Other Human Services data
- Area/Metropolitan Planning Organizations/Regional Development Commission data
- Information from local organizations (religious, legal, social service, etc.) about LEP persons in our service area
- Reports from drivers, dispatchers, and others about contact with LEP persons
- Other information:
  - Describe:

### Safe Harbor for Written Translations

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether Brainerd and Crow Wing County transit is meeting its obligation to provide written translations. These provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

The following actions by Brainerd and Crow Wing County transit are considered as meeting the compliance with the written-translation obligations:

- (a) Providing written translations of vital documents for each eligible LEP language group that constitutes **5% or 1,000 people**, whichever is less, of the population of individuals eligible to be served or likely to be affected or encountered. Translation of non-vital documents, if needed, can be provided orally; or

(b) If there are fewer than 50 individuals in a language group that reaches the 5% trigger in (a), the vital written materials are not translated, but written notice of the right to receive free, competent oral interpretation of those vital written materials in the primary language of the LEP language group of is provided.

Failure to meet the actions provided does not mean there is noncompliance, but rather provide a resource to obtain greater certainty of compliance with a fact-intensive, four-factor analysis. Generally, it would not be necessary to translate vital documents when it would be so burdensome as to defeat the legitimate objectives of a program. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

**The findings from the graphs within Appendix B did not indicate any LEP language groups meet the safe harbor threshold.** At this time, Brainerd and Crow Wing County transit will not translate written documents. However, all efforts will be made to reasonably accommodate any language access requests that may arise.

## **Factor #2: The expected frequency with which LEP individuals will interact with the program, activity, or service?**

Brainerd and Crow Wing County transit conducts an assessment process, as accurately as possible, to obtain updated information on the frequency with which the Transit system would have or should have contact with LEP individuals from different language groups seeking assistance. The assessment is completed on an annual basis, by survey and/or outreach efforts. In determining the needs, emphasis is placed on populations that will have frequent contacts for services, while less frequent or unpredictable service contact needs will require less intensified solutions. Less intensified solutions could be as simple as being prepared to use telephone interpretation services for immediate interpreter services or the use of staff person who can translate for the parties. At all times, Brainerd and Crow Wing County transit will look for opportunities to increase their outreach efforts to all LEP language groups.

We have had no reports from staff indicating a need for transit service or information related to the transit service from the LEP population. Crow Wing County Social Services indicates that there has been very limited need for translation services, and they report less than 1 request annually.

The conclusions drawn from examining this information about LEP persons seeking transit services is that while there are zero requests at this time, we will continue to reach out to the LEP population throughout the community via print and outreach to organizations that regularly work with the LEP population.

LEP persons may interact in several ways other than for public transit trip opportunities, with Brainerd and Crow Wing County transit, including but not limited to:

- Public meetings
- Community events
- Project-specific meetings, events, and discussions
- Online engagement
- Walk-in requests for information
- Phone communications
- Customer service interactions
- Surveys for information

**In conducting our most recent review on October 2022 Brainerd and Crow Wing County transit has not had interactions with the following LEP language groups in the past 3 years:** The conclusions drawn from examining this information about LEP persons seeking transit services is that while there are zero requests at this time, we will continue to reach out to the LEP population throughout the community via print and outreach to organizations that regularly work with the LEP population.

**Brainerd and Crow Wing County transit** will document over the next 3-year period, the frequency in which LEP individuals from different language groups come into contact with Brainerd and Crow Wing County transit programs, activities, or services.

### **Factor #3: The nature and importance of the program, activity, or service provided by the program to the people's lives?**

The obligations to communicate rights to LEP individuals who need access to services or information is a priority in meaningful transportation. Brainerd and Crow Wing County transit has identified programs or activities that would have serious consequences to individuals if language barriers would prevent a person from benefiting from the service. The conclusions drawn from examining this information about LEP persons seeking transit services is that while there are zero requests at this time, we will continue to reach out to the LEP population throughout the community via print and outreach to organizations that regularly work with the LEP population.

Our transit system considers transit to be an important and essential service for many people living in our service area. Brainerd and Crow Wing County transit works with the community organizations, such as Social and Community Services, W.I.C., Health Services, Rural Minnesota Job Service, Veteran's Services and local warming shelters and food shelves. In addition, Brainerd is home to many of the area health clinics and St Joseph's hospital. In our efforts to provide opportunities for access and information to public transit services we regularly communicate and work with our community organizations. <1% LEP persons use our transit service to travel to and within Brainerd and Crow Wing County. Our system considers transit to be an increasingly important and essential service for many of people living in our service area.

Brainerd and Crow Wing County transit has determined the impact on actual and potential beneficiaries of delays in the provision of LEP services by Brainerd and Crow Wing transit and will continue to monitor requests for service and attempt to identify those individuals' language assistance needs. In addition to monitoring, we will work with our community partners (listed above) to notify the LEP population of available service.

Within our analysis, Brainerd and Crow Wing County transit will identify necessary language assistance measures, including the translation of vital documents into an identified LEP population that seeks services or information on a regular basis and is likely to be affected. Vital documents are paper or electronic written material that contains information that is 1) critical in accessing programs, services, benefits, or activities, 2) directly related to public safety, or 3) required by law. Determining whether a document or the information is "vital" may depend on the importance of the information or service involved and the consequences to the LEP individual if the information is neither accurate nor timely.

Examples of vital documents in the U.S. DOT LEP Guidance include:

- Emergency transportation information
- Notices advising LEP individuals of free language assistance
- Instructions on how to participate in a program or activity or receive service

**Because no languages were identified as meeting the safe harbor threshold for translating vital written materials, Brainerd and Crow Wing County transit is not at this time providing a list of documents considered vital. Should future analysis indicate an LEP group meeting the safe harbor threshold, Brainerd and Crow Wing County transit will evaluate its vital documents and provide translations in accordance with the analysis and federal guidance.**

**Factor #4: The resources available to the public for LEP outreach, as well as the costs associated with providing meaningful language access.**

Brainerd and Crow Wing County Transit has weighed the demand for language assistance against the agency's current and projected financial and personnel resources. In our analysis we have determined if the language services, or lack of language services, currently provided is cost effective and to plan for future investments that will provide the most needed assistance to the greatest number of LEP individuals within our service jurisdiction. Brainerd and Crow Wing County transit will determine on a case-by-case basis whether language assistance costs outweigh the benefits.

Our current annual budget for marketing to or communicating with LEP individuals or populations in their language about transit services that are available to them is \$300 for the next 3 years pending any change in the LEP population in our service areas. This may include funding for staff training, translation services, brochures, flyers, posters, newspaper ads, radio ads, website, etc. The amount and efforts our agency have provided over the years has remained the same we have had no reports from staff indicating a need for transit service or information related to the transit service from the LEP population. Records indicate that our agency has remained the same in the number of staff and percentage of staff time that is associated with providing language assistance. This number and percentage is expected to remain the same over the next three years.

Brainerd and Crow Wing County transit has taken into consideration that "reasonable steps" may cease to be reasonable when the costs imposed substantially exceeds the benefits, and we have carefully explored the most cost-effective means of delivering competent and accurate language services before limiting services due to the resource concerns. Our efforts to be resourceful have considered the impact in utilizing technology advances, such as telephone and video conferencing interpretation services and translating vital documents posted on our website, reasonable business practices, and sharing of language assistance materials and services among and between other transit agencies, bilingual staff that provide language assistance on an ad hoc or regular basis, and advocacy groups and the affected populations. The range in services may be from using telephone-based interpretation services to provide in-person interpretation at a public event. In all cases, however, Brainerd and Crow Wing County transit will proactively identify how to provide language assistance services efficiently and cost-effectively while ensuring meaningful access to LEP individuals.

**Based on our analysis of demographic data and contact with community organizations and LEP individuals, we have determined that we have consistently addressed the needs of the LEP populations and our efforts in determining information that needs to be translated into additional languages or additional oral or written language service are being met, and that additional language assistance needs are being addressed or more widespread.**

Although, we currently have no data indicating a need there are several language assistance measures that are available to the Brainerd & Crow Wing County Transit system.

These include:

- Translation of key documents in the following language(s):
- ✓ Arranging for availability of oral translators if available
- ✓ Communication with LEP persons' groups about transit services
- Posting notices in appropriate languages informing LEP persons of available services
- ✓ Other: Individuals that unable to find locally available translation services will be encouraged to utilize a public service identified below.

AT&T Language Line Services provides 24-hour phone interpretation services in over 140 Languages.

Bridge - World Language Services, 110 2nd Street S., Waite Park, MN 56387, provides phone and in-person interpreters in American Sign Language, Dutch, Estonian, Ethiopian, French, German, Fijian, Hindi, Hmong, Italian, Japanese, Korean, Laotian, Malay, Polish, Russian, Somali, Spanish, Sudanese, Swedish and Vietnamese.

**Findings: What language assistance measures will you need to employ to ensure meaningful access to LEP individuals:**

Based on the analysis above, how important will language assistance be to this program or activity?

- Not Important (little to no LEP population)
- Important (some LEP population)
- Very Important (significant LEP population)

What non-English languages are most prevalent in your service area? Spanish, other unspecified, other Indo European, and Other Asian or Pacific Island languages as the top four LEP groups in the jurisdiction providing service. What are the numbers and percentages for each, based on total populations? <1%

Based on the findings of most prevalent non-English languages, will you need to translate documents for any or all of the identified populations? No

If so, what documents would need to be translated? N/A

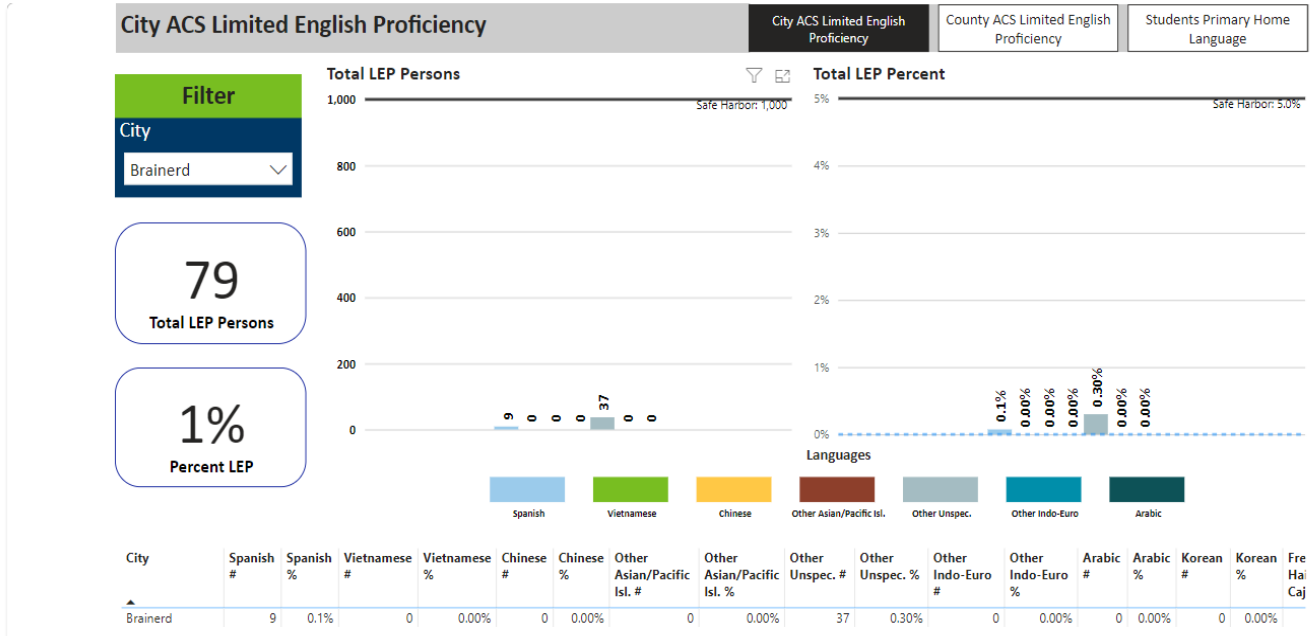
Will you need to provide interpreters for any public outreach or similar event(s)? No

# Limited English Proficiency (LEP) Data

American Community Survey (5-Year Estimate 2015-2019, Table ID C16001)

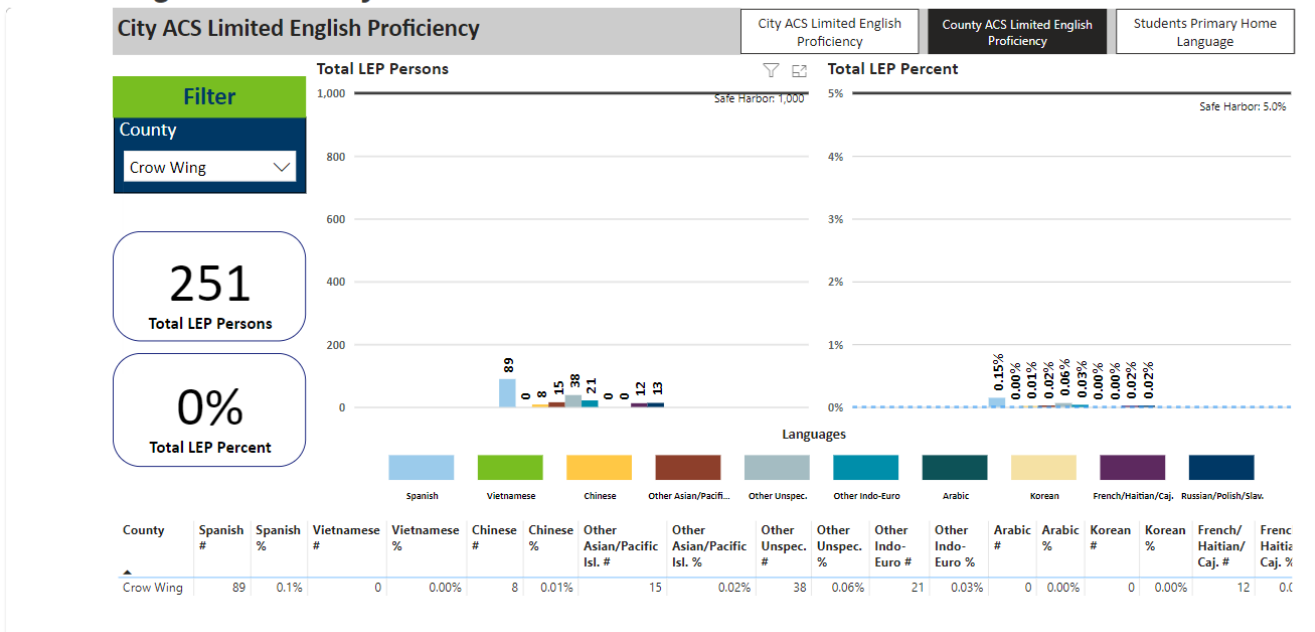
[Nondiscrimination](#) | [Subrecipient reviews and guidance](#)

## Limited English Proficiency Data Tool



[Nondiscrimination](#) | [Subrecipient reviews and guidance](#)

## Limited English Proficiency Data Tool



# Minnesota Department of Education: Primary Home Language for Students

## Limited English Proficiency Data Tool

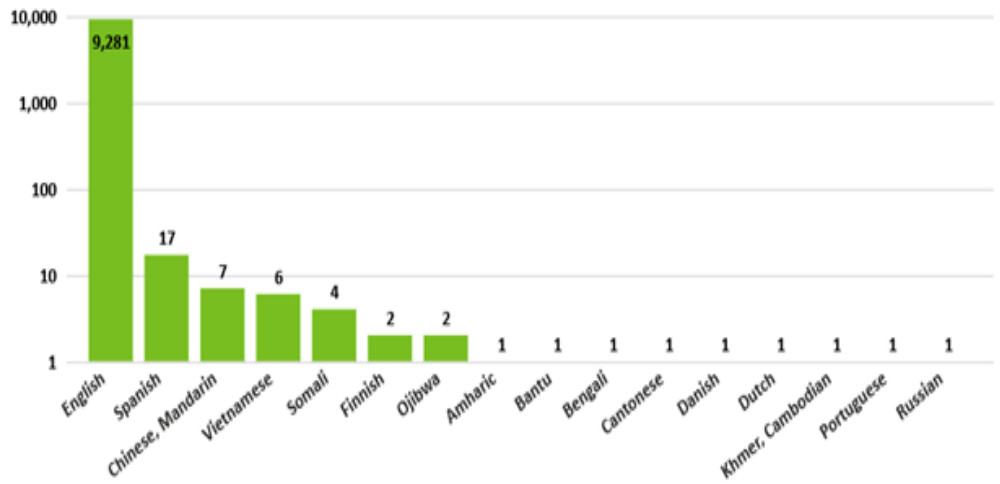
Students Primary Home Language      City ACS Limited English Proficiency      County ACS Limited English Proficiency      Students Primary Home Language

**Filter**

County & School District

- Clay
- Clearwater
- Cook
- Cottonwood
- Crow Wing
- Dakota
- Dodge
- Douglas
- Faribault

Top 10 - Enrollments by Language



## Language Identification

One way to determine the language of communication is to use language identification cards (or "I speak cards"), which invite LEP persons to identify their language needs to staff. Such cards, for instance, might say, "I speak Spanish" in both Spanish and English, or "I speak Vietnamese" in both English and Vietnamese

### Language Identification Cards

Side 1 of 2

Instructions: Place a check by the language spoken.

<input type="checkbox"/> Mark this box if you read or speak English.	<i>English</i>
<input type="checkbox"/> ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	<i>Arabic</i>
<input type="checkbox"/> Խոսողու՞մ ե՞նք նշու՞մ կատարե՞ք այս քառակուսու՞մ, եթե խոսու՞մ կա՞մ կախողու՞մ ե՞ք հայերեն:	<i>Armenian</i>
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	<i>Bengali</i>
<input type="checkbox"/> ឈ្មួញកំភ្លង់ប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	<i>Cambodian</i>
<input type="checkbox"/> Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	<i>Chamorro</i>
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	<i>Simplified Chinese</i>
<input type="checkbox"/> 如果你能讀中文或講中文，請選擇此框。	<i>Traditional Chinese</i>
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	<i>Croatian</i>
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	<i>Czech</i>
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	<i>Dutch</i>
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	<i>Farsi</i>

# Public Participation Plan

Plan Adopted: 10/18/2022

## Purpose:

To integrate consideration of the viewpoints of minority, low-income, and limited English proficiency (LEP) populations into the Transit System's community outreach activities. The public participation strategy offers early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

## Strategies

Brainerd and Crow Wing County transit considers the LEP populations and key stakeholders in proactive strategies, procedures, and projected outcomes that align with the public participation activities throughout the year(s). Brainerd and Crow Wing County transit offers adequate notice of public participation activities in the planning stages and throughout the process. When appropriate, notice of free language assistance will be posted in areas that the public and staff have access to during all public activities. All language assistance services provided during public engagement or community outreach will be recorded on the Language Service / Public Participation Log is attached as **Appendix E**.

Strategies to involve minority and LEP populations in effective participation in our decision-making process and to serve on appropriate committees, groups, boards, etc. has been implemented. Brainerd and Crow Wing County transit monitors the involvement and percentage of transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, and their membership of which is selected by the system, and provides annually an updated table with the following areas shown as in the attached **Appendix K**.

### Virtual Engagement

Microsoft Teams is a tool that can be used in communication with LEP individuals attending an online public engagement event. Microsoft Teams allows for real-time closed caption translations during a Teams [meeting](#) or [live event](#). Meeting organizers will provide information to attendees at the beginning of the meeting or live event on tools to use translated closed captions. For a Teams live event, the event lead can turn on the ability for attendees to view closed captioning in up to 6 languages. Instructions for this is available [here](#). For Teams meetings, there is no ability to automatically set up closed captioning for attendees. Attendees, can however, turn on closed captioning for their view only. Instructions for this is available [here](#).

### Surveys to the public and current ridership

Surveys are an opportunity to gain public input and obtain insight on opinions of and feedback on the usage or lack of use of the public transit system, services, and information. All surveys provided will be accessible to LEP individuals based on the four-factor analysis that identifies the targeted populations. Brainerd and Crow Wing County transit conducts user and non-user surveys. We participated in the 2022 Public Participation Plan Survey by posting the survey link on social media and handing out surveys on all of our routes.

### Website and Online Documents

Based on the four-factor analysis the following languages were identified as needing written language translation: Spanish, other unspecified, other Indo European, and Other Asian or Pacific Island languages as the top four LEP groups in the jurisdiction providing service. As appropriate,

Brainerd and Crow Wing County transit provides notice of the availability of free language assistance and written language translation for each of these identified languages. All vital documents will be translated as needed and provided on the website in an easily accessible and identifiable location.

#### In-Person

All facilities that have interaction with the public in-person will display the Public Notice of Rights Under Title VI in a location that accessible to the public. Non-English versions of the notice will be posted as well if, based on the four-factor analysis that particular language was identified as needed. Notice in English is attached as **Appendix G**. Staff will use language guides, if necessary, will be used if bilingual staff are not available to assist. Language guide resources are available in **Appendix C**.

#### Phone

Planned resources will be identified and utilized when bilingual staff are not available to assist.

#### Email or Other Written Communication

Planned resources will be identified and utilized when bilingual staff are not available to assist.

### **Outreach practices:**

The nature of language assistance provided will be based in part on the number and proportion of LEP individuals served, the frequency of contact between Brainerd and Crow Wing County transit and the LEP population, and the importance of the service provided to the LEP population. Brainerd and Crow Wing County transit will assess the needs of the populations frequently encountered or affected by their program or activity to determine whether translation of outreach materials is needed. Every effort will be made to coordinate with community organizations to assist in determining outreach materials that would be helpful to translate, find opportunities to align with other outreach activities in the area, and utilize ethnic media, schools, and religious or community organizations to help spread the message.

The following outlines the practices that Brainerd and Crow Wing County transit takes in community outreach:

#### **Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities:**

Public notices regarding meetings placed at following locations: on transit webpage, on buses, published in local newspaper, posted in City Hall

Efforts made to ensure meeting times and locations are in convenient and accessible locations: Meetings are held in accessible public locations within our transit systems service area

Efforts to involve minority and LEP populations in public involvement activities include:  
Providing public notification using multiple resources and providing accessible meeting locations

**Adequate notice of public participation activities in the planning stages and throughout the process and early and continuous opportunities for participation:**

3 days' notice for quarterly TAC meetings, 30 days service change notice, RFP notice published in paper 3 times during open proposal period, 2 times in Mn State Register and 2 times on City website. Survey notices provided as handouts on buses and link to online surveys on website

**Implementing adjustable/innovative meeting strategies, locations, and group sizes to gain viewpoints of minority, low-income, and limited English proficiency participation:**

Efforts implemented include: Public notice is provided to multiple outlets using different media (paper posted in City Hall, website, on buses and to the local newspaper). Meetings are recorded and posted online YouTube.

**Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities:**

Specific organizations, institutions, or other organizations are: Brainerd and Crow Wing County transit works with the community organizations, such as Social and Community Services, W.I.C., Health Services, Rural Minnesota Job Service, Veteran's Services and local warming shelters and food shelves. Local Schools and Colleges and local retail shops. In addition, Brainerd is home to many of the area health clinics and St Joseph's Hospital.

Efforts include: We provide materials like brochures, postcards, business cards, power point presentations and informational meetings & trainings with the above organizations

**Targeted radio, television, newspaper, social media ads on stations, outlets, and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts:**

Efforts include: Radio advertisement for transit, recorded meetings on YouTube, weekly transit informative postings on social media

**Preparing for public engagement activities by determining ways to provide language assistance, when no interpreter is present or may or may not be needed, providing written documents in other languages, if requested, including ethnic media, schools, and religious or community organizations to assist in providing information:**

Efforts include: giving advance notice using multiple medias & broadcasting meetings on YouTube

- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments:**

Efforts include: TAC and City Council meetings are recorded and posted on YouTube

- Involvement of minority, low-income and limited English proficiency (LEP) populations as Transportation Advisory Committee (TAC) members:**

Special Interest Group(s) serving on TAC: Committee comprised of seven members; three of whom are to be appointed or reappointed every other year, and a City Council Liaison. Two of the seven members may reside outside of the city, but must live in an area served by transit. Active Council members may sit in unfilled positions until filled. The Mayor recommends nominations to be approved by the City Council. This is a volunteer position.

TAC meeting schedule: Quarterly

Role and Purpose of TAC: To monitor and to advise changes to the operations of the City's intra and inter city bus service, to make recommendations to the City Council and/or other decision-making bodies regarding changes to enhance and improve the service to its riders.

- Providing public involvement meeting(s) on a scheduled basis:**

- Type of Meetings: Transportation Advisory Committee

- Meeting schedules: Quarterly

- Meeting formats: Approx. hour long meeting with provided Agenda. Meetings are recorded and posted on Youtube. Call in option available when requested

- Meeting notice method: Public Notice

- Outreach efforts to involve special interest groups: Using all media outlets available to provide public notice

## Language Service / Public Participation Log

Brainerd and Crow Wing County transit staff should make an effort to track all language services requested or proactively provided throughout the year. Brainerd and Crow Wing County transit has designated the following staff position to be primarily responsible for ensuring the log is consistently utilized: Transportation Coordinator

**Date of Service:** This is the date the translation or interpretation service was available to the public. For instance, the date of service for a translated service brochure would be the date of its first distribution to the public. If the same brochure is used multiple times, that can be noted in the Additional Comments column.

**Request or Proactive:** Select "Proactive" if Brainerd and Crow Wing County transit proactively determined the language services was necessary. Select "Request" if a member of the public requested the language service be provided.

**Translation or Interpretation:** Translation refers to converting written materials from one language to another and interpretation refers to converting spoken word from one language to another.

**Description of Service Provided:** The description should include an associated public engagement reference or product title and brief details explaining the service provided (i.e. what was translated, what event/meeting, particular audience, etc.)

**Vital Document:** A "vital document" is a paper or electronic written material that contains information that is critical for accessing programs, services, benefits, or activities; directly and substantially related to public safety; or required by law. It is at the designated staff discretion to determine whether a document is deemed a vital document.

**Service Provider:** The name of the qualified language services provider that completed the request through service provider or in-house.

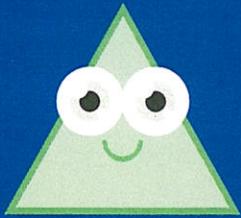
**Type of Service Provider:** Note whether you used specified staff person, a collaborative partner, or an outreach consultant to complete the language services request. Use the "other" option was used or for unique situations (i.e. bilingual staff providing assistance) and make a note explaining further in the Additional Comments column.

(Name of Transit System)

Language Service / Public Participation Log

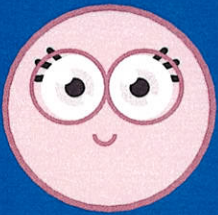
Date of Service	Request or Proactive	Translation, Interpretation or other service	Description of Service Provided	Vital Document	Language(s)	Service Provider	Type of Service Provider	Additional Comments

# What Is Diversity?



## Diversity

different attributes and backgrounds, not just race or gender, that give someone original thoughts, perspectives and talents



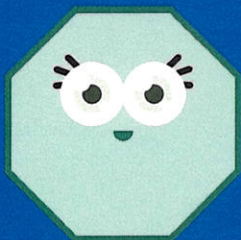
## Inclusion

the action or state of asking someone to participate because they are valued for their original thoughts, perspectives and talents



## Belonging

a feeling fostered by inclusion, that gives someone the sense they are a valued part of a group and free to be their authentic self



## Authenticity

who someone is when they are free from unhealthy social pressures and allow their diversity to show

# Diversity and Me

Finding your authentic self will allow you to realize the diverse thoughts, perspectives and talents you have – your diversity – and be a better teammate at work and in other areas of your life.

What are the talents and strengths you bring to the team? (Think about your past successes.)

Example: Anything from winning the science fair as a kid to graduating with your master's degree.

List any special training or skillsets you have.

Example: Anything from CPR training to being a notary public to a certified change management practitioner.

**Identify any areas you are passionate about.**

You can list professional or personal areas of interest.


**Do you have any unique roles at work?**

Do you remember everyone's birthday? Do you always share snacks? Do people always come to you for advice?


**What makes you unique?**

What are your values and beliefs? What cultural differences and experiences do you have?


# Bias

Biases are feelings everyone has for or against things or people, caused by experiences and influences, that filter how you see things. Biases can be wrong or unfair.

## DIFFERENT KINDS OF BIAS AND HOW THEY CAN IMPACT YOU AT WORK

### TYPE OF BIAS:

---

#### **Stereotype**

*Expecting a person or group to have certain qualities based on an over-generalized belief rather than real knowledge about that person or group.*

#### **Like-me bias**

*Favoritism toward someone who looks like you or has a background like you.*

### HOW IT CAN IMPACT YOU AT WORK:

---

A common practice is to assume all members of a team or department are the same. IT support, for example, is often labeled as lacking interpersonal skills for no other reason than their chosen field of work. This can lead to exclusion and missed opportunities.

A decision maker with like-me bias could miss the opportunity to promote someone who would excel in the new position if that person is not similar enough to the decision maker.

### **Confirmation bias**

*Only seeking information that confirms what you already believe.*

Leaders need to be particularly vigilant about confirmation bias when gathering information to make a key decision. It can be easy to only absorb information that supports your first instinct.

### **Status quo bias**

*Preference for the current state of affairs.*

“This is how we have always done it.”  
“Why fix what isn’t broken?”

These expressions are examples of status quo bias and are simple everyday phrases that unintentionally stifle innovation or process improvement. Every process can be improved, and it is often through diversity of thought that companies and individuals take big leaps forward.

### **Anchoring bias**

*Holding on to the first piece of information you received.*

Anchoring bias is one of many reasons the onboarding process is so critical. During this time, employees will learn a lot about the culture of a company and the opportunities that may exist for their development and career growth. For employees, it is key to always keep an open mind and stay open to new opportunities within the company. For companies, it is important to demonstrate your values and inclusiveness from the very beginning.

### **Bandwagon effect**

*Someone adopting a belief because the majority of the group has the belief.*

Often referred to as groupthink, this can influence the shape of a group rallying around one of the first ideas provided, especially if it comes from a leader. It is important to allow as many ideas as possible be considered before making a decision in order to make the best possible decision. A good practice can be for a leader to allow all of the other members of team to share their ideas before interjecting his or her own. This can allow time for them to incorporate the ideas shared previously to allow for a better initial suggestion as well. Once all ideas have been shared, it is also important to consider all of them equally in order to avoid groupthink.

### **Outcome bias**

*Judging the decision based on the outcome it produced, even though not all bad outcomes come from bad decisions, and not all good outcomes come from good decisions.*

“No harm, no foul.”

This expression is often an example of outcome bias. Hindsight often provides greater clarity on a decision, as well as an opportunity to learn and improve, regardless of whether the result produced a negative or positive outcome.

### **Choice-supportive bias**

*A positive attitude toward the choice you made and negative attitude toward the options you dismissed.*

This bias is similar to the sunk cost effect. Just because you paid for the movie ticket doesn't mean you have to sit through the whole movie if you aren't enjoying it.

At work, if you made a decision which you learn could have negative consequences you were unaware of at the time you made it, it is important to separate yourself from the choice you made, and go in a new direction if it will benefit your team or the organization. All of the risks of a course of action aren't always known at the time of a decision. It is not only OK, but preferable to course-correct when new information comes to light.

### **Zero-risk bias**

*Favoring a decision that comes with no risk even if it will not produce the best outcome.*

“Slow and steady wins the race.”

Consistency and process improvement are critical to long-term business success, but there are also times when taking on greater risk is appropriate to reap greater reward, such as when a company enters a new market or launches a new product line. In the interconnected economy of today, companies that are agile and take on risks intelligently often perform better than those that are extremely risk-averse.

# HOW TO COMBAT BIAS

**Be willing to examine your bias.**

**Try the Implicit Association Test.** Don't know where to start? You can try the tests on Harvard's website. <https://implicit.harvard.edu/implicit/>

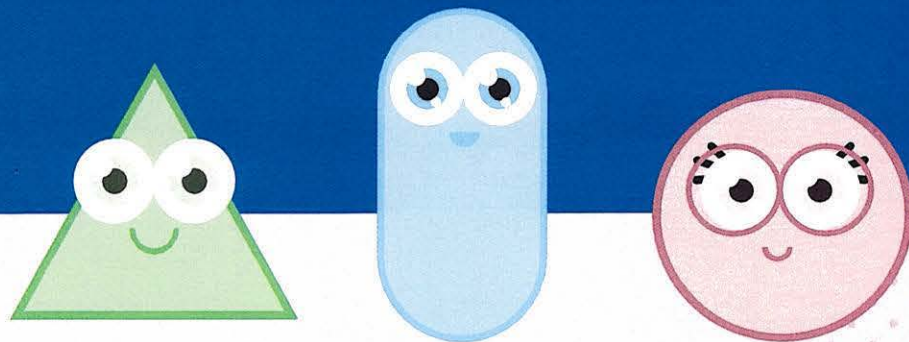
**Learn about the history of discrimination.** This can help you realize the bias held by the greater community or society.

**Think about your culture.** How has it shaped your views?

**Think about your past decisions.** Are there any patterns that point to bias?

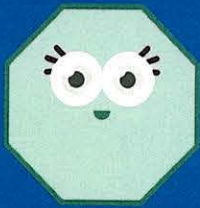
**Hit the pause button.** We make snap judgements because that's how our brain works. If we pause, we can think about why we're making decisions based on bias.

**Spend time with people who are not like you.**



# What If I Say The Wrong Thing?

If you don't engage with people, you will never understand them. Let go of your fear of saying the wrong thing with these tips:



## Build relationships with people

- » This will help you speak out of relationships and not out of assumptions or bias.
- » You don't know what you don't know, so don't be afraid to ask.



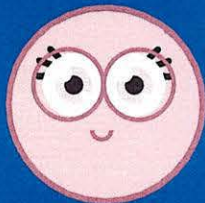
## Give grace if someone is giving effort

- » Don't blame, shame or attack others for getting it wrong.
- » If they're being sincere, recognize we all make mistakes and have room to grow.
- » Be willing to teach.
- » Thank others for sharing.



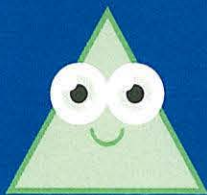
## Apologize when you get it wrong

- » If your impact was not your intent, recognize that it still hurt someone. Accept how others feel and apologize.
- » Don't act like it didn't happen or ignore the situation.



## Pause before you speak

- » Biases sometimes come out in a snap.
- » Taking a few moments to pause and think can keep you from saying the wrong thing.

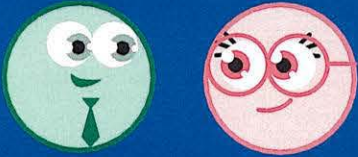


## If you see something, say something

- » Step in when you hear someone display bias, offend or harass.
- » Be nice, taking the no-blame, shame or attack approach.

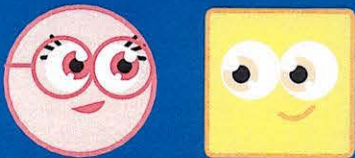
# Fostering Inclusion

If inclusion is everyone's responsibility, inclusion is my responsibility.



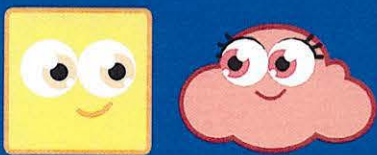
## Invite others

Invite others to share their thoughts, join in an activity and be part of the team.



## Ask open-ended questions

Yes or no questions only have two answers. A yes or no cannot tell you if everyone is on the same page or if anyone has any other insights to offer.



## Celebrate differences

You can't have inclusion by ignoring differences. You can't have inclusion by dismissing differences.



## See something, say something

If you hear someone being dismissive or exclusive of others, call it out, without using shame or blame.



## Listen more

Listen without interruption or interjection. You can learn a lot about others' perspectives by listening.



## Reflect

Ask yourself, are there any other activities (no matter how small) that you could be doing to foster communication and a sense of community?



## Analyze

Does everyone on your team have an equal opportunity to participate?



20	RICE, DENISE	0102	08/01/2021	20	Brainerd	Course	Episode 5: Fostering Inclusion	Paycom Content	09/22/2022	09/29/2022	09/29/2022	100.00	00 : 06	Pass
26	SAMPSON, JAMES	0104	08/01/2021	20	Brainerd	Course	Episode 1: What is Diversity?	Paycom Content	09/22/2022	09/29/2022	09/29/2022	100.00	00 : 07	Pass
27	SAMPSON, JAMES	0104	08/01/2021	20	Brainerd	Course	Episode 2: Diversity and Me	Paycom Content	09/22/2022	09/29/2022	09/29/2022	100.00	00 : 05	Pass
28	SAMPSON, JAMES	0104	08/01/2021	20	Brainerd	Course	Episode 3: Bias	Paycom Content	09/22/2022	09/29/2022	09/29/2022	100.00	00 : 06	Pass
29	SAMPSON, JAMES	0104	08/01/2021	20	Brainerd	Course	Episode 4: What If I Say The Wrong Thing?	Paycom Content	09/22/2022	09/29/2022	09/29/2022	100.00	00 : 07	Pass
30	SAMPSON, JAMES	0104	08/01/2021	20	Brainerd	Course	Episode 5: Fostering Inclusion	Paycom Content	09/22/2022	09/29/2022	09/29/2022	100.00	00 : 06	Pass
1	TURCOTTE, TANJA	0099	08/01/2021	20	Brainerd	Course	Episode 1: What is Diversity?	Paycom Content	09/22/2022	09/27/2022	09/29/2022	100.00	00 : 07	Pass
2	TURCOTTE, TANJA	0099	08/01/2021	20	Brainerd	Course	Episode 2: Diversity and Me	Paycom Content	09/22/2022	09/27/2022	09/29/2022	100.00	00 : 05	Pass
3	TURCOTTE, TANJA	0099	08/01/2021	20	Brainerd	Course	Episode 3: Bias	Paycom Content	09/22/2022	09/27/2022	09/29/2022	100.00	00 : 06	Pass
4	TURCOTTE, TANJA	0099	08/01/2021	20	Brainerd	Course	Episode 4: What If I Say The Wrong Thing?	Paycom Content	09/22/2022	09/27/2022	09/29/2022	100.00	00 : 07	Pass
5	TURCOTTE, TANJA	0099	08/01/2021	20	Brainerd	Course	Episode 5: Fostering Inclusion	Paycom Content	09/22/2022	09/27/2022	09/29/2022	100.00	00 : 06	Pass

# Public Notice of Rights under Title VI

## Title VI Notice to Public

The Brainerd & Crow Wing Public Transit System 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. 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, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding the Brainerd & Crow Wing Public Transit System programs has a right to file a formal complaint with Brainerd & Crow Wing Public Transit System. Any such complaint must be in writing and submitted to the Transit Coordinator/Brainerd & Crow Wing Public Transit System within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact: (Crystal Gauthier, Transit Coordinator), 501 Laurel St, Brainerd, 218-454-3429.

## Title VI Compliant Procedure

The Brainerd and Crow Wing County transit is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin by the Brainerd and Crow Wing County transit, providing programs and services in the following cities of Brainerd, Baxter, Pine River and communities throughout Crow Wing County (hereinafter referred to as “Brainerd and Crow Wing County Transit” may file a Title VI complaint by completing and submitting Brainerd and Crow Wing County Transit Title VI Complaint Form. Brainerd and Crow Wing County Transit investigates complaints received no more than 180 days after the alleged incident. The Brainerd and Crow Wing County Transit will process complaints that are complete.

Once the complaint is received, the Brainerd and Crow Wing County Transit, will review it to determine if our office has jurisdiction or if the complaint will be handled by MnDOT OTAT Compliance Coordinator and/or MnDOT Office of Civil Rights Title VI Coordinator. The complainant will receive written acknowledgement informing her/him that the complaint has been received and who will be handling.

Brainerd and Crow Wing County Transit and/or MnDOT, has 30 days to investigate the complaint. If more information is needed to resolve the case, Brainerd and Crow Wing County Transit and/or MnDOT, may contact the complainant. The complainant has 15 business days from the date of the written notification to send 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, Brainerd and Crow Wing County Transit and/or MnDOT can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two written documentations 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, she/he has 15 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with MnDOT, Office of Transit and Active Transportation, ATTN: Compliance Coordinator at 395 John Ireland Blvd., MS 430, St. Paul, MN 55155-1899 or email complaint form to [jean.meyer@state.mn.us](mailto:jean.meyer@state.mn.us). As an alternate, a person may file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

# Title VI Complaint Form

## Title VI Complaint Form

Brainerd & Crow Wing Public Transit  
501 Laurel St, Brainerd, MN 56401  
Phone: 218-825-7433, TTY: 7-1-1 or 1-800-627-3529

The Brainerd & Crow Wing Public Transit System 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 60 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 Officer by calling 218-825-7433 or TTY 800-627-3529. The completed form must be returned to Transit Office, 501 Laurel St. Brainerd, MN 56401

Name (print): \_\_\_\_\_

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

Phone: \_\_\_\_\_

Alt Phone: \_\_\_\_\_

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

\_\_\_\_\_  
Address, City, State & Zip: \_\_\_\_\_

1. Which of the following best describes the reason for why the alleged discrimination took place?

\_\_\_\_\_ Race \_\_\_\_\_ Color \_\_\_\_\_ National Origin (Limited English Proficiency)

2. Date, time and location of Incident: \_\_\_\_\_

3. Please describe why you believe discrimination has occurred. Provide names of all transit system personnel involved or responsible, if available. If there are witnesses, please provide names, addresses and telephone numbers. Use the back of this form if additional space is required.

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

---

4. Have you filed a complaint with any other federal, state or local agencies? \_\_Yes\_\_No  
If yes, please list agency/agencies and contact information below (please use back of form if additional space is needed).

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

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

Contact Person: \_\_\_\_\_

Phone: \_\_\_\_\_

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Signature \_\_\_\_\_ Date \_\_\_\_\_

System Use ONLY

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

# Title VI Investigations, Complaints and Lawsuits Log

Legal Name: City of Brainerd Public Transit  
 Transit System Name: Brainerd and Crow Wing County Public Transit  
 Last Updated:10/20/2022

## Title VI List of Transit Related Investigations, Complaints and Lawsuits

2022 Complaints/ Investigations/ Lawsuits Chart				
Complaints	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Investigation	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Lawsuit	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
2023 Complaints/ Investigations/ Lawsuits Chart				
Complaints	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Investigation	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Lawsuit	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
2024 Complaints/ Investigations/ Lawsuits Chart				
Complaints	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Investigation	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Lawsuit	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				

## Title VI Non-elected Decision Makers

Legal Name: City of Brainerd Public Transit  
 Transit System Name: Brainerd and Crow Wing County Transit  
 Last Updated: 10/20/2022

### Title VI Non-elected Decision Makers

Name of Decision Making Body	Caucasian	Latino	African American	Asian American	Native American
Population Distribution of Service Area	96.3%	1.5%	0.6%	0.5%	0.9%
City of Brainerd Transportation Advisory Committee	100%				
Crow Wing County Transportation Advisory Committee	100%				

Committee membership is determined following a review of submitted applications and approval by the elected officials of the City of Brainerd and Crow Wing County. All persons regardless of race are encouraged to apply for open positions. Notification of open board positions are published on community bulletin boards, City of Brainerd and Crow Wing County websites, community newspapers and announced twice monthly via public access television.

**RESOLUTION**

**NO 38:22**

**APPROVAL OF TITLE VI PROGRAM PLAN FOR BRAINERD AND CROW WING PUBLIC TRANSIT SYSTEM. A RESOLUTION ENDORSING BRAINERD AND CROW WING PUBLIC TRANSIT SYSTEM TITLE VI PROGRAM PLAN.**

**WHEREAS**, the Brainerd and Crow Wing Public Transit System under the Title VI and the Civil Rights Act of 1964, is committed to a Title VI Program that prohibit discrimination by/from based on race, color, or national origin.

**WHEREAS**, the Brainerd and Crow Wing Public Transit System's must establish a Title VI Program that meets Federal Transit Administration (FTA) guidelines (Circular 4702), as stated and provided in the Brainerd and Crow Wing Public Transit System's MnDOT data management system, known as BlackCat, requires the following compliance elements:

- Notification to the Public of their rights under Title VI of the Civil Rights Act;
- A Complaint Procedures and Complaint Form;
- A list of the transit-related Title VI Investigations, Complaints, and Lawsuits;
- A Public Participation Program;
- A Language Assistance Plan to ensure reasonable access to information for those with Limited English Proficiency;
- A chart of the minority status of members of any non-elected decision-making board and/or committees;
- Title VI training program for staff; and
- Governing Body/Organizational Body Resolution adopting Title VI Program Plan.

**BE IT RESOLVED THAT** Brainerd and Crow Wing Public Transit System will follow the Title VI Program Plan compliance elements to ensure all passengers and staff are treated equally.

**BE IT RESOLVED THAT** Brainerd and Crow Wing Public Transit System shall review and adopt or update all Title VI Program requirements every three (3) years. Said adoption or updates will include a public comment period for input in program plan.

**BE IT FURTHER RESOLVED THAT** City of Brainerd City Council authorizes the City Administrator to implement and oversee compliance of Brainerd and Crow Wing Public Transit System 2022 Title VI Program.

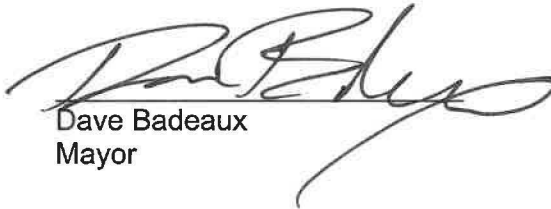
CERTIFICATION

I certify that the above resolution is a true and correct copy of the resolution presented to and adopted by the City of Brainerd City Council at a duly authorized meeting thereof held on 17<sup>th</sup> day of October, 2022, as shown by the minutes of said meeting in my possession and attached.

Adopted this 17<sup>th</sup> day of October 2022

  
\_\_\_\_\_  
Kelly Bevens  
President of the Council

Approved this 18<sup>th</sup> day of October 2022

  
\_\_\_\_\_  
Dave Badeaux  
Mayor

ATTEST:

  
\_\_\_\_\_  
Jennifer Bergman  
City Administrator



# Brainerd Transportation Advisory Committee Agenda Request

**Requested Meeting Date:**

**Title of Item:**

<p>INFORMATION ONLY</p> <p>ACTION REQUESTED</p>	<p><b>Action Requested:</b></p> <p>Direction Requested</p> <p>Discussion Item</p>
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**Submitted by:**

**Department:**

**Presenter:**

**Estimated Time Needed:**

**Summary of Issue:**

**Alternative, Options, Effects on Others/Comments:**

**Recommended Action/Motion:**

**Financial Impact:**

*Is there a cost associated with this request:*

*What is the total cost, with tax and shipping:*

*Is this budgeted? (Please Explain)*



**BRAINERD CROW WING  
PUBLIC TRANSIT**



# **City of Brainerd Public Transit**

## Marketing Plan

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### **Our Objective**

To increase visibility. Build awareness of service capabilities. Improve user friendliness. Enhance general public access to services. To increase ridership.

### **Authors of Document**

Crystal Gauthier  
Transit Operations Coordinator  
[cgauthier@ci.brainerd.mn.us](mailto:cgauthier@ci.brainerd.mn.us)



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# Summary

The City of Brainerd Public Transit is a citywide/countywide public transit service subsidized with state and federal public transit dollars, which utilizes small chassis cut away buses to transport passengers. The City of Brainerd Public Transit agency's mission is to facilitate mobility by providing options for safe, efficient, and reliable transportation.

# Analysis

We want to help the transit system lean into what it does well, improve what it doesn't, capitalize on what it can do, and defend against what could challenge it. With that in mind, here is our strengths, weaknesses, opportunities, and threats analysis.

<b>Strengths</b>	<b>Weaknesses</b>
<p>What we're good at.</p> <p>What's working.</p> <p>What our customers like about us.</p> <p><b>Efficient, safe, equitable</b></p>	<p>What we want to fix.</p> <p>What we want to strengthen.</p> <p>What we want to become more efficient at.</p> <p><b>Awareness, information sharing, service capabilities</b></p>
<b>Opportunities</b>	<b>Threats</b>
<p>What the industry might soon want.</p> <p>What we think we'll be good at.</p> <p>What will be our differentiator?</p> <p><b>Rebranding, Increasing ridership, Community involvement</b></p>	<p>What we think could hinder our growth.</p> <p><b>Economy, fuel prices, 3PC training</b></p>

# Initiatives

The City of Brainerd Public Transit has the ambitious goal of raising community awareness to this transportation opportunity and to help the transit service do that we will pursue the following initiatives:

## Initiative 1

<b>Description</b>	Over the next 12 months, we'll work on increasing our social media presence which will become a go-to resource for our customers' top questions – and our number-one source of leads month over month.
<b>Goal of initiative</b>	To increase awareness of service, educate the public, create a positive image, encourage ridership among new customers and build support for the service within the local community
<b>Metrics to measure success</b>	4 social media posts per month with recurring weekly posts

## Initiative 2

<b>Description</b>	Over the next 12 months, we'll work on our key passenger information tools & targeted marketing
<b>Goal of initiative</b>	To make public transit services increasingly accessible and useful to the community. To educate the public regarding service and benefits
<b>Metrics to measure success</b>	Updated printed guide/brochure and updated webpage

## Initiative 3

<b>Description</b>	We'll work on rebranding our logo
<b>Goal of initiative</b>	To increase our visibility and create a positive image
<b>Metrics to measure success</b>	Rebranding plan

# Target Market

## Organizations

We're targeting the following organizations where we'll potentially further generate ridership by reaching out to customers:

Organization  
1

This includes the Senior population. This includes nursing homes, assisted living homes, senior centers, medical centers etc.

Organization  
2

This includes Community Services. This includes social services, food shelves, employment programs, group homes, sheltered workshops etc.

# Objectives

The marketing objectives developed for The City of Brainerd & Crow Wing County Public Transit service focus on achievement of the service goals. The objectives will be reviewed annually and updated as service and ridership changes lead to improved performance.

Objectives:

Increase Visibility

Build Awareness

Improve User Friendliness

Increase Ridership

Simplify marketing tools and efforts

## Process

We will utilize these communication channels to build visibility & educate the public about our transit system using conventional news media, social media, and outreach efforts. As well as using communication with non-riders such as community leaders, social service coalitions, civic organizations, and businesses to educate about transit's role in the community and build support.

The intent of this plan is to provide a series of options that can be mixed and matched on an annual basis. The selection of the individual strategy will be determined with the development of the annual marketing campaign and should be adjusted to reflect the needs of the City of Brainerd & Crow Wing County Public Transit, special events or promotions, or changes in service.

# MEMO



**TO:** Transportation Advisory Committee  
**FROM:** Crystal Gauthier, Transit Coordinator  
**DATE:** November 10, 2022  
**RE:** Department Update

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On October 28, 2022, Staff received a memo from MnDOT Office of Transit and Active Transportation pertaining to price increases for 2020-2021 MnDOT vehicle contracts. The memo stated that due to numerous interruptions to supply chains only 5% of vehicles ordered through the state contract in 2021 have been delivered. Many of the buses may be manufactured and delivered in calendar year 2023. Due to increase in prices bus vendors have requested modifications to the original prices. The terms of the Dept of Administration Vehicle contract does allow for price changes in circumstances such as this. As a result, transit systems are likely to see increased local share. OTAT understands the price increases could impact decisions to proceed with the 2022 vehicle contract because of limited local share availability. Once amendments to the state contract are final, each affected system will be provided with detail of the price changes. The following options were suggested: move forward with orders, modify orders, or cancel order.

Staff continues to expect delays in receiving 2021 & 2022 Capital Grant buses. Delays could be as late as 2024 or later due to the on-going manufacturing shortages and supply chain issues.

On October 31<sup>st</sup> the first new tablet and hard-wired docking station for charging and securing the tablet was installed into bus #201. The tablet and new docking station has already proven to be reliable and much more efficient than past set up with loose cords and antiquated tablets. Future replacements of tablets and installations of new docking stations are being scheduled for the rest of the fleet of buses.

Staff has been working closely with Blue Sky on tracking maintenance to better assist with implementing controls on maintenance and safety related items such as inspections.