



## **CITY AND COUNTY OF BROOMFIELD**

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

#### **PURPOSE:**

It is the policy of the City and County of Broomfield (“Broomfield”) that no person shall, on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination with respect to Broomfield’s public services, as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

#### **SCOPE:**

This Plan shall apply to all Departments/Divisions reporting to the City and County Manager or to City Council. This policy also applies to contractors acting on behalf of Broomfield.

#### **I. NON-DISCRIMINATION**

Broomfield prohibits discrimination based on race, color, national origin, sex, disability or age. Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification may be a form of prohibited discrimination. Harassment and retaliation may also be prohibited forms of discrimination.

Examples of prohibited types of discrimination, when based on race, color, national origin, sex, disability, or age, include: denial to an individual of any service, financial aid, or other benefit; distinctions in the quality, quantity, or manner in which a benefit is provided; segregation or separate treatment; restriction in the enjoyment of any advantages, privileges, or other benefits provided; discrimination in any activities related to highway and infrastructure or facility built or repaired; and discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this Plan, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

## **II. ORGANIZING, STAFFING AND STRUCTURE**

Pursuant to Broomfield's Charter, Section 8.3, the City and County Manager is responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and, by this policy, has directed that non-discrimination is required of all employees, contractors, and agents.

Broomfield has appointed a Title VI Coordinator to ensure compliance with Title VI. This policy and plan is administered by the Title VI Coordinator. All questions related to this plan should be directed to the Title VI Coordinator, Jim Becklenberg, Ph.: 303-438-6300.

The Title VI Coordinator is responsible for:

1. Maintaining and reviewing the City and County's Title VI Plan.
2. Providing reports as required.
3. Processing complaints regarding Title VI compliance. This includes ensuring investigation of any Title VI complaints, compiling a complaint log, and reporting as required. Complaints regarding Human Services will be referred to the Health and Human Services Operations Manager.
4. Conducting reviews and Title VI assessments of programs or projects receiving federal funds.
5. Developing and distributing, as appropriate, Title VI information.
6. Resolving any deficiency status and determining any necessary remedial action.

## **III. HEALTH AND HUMAN SERVICES**

The Broomfield Health and Human Services policy and procedures are set forth in a separate HHS Policy/Procedure, Grievance and Complaint Policy, which is incorporated by this reference. [www.broomfield.org/DocumentCenter/View/10582](http://www.broomfield.org/DocumentCenter/View/10582)

## **IV. TRANSPORTATION PROGRAM AREA DESCRIPTION AND REVIEW**

Broomfield has identified and reviewed the following transportation-related program areas and is not aware of any discrimination concerns. According to the information provided by DRCOG (Denver Regional Council of Governments), there are no environmental justice areas in Broomfield. Broomfield's minority population is dispersed across the area in a fairly balanced nature. See section VI for additional analysis and information.

### **A. Roadway Construction, including Right of Way Acquisition**

Roadway construction projects are undertaken based on assessment of traffic and safety needs in compliance with Title VI and consistent with available funding. Information about capital improvement projects is published on Broomfield's website and available for public review. Broomfield complies with all applicable federal and state regulations regarding right of way acquisitions. Projects are subject to competitive bidding. Broomfield is not aware of any

discrimination concerns and has not received any discrimination complaints related to any current or past roadway construction projects.

#### B. Transportation Services

Broomfield receives federal funding related to two call-ahead transportation services, Regional Transportation District (RTD) Call-n-Ride and Broomfield Easy Ride. Call-n-Ride is operated by RTD and serves much of the Broomfield community, including all of the census tracts with over 21% Hispanic population. Easy Ride is also a call-ahead service that provides transportation to all Broomfield residents who are disabled or over the age of 60. Broomfield is not aware of any discrimination concerns and has not received any discrimination complaints related to either service.

#### C. Road Maintenance and Snow and Ice Control

Under Broomfield's Street Pavement Preservation Program, street conditions are assessed using a standardized method of pavement distress identification developed at the request of the United States Department of Transportation's Federal Highway Administration. Information about this program is available to the public.

Broomfield conducts snow and ice control based on its Operational Snow and Ice Control Plan, which is available to the public. [www.broomfield.org/DocumentCenter/View/9965](http://www.broomfield.org/DocumentCenter/View/9965) Priority is based on the type of roadway, e.g., major collector, minor collector, or residential. Broomfield is not aware of any discrimination concerns and has not received any discrimination complaints related to road maintenance or snow and ice control.

### V. TITLE VI COMPLAINT PROCEDURE

Broomfield is required to investigate, track, and report discrimination complaints. Complaints under this Title VI procedure must be filed in writing. If you need assistance to file your complaint or need interpretation services, please contact Broomfield's Title VI Coordinator.

Complaints concerning Broomfield's Health and Human Services (HHS), including complaints concerning the EasyRide program, are governed by a separate Grievance and Complaint Policy/Procedure and may be made directly to HHS's Operation Manager. [www.broomfield.org/DocumentCenter/View/10582](http://www.broomfield.org/DocumentCenter/View/10582)

#### Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Broomfield program or activity because of their race, color, national origin, age, sex, or disability may file a complaint. Discrimination may include lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors.

Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated in a discrimination investigation.

How do you file a complaint?

Complaints must be filed in writing within 180 days from the last date of the alleged discrimination. However, contact the Broomfield Title VI Coordinator if you believe your complaint may fall outside this deadline. Reasonable efforts will be made to assist persons with disabilities, non-English speakers and others unable to file a written complaint. For assistance in filing a complaint, please contact Broomfield's Title VI Coordinator.

Jim Becklenberg, Assistant City and County Manager  
City and County of Broomfield Title VI Coordinator  
One DesCombes Drive  
Broomfield, CO 80020  
Ph.: 303-438-8300  
Email: [TitleVICoordinator@broomfield.org](mailto:TitleVICoordinator@broomfield.org)

Complaints concerning Broomfield Health and Human Services will be referred to and may be made directly to:

Venita Renee Dye, CPA  
Operations Manager  
100 Spader Way  
Broomfield, CO 80020  
Ph.: 720-887-2250

Complaints concerning transportation programs may also be filed directly with the following agencies:

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
4201 East Arkansas Avenue, Room 150  
Denver, CO 80222  
Ph.: 303-757-9234  
Toll Free: 800-925-3427  
Fx: 303-952-7088  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)

Federal Highway Administration, Colorado Division  
12300 West Dakota Avenue, Suite 180  
Lakewood, CO 80228  
Ph.: 720-963-3000  
Fx: 720-963-3001

### What happens after a complaint is filed?

Title VI complaints should be investigated within 60 days unless information critical to a resolution of the complaint is not reasonably available within that time period. Investigations generally include interviewing the parties and key witnesses. The investigator may also request relevant information such as documents, electronic information, and other sources of information from the parties. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases involving transportation programs, complaints may be forwarded to either the Colorado Department of Transportation or the Federal Highway Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.



*Where did the discrimination occur?*

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*Dates and times discrimination occurred?*

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*Were there any other witnesses to the discrimination? If, so*

Name	Organization/ Title	Work Phone	Home Phone

*How would you like to see this situation resolved?*

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*Have you filed your complaint, grievance, or lawsuit with any other agency or court? If so,*

Who filed \_\_\_\_\_ Date filed \_\_\_\_\_

Status (pending/resolved, etc.) \_\_\_\_\_ Result, if known \_\_\_\_\_

Complaint number, if known \_\_\_\_\_

*Do you have an attorney in this matter? \_\_\_\_\_ If so,*

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Your signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **VII. Data Collection and Analysis**

In November 10, 2015, Broomfield completed an analysis of the racial/ethnic composition of Broomfield using Census Data. Overall, Broomfield has grown consistently amongst the newly developed neighborhoods with no significant changes in minority population. There has been no minority growth segregated to any one neighborhood or census tract.

According to the data, Broomfield has an overall minority population of 21%. The Hispanic population in Broomfield overall is 11.41%. Only two of the 15 census tracts meet the definition of minority neighborhood by exceeding the overall City and County minority percentage by 20% or more. There are no census tracts that meet the definition of poverty concentrated neighborhood by exceeding the overall City and County poverty level percentage by 20% or more. There are no census tracts which exceed the concentration of persons with disabilities by more than 2% of the total population. Broomfield's minority population is dispersed across the area in a fairly balanced nature. Similarly, the population of disabled residents is fairly balanced throughout Broomfield. According to information provided by DRCOG (Denver Regional Council of Governments), there are no environmental justice areas in Broomfield.

Since 2010, Broomfield has undertaken numerous major projects in the two census tracts meeting the definition of minority neighborhoods. Projects include new traffic signals, ADA accessible playground improvements, trail connection to improve access from a mobile home park to the closest retail and job opportunity site, ADA accessible ramps for access to park areas, drainage improvements, and road widening and street reconstruction. As of April 2016, Broomfield has not received any title VI complaints or been the subject of a title VI lawsuit or investigation.

## **VIII. Public Participation Plan/Limited English Proficiency (LEP) Plan**

Broomfield has a relatively small LEP population. Based on Census Data, 4.7% of Broomfield's population has limited English proficiency, with an ethnicity of 2.5% Spanish and 1.7% Asian/Pacific Islander. The only public transportation program operated by Broomfield, the EasyRide program, has encountered individuals speaking a variety of different languages, including Japanese, Hindi, Arabic, Vietnamese, and Afrikaans. Broomfield has not had any reported problems with individuals being unable to access or use EasyRide services based on language barriers.

Broomfield offers a variety of ways to ensure access to the programs and activities by persons with limited English proficiency. Information about public services, including the EasyRide program, is located on the Broomfield website, which can be easily translated into 90 different languages. Broomfield maintains a list of staff who can act as translators for the immediate needs of LEP individuals. Staff also utilizes the State of Colorado's list of LEP language Interpreters.

Broomfield advertises and provides outreach on its programs and services through the Broomfield website, multiple social media platforms, and community events. Interested persons can receive email updates on a variety of topics, including public works projects.

Broomfield is governed by an elected Mayor and ten elected Councilmembers. Broomfield's City Council is responsible for approving capital improvement projects. Broomfield's website states: "Council meetings are open to the public, and you are encouraged to attend." "We continue to seek additional methods and platforms of engagement as we strengthen our existing ways of seeking your input. Whether you attend a City Council meeting, call us, or follow us on Facebook – we want to hear from you!" Notice of Broomfield public meetings are posted at the City and County buildings and published in the local paper, the Broomfield Enterprise. Broomfield City Council meetings are televised and accessible on Broomfield's website.

The Broomfield Local Coordinating Council (LLC), a separate alliance of community organizations, individuals, and interest groups, works to promote and develop accessible and equitable transportation options for Broomfield residents facing transportation challenges, such as the elderly, those living with a disability, or those with low incomes. Broomfield Health and Human Services Department participates in the LLC, which provides input to City Council on these transportation issues. However, Broomfield does not select or appoint individuals for Broomfield's LLC. Any individual may participate.

## **IX. Notice of Rights**

The following notice is placed on Broomfield's website and posted at the following locations: the George DiCiero City and County building and the Broomfield Community Center. A separate notice posted at Broomfield's Health and Human Services building. A translation of this notice will be provided in the same locations in Spanish. Alternative formats will be made available upon request for people who are blind or have low vision.

### **Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964**

The City and County of Broomfield operates its programs and services without regard to race, color, national origin, sex, age, or disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Broomfield program or activity because of their race, color, national origin, age, sex or disability may file a discrimination complaint with Broomfield.

To File a Title VI discrimination complaint, contact:

Jim Becklenberg, Assistant City and County Manager  
Broomfield Title VI Coordinator  
One DesCombes Drive  
Broomfield, CO 80020  
Ph.: 303-438-8300  
Email: [TitleVICoordinator@broomfield.org](mailto:TitleVICoordinator@broomfield.org)

For complaints involving Health and Human Services, you may contact:

Venita Renee Dye, CPA  
Operations Manager  
100 Spader Way  
Broomfield, CO 80020  
Ph.: 720-887-2250

For complaints related to a transportation program, you may contact:

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
4201 East Arkansas Avenue, Room 150  
Denver, CO 80222  
Ph: (303) 757-9234  
Toll Free: (800) 925-3427  
Fx: (303) 952-7088  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)