

AGENDA
Orange Unified Transportation Board
March 18, 2015
7:00 p.m.

You can bring your laptops/tablets if you would like to use them.

Conference Room 004 (Lower Floor) Orange County West Campus
131 West Margaret Lane, Hillsborough

Time Item Title

- 7:00 1. **Call to Order and Roll Call**
- 2. **Introduction – Malcum Massenburg, OPT Transportation Assistant Administrator**
- 3. **Approval of Minutes from December 17, 2014**
- 4. **Consideration of Additions to the Agenda**
- 5. **Regular Agenda (Action Items)**

- 7:10 5.a. Transportation Services, Orange Public Transportation (OPT)
 - i. Introduction of representatives
 - ii. Review of importance of transportation services function of the OUTBoard (Peter Murphy)
 - iii. Endorsement of BOCC Action: OPT Americans with Disabilities Act (ADA) Plan. (Bret Martin and Peter Murphy)
 - iv. Endorsement of BOCC Action: OPT Title VI of the Civil Rights Act Plan. Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Introduction to the Title VI Plan to be provided at the meeting. (Bret Martin and Peter Murphy)
 - v. Information Item: National County Government Month (April) Transportation Themed Event(s)

OUTBoard Action: Receive information, discuss and provide comments; and endorse BOCC actions on ADA Plan and Title VI Plan

- 8:10 5.b. Draft Statewide Transportation Improvement Program (STIP) – Review Planning staff’s comments on the Draft STIP. The Draft STIP can be viewed at the following link: <https://connect.ncdot.gov/projects/planning/DraftSTIPDivisionFiles/Division%2007.pdf> (Bret Martin and Abigaile Pittman)

OUTBoard Action: Receive information, and provide any comments the Board may have

- 8:30 6. **Staff Updates**
- Bicycle Safety – Update on the BOCC petition for Planning staff to work with the OUTBoard to discuss bicycle safety (Abigaile Pittman)

OUTBoard Action: Receive updates

- 8:50 7. **Board Comments**

OUTBoard Action: Receive comments

Upcoming Future Agenda Items

- 8:55 8.
- a. Bicycle safety review and comment (Abigaile Pittman)
 - b. Transportation related technologies review (Peter Murphy)

Adjournment - The OUTBoard's next meeting will be April 15, 2015

- 9:00 9.

Charge of the OUTBoard (from Section I, Part C of the adopted Rules and Procedures)

1. *The OUT Board is charged with advising the Board of County Commissioners on the planning and programming of transportation infrastructure improvements and other County transportation planning initiatives, as directed by the Board.*
2. *From time to time the OUT Board may be directed to provide input on regulations on which the Planning Board has primary statutory and local ordinance advisory duties. In such instances, the OUT Board shall serve in an advisory capacity to the Planning Board.*

Meetings (from Section IV, Part C of the adopted Rules and Procedures)

C. Date, Time, and Location of Regular Meetings

3. *Regular meetings of the OUT Board shall be held as needed to address items that require Board action consistent with its Charge and Duties identified herein. Meetings are held on the third Wednesday of the month. The start time and location of the meeting shall be included on the agenda and shall typically be 7:00 p.m. at the Orange County West Campus Office Building located at 131 West Margaret Lane, Hillsborough. The OUT Board Chair, in consultation with staff, shall have the authority to change the start time and location of a regular meeting to meet any special circumstances, provided the information is included on the distributed agenda.*

MINUTES
ORANGE UNIFIED TRANSPORTATION BOARD
DECEMBER 17, 2014

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MEMBERS PRESENT: Paul Guthrie, Chapel Hill Township Representative; Alex Castro, Bingham Township Representative; Brantley Wells, Hillsborough Township Representative; Heidi Perry, Bicycle Advocate Representative; Ted Triebel, Little River Township Representative; Ed Vaughn, Cedar Grove Township Representative; Art Menius, Economic Development Commission; Tom Magnuson, Pedestrian Access & Safety Advocate;

MEMBERS ABSENT: Gary Saunders, CFE Representative; Amy Cole, Transit Advocate; Cheeks Township Representative- Vacant; Planning Board Representative – Vacant; Eno Township Representative - Vacant;

STAFF PRESENT: Abigaile Pittman, Transportation/Land Use Planner

AGENDA ITEM I: CALL TO ORDER AND ROLL CALL

AGENDA ITEM II: APPROVAL OF MINUTES FOR APRIL 16, 2014

Minutes were approved with correction by consensus

AGENDA ITEM III: CONSIDERATIONS OF ADDITIONS TO THE AGENDA

AGENDA ITEM IV: REGULAR AGENDA
OUTBoard Input for County Commissioners’ Annual Planning Retreat
Continuation of discussion and completion of the activities and emerging issues lists for 2015, to be included in the BOCC Annual Planning Retreat Input Form.
OUTBoard Action: Complete, recommend and submit the activities and emerging issues lists 2015, to be included in the BOCC Annual Planning Retreat Input Form.

Abigaile Pittman reviewed the highlighted additions and discussed bike lane funding processes used by other regions under new legislation. She suggested that the OUTBoard may want to request the BOCC to send a resolution to the DCHC MPO endorsing banding with the other divisions in our “group” to revise the prioritization criteria for highway bike lane projects, because it has to be done as a group.

Members discussed a wish list of wants for bike lanes, and 2-foot widening of existing roads during resurfacing. Abigaile Pittman pointed out there has previously been OUTBoard concern about a lack of coordination from NCDOT when they do projects and suggested a dialogue prior to NCDOT starting a project with a contractor.

OUTBoard requested that the list of roads scheduled for maintenance be provided at the next meeting.

Paul Guthrie stated that the immediate rail issue is to get status reports from Hillsborough concerning where they are in the train station process because it will have the biggest impact on heavy rail. For heavy rail the crossings are a political issue of the County Board which is going to happen one way or another.

Members discussed the pros and cons of light rail versus commuter rail and the locations and times.

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55 Abigaile Pittman informed the members that 4 times a year the Board will meet to discuss transit related items
56 concerning OPT and when that happens representatives from other County departments will attend.

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58 Paul Guthrie advised that Abigaile have the OUTBoard charge incorporated into the Memo from Craig Benedict.

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60 The OUTBoard members approved the draft annual work plan as amended by consensus.

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63 **AGENDA ITEM V: STAFF UPDATES**

64 Release of Draft STIP for Division 7

65 **OUTBoard Action:** Receive updates

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67 Abigaile Pittman reviewed the schedule for the OUTBoard and updated them on revisions and status of current
68 projects and upcoming projects. Abigaile informed the Board that going forward the OUTBoard will meet
69 between 6 and 8 times a year next year.

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71 Abigaile Pittman pointed out some of the highlights from the Draft STIP for Division 7.

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73 Heidi Perry asked Abigaile to create a history of how the projects got on the list as the new members are not
74 familiar with how they came to be.

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77 **AGENDA ITEM VI: BOARD COMMENTS**

78 **OUTBoard Action:** Receive comments.

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80 Abigaile Pittman informed the OUTBoard that the next meeting will be held February 18.

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82 Paul Guthrie informed that Board that he will be contacting Craig Benedict to have a conversation and will then
83 send out a memo to the OUTBoard members summarizing his thoughts on the conversation.

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86 **AGENDA ITEM VII: ADJOURNMENT**

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88 The meeting was adjourned by consensus.

**ORANGE COUNTY
ORANGE UNIFIED TRANSPORTATION BOARD (OUTBoard)
ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 18, 2015**

**Action Agenda
Item No. 5.a.ii.**

SUBJECT: Review Importance of Transportation Services Function of the OUTBoard

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

N

ATTACHMENT(S):

INFORMATION CONTACT:

Peter Murphy, Transportation Manager,
OPT, 245-2002

PURPOSE: To review the Transportation Services function of the OUTBoard.

BACKGROUND:

Legal Requirement for Recipients of Federal Section 5311 Funds:

Orange County is a sub-recipient of the State of North Carolina to receive federal Section 5311 funds for Orange Public Transportation (OPT) services provided within the county's non-urbanized areas.

Specifically, the Section 5311 program intends to: (1) enhance the access of people in nonurbanized areas to health care, shopping, education, employment, public services and recreation; (2) assist in the maintenance, development, improvement and use of public transportation systems in nonurbanized areas; (3) encourage and facilitate the most efficient use of all transportation funds used to provide passenger transportation in nonurbanized areas through the coordination of programs and services; (4) assist in the development and support of intercity bus transportation; and (5) provide for the participation of private transportation providers in nonurbanized transportation.

To continue receiving Section 5311 funding in support of OPT services the County must have a locally formed advisory group made up of representatives from the County's public human service agencies, transportation providers, public and business sectors, government affiliates, and transit users, as well as representatives from elderly, minority, and limited English proficiency populations, etc.

History:

The County's I has been in existence since 1992 when it was operating under the name of the Transportation Services Board (TSB). In June, 2010 OPT and the BOCC approved the administration of the TSB to be moved from the Aging Department to the Planning Department, and the function was incorporated into the Orange Unified Transportation Board (OUTBoard).

Current Status:

In order to more fully meet requirements for Section 5311 funding, Planning and Orange Public Transit (OPT) staff has:

1. Expanded the transportation services/OPT advisory function by adding transit topics to OUTBoard agendas on a quarterly basis.
2. Requested that supplemental staff from other County departments (Aging; DSS; Housing, Human Rights and Community Development; Health; Child Support Enforcement; and the Library) attend OUTBoard meetings on a quarterly basis for the portion of the agenda that is transit specific. A representative from Triangle Transit Authority (TTA) will also be invited to attend.
3. Included OPT Transportation Administrator, Peter Murphy, on the agenda for the community transportation system to maintain ongoing communications as one means of seeking public involvement, and ongoing administrative oversight.

Nature of Future Discussion Items:

The Board is expected to discuss unmet needs in the service area, service design and scheduling, billing rates and fares, and to resolve complaints. They also monitor compliance with federal regulations and the status of any deficiencies noted in any official federal, state or local review or report.

RECOMMENDATIONS: The Staff recommends the OUTBoard and any additional County staff representatives:

1. Receive the information.

**ORANGE COUNTY
ORANGE UNIFIED TRANSPORTATION BOARD (OUTBoard)
ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 18, 2015**

**Action Agenda
Item No. 5.a.iii.**

SUBJECT: Orange Public Transportation Americans With Disabilities Act (ADA) Plan

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

N

ATTACHMENT(S):

1. Draft ADA Plan
2. Public Meeting, Public Hearing and 30-Day Public Comment Period Notice
3. Resolution of Adoption

INFORMATION CONTACT:

Bret Martin, Transportation Planner, 245-2582
Peter Murphy, Transportation Administrator,
245-2002

PURPOSE: To consider endorsement of the Board of County Commissioners (BOCC) action on March 17, 2015, regarding the draft Orange Public Transportation Americans with Disabilities Act (ADA) Plan.

BACKGROUND: The Americans with Disabilities Act (ADA) requires Orange Public Transportation (OPT) to extend complementary ADA-accessible paratransit (disabled) service to eligible persons within 3/4-mile of its fixed-route service on dates and during times concurrent with normal fixed-route operations. In order to show compliance with this requirement, each system providing fixed-route service is required to draft and adopt an ADA plan detailing how the service will be provided, as well as the eligibility certification process for ADA-eligible clients. OPT currently provides two (2) fixed routes and will be expanding to provide two (2) more this spring. The system will also be expanding the hours of operation associated with existing routes. As a result of such profound growth in the system, OPT has updated its ADA plan to reflect an ADA service plan and service area that captures this expanded system of services (Attachment 1).

Public Involvement:

To facilitate public participation in the plan's development, Orange County transportation planning staff advertised a public meeting (February 12, 2015), public hearing (March 17, 2015), and 30-day public comment period that began February 3, 2015 and terminated March 5, 2015 (Attachment 2). The public meeting on February 12th involved a presentation of the plan and a question/answer session for public attendees. The public meeting was also used to collect any comments from attendees. In addition to soliciting public comments, Orange County transportation planning staff also solicited comments from specific agencies that might have an interest in the plan, including:

- 1) Orange County Department on Aging;
- 2) Orange County Department of Social Services;

- 3) Orange County Department of Housing, Human Rights and Community Development;
- 4) Alliance of Disability Advocates; and
- 5) Project Compassion

A public hearing for the draft ADA plan is required by federal law. The public hearing for OPT's draft plan is scheduled to occur before the BOCC at its March 17, 2015, meeting, and OUTBoard members were invited to attend.

NEXT STEPS: The 30-day public comment period closed on March 5, 2015. Following the public hearing and the BOCC's review and consideration of adoption by resolution (Attachment 3) of the draft ADA plan on March 17, 2015, the OUTBoard is being asked to endorse the BOCC action. The ADA plan will then be forwarded for review and approval to agencies that require the plan for grant eligibility, such as NCDOT and the Federal Transit Administration. Once approved by those agencies, the plan will be published as OPT's official ADA plan and implemented accordingly before expansion services begin this spring.

RECOMMENDATIONS: The Staff recommends the OUTBoard:

1. Review the BOCC's action on March 17, 2015, regarding the Orange Public Transportation ADA Plan; and
2. Endorse the BOCC's action.



ORANGE PUBLIC TRANSPORTATION ADA PARATRANSIT PLAN

Information About Entity Submitting Plan:

Orange County/Orange Public Transportation
P.O. Box 8181
600 Highway 86 N
Hillsborough, NC 27278
Office: (919) 245-2008
Fax: (919) 732-2137

Contact for Plan: Bret Martin, AICP, Orange County Transportation Planner
brmartin@orangecountync.gov

Introduction:

Transit Requirements of ADA

The Americans with Disabilities Act of 1990 (ADA) requires that public entities that operate non-commuter fixed-route transportation services also provide complementary paratransit service for individuals whose disabilities make them unable to use the fixed-route system. In addition, public entities subject to the ADA regulations must develop and administer a process for determining if individuals who request service meet the regulatory requirements for eligibility.

Essentially, the ADA requires that paratransit service be “comparable” to the fixed-route service in terms of service levels and availability. There are six (6) service criteria that are used to evaluate ADA paratransit service comparability to the fixed route. These criteria only represent the minimum service standards and can be exceeded if the local governing body so chooses. The six (6) basic criteria for determining ADA comparability to fixed-route service are as follows:

- 1) Availability in the same area served by fixed routes. Specifically, service must be made available to all origins and destinations within a width of $\frac{3}{4}$ of a mile on each side of each fixed route. This includes an area within $\frac{3}{4}$ of a mile radius at the end of each fixed route as well;
- 2) Available to any ADA-paratransit-eligible persons at any requested time on any particular day during which fixed-route vehicles are operating for the respective $\frac{3}{4}$ -mile radius in response to a request for service made the previous day;
- 3) ADA paratransit fares that are no more than twice the fare that would be charged to an individual paying full fare for a trip of similar length, at a similar time of day on the fixed-route system;
- 4) There can be no trip restrictions or priorities based on trip purpose;



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- 5) Service must be made available to eligible persons on a next-day basis; and
- 6) There can be no constraints on the amount of service that is provided to any eligible person. Specifically, there can be no operating practice that significantly limits the availability of service to ADA-paratransit-eligible individuals.

ADA paratransit service must be provided to all individuals who are unable, because of their disability, to use the fixed-route system, some of the time or all of the time. The criteria for determining eligibility are also regulated by the ADA, and Orange Public Transportation (OPT) must have a documented process in place to determine if an individual qualifies for ADA service.

Who is Entitled to ADA Paratransit Services?

There are three (3) major categories of individuals who are required to be served based upon their functional disability interacting with conditions of the service and surrounding environment:

- 1) Persons who are unable to board, ride, or disembark from accessible fixed-route vehicles as a result of their disability.
- 2) Persons who could use accessible fixed-route services, but such services are being operated using vehicles that are not fully accessible.
- 3) Persons who cannot travel to or from a bus stop because their disability prevents it.

It is important to emphasize that only those persons who are **prevented** from using fixed-route services because of their disability are required to be served by ADA paratransit, rather than individuals who would have difficulty using fixed-route services but could, in fact, use it. Within the ADA paratransit requirements, there are also provisions relating to the transportation of personal care attendants, other traveling companions, and persons visiting from other areas.

Difference Between ADA Paratransit and Other Types of Paratransit Services Provided by OPT:

ADA paratransit is quite different from other types of demand-response and specialized transit services provided by OPT in that its service parameters are highly prescribed by federal regulation. ADA paratransit is required only for a narrowly defined population of individuals who are unable to use fixed-route service because of their disability, unlike OPT's Elderly and Disabled Transportation Assistance Program (EDTAP), which serves any elderly person 60 years of age or older or any individual with a disability. EDTAP-funded services also only provide transportation to medical appointments as opposed to trips for other purposes, which is required of federal regulations pertaining to ADA paratransit.



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ADA paratransit also requires a much higher level of service than is provided under EDTAP in terms of response time, days and hours of service, and capacity constraints. For this reason, it is generally recommended that locally operated transit systems treat these programs as two (2) distinct services. While both services may be operated using the same vehicles and drivers, certification processes and community outreach should clearly differentiate between the programs to ensure that EDTAP registrants do not expect the same level of service as ADA paratransit registrants.

Orange Public Transportation Background:

Orange Public Transportation (OPT) is a division of the Planning and Inspections Department of Orange County government that operates fixed-route, demand-response, contract, and subscription services throughout Orange County, North Carolina, for both general public and human service transportation needs. OPT operates under the unofficial name "Orange Bus."

Orange Public Transportation's (OPT's) service area generally involves all areas of Orange County excluding the Chapel Hill Transit service area located in the southeastern portion of the county (**Exhibit 1**). The population of this service area is roughly 56,986 persons and involves both rural outlying portions of the county and more urbanized areas located along the I-40/I-85 and U.S. 70 corridors extending through the central part of the county. OPT provides specialized demand-response, contract and subscription service to persons deemed eligible for such services within this area. One of OPT's fixed routes connects the OPT service area to the Chapel Hill Transit service area and serves a small population of those making trips within the Chapel Hill Transit service area.

In the spring of 2015, OPT will begin providing additional fixed-route and deviated fixed-route services throughout Orange County that will expand the general public fixed-route or deviated fixed-route service provided by a total of approximately 6,560 service/revenue hours, a 234% increase in service/revenue hours over what is currently provided. Of these additional service hours, 5,000 service hours will be purely general public fixed-route service. When fixed-route service is provided, complementary paratransit service is federally mandated by the ADA. This document shall serve as the plan for complying with ADA paratransit requirements.

Description of Current Fixed-Route System:

Currently, OPT operates two (2) general public fixed routes. One such route is the Hillsborough Circulator, which serves major origins and destinations in Hillsborough with hourly headways during the hours 8:00am-12:00pm and 1:00pm-5:00pm, Monday through Friday. This route is operated using one (1) wheelchair accessible vehicle (with an electric wheelchair lift) that is 100% accessible to and usable by persons with disabilities. No fare is collected for riding the Hillsborough Circulator service. The location of the Hillsborough Circulator and its schedule and stop locations are provided in **Exhibit 2**.



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The other fixed route, the Hillsborough to Chapel Hill shuttle (“Route 420 Middy”), serves major origins and destinations in and between Hillsborough and Chapel Hill Monday through Friday during the hours 10:00am-11:25am and 1:00pm-2:25pm. The 10:00am-11:25am and 1:00pm-2:25pm time periods each involve the operation of one (1) wheelchair accessible vehicle (equipped with an electric wheelchair lift) that is 100% accessible to and usable by persons with disabilities traveling from Hillsborough to Chapel Hill and back. The fare for this service is \$2.00 each way for the general public, \$1 each way for persons with disabilities, and free for persons 60 years of age or older. A schedule of stop locations and service times for the Hillsborough to Chapel Hill shuttle is provided as **Exhibit 3**.

Description of Current Paratransit Services:

OPT currently provides the following transportation services that involve the provision of ADA-compliant paratransit service:

Elderly and Disabled Transportation Assistance:

Service is provided to persons 60 years of age or older and to persons of any age with a disability using EDTAP funding appropriated to Orange County by the State. These funds are supplemented by a local match and additional general County operating funds appropriated by the Orange County Board of County Commissioners (BOCC) annually. The service is provided to medical appointments primarily located within Orange and Durham Counties and involves a fare of \$3.00 each way for all patrons. This service is provided on a demand-responsive, point deviation basis in which advance reservations for pick-ups and drop-offs are made at least two (2) business days in advance and routes are structured to efficiently collect clients for a shared ride to medical-related destinations. The service currently involves the provision of door-to-door assistance by vehicle operators for persons who lack the independent ability to access the vehicle from the street, and the vehicles used to provide the service are 100% accessible to and usable by persons with disabilities. The vehicles are equipped with electric wheelchair lifts.

Medicaid Transportation:

Through agreement with the Orange County Department of Social Services, OPT provides door-to-door transportation to medical appointments for persons enrolled in Medicaid. These services are funded through a billing arrangement between OPT and the Department of Social Services and are provided on a demand-responsive, point deviation basis in which advance reservations for pick-ups and drop-offs are made at least two (2) business days in advance. Pick-ups and drop-offs for Medicaid clients are intermingled with those for EDTAP clients, and routes are structured to efficiently collect clients for a shared ride to Medicaid-funded, medical-related destinations. The service currently involves the provision of door-to-door assistance by vehicle operators for persons who lack the independent ability to access the vehicle from the street, and the vehicles used to provide the service are 100% accessible to and usable by persons with disabilities. The vehicles are equipped with electric wheelchair lifts.



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Senior Center Transportation:

Through agreement with the Orange County Department on Aging, OPT provides daily transportation (Monday-Friday) to two (2) Orange County senior centers. The service is funded using Home and Community Care Block Grant (HCCBG) funding appropriated to the Department on Aging and is provided at no cost to seniors electing to use the service. The service is provided on a subscription, point deviation basis in which standing reservations for pick-ups at residences and drop-offs at senior centers are maintained by patrons. Routes are structured to efficiently collect clients for a shared ride to the senior centers. The service currently involves the provision of door-to-door assistance by vehicle operators for persons who lack the independent ability to access the vehicle from the street. The vehicles used to provide the service are 100% accessible to and usable by persons with disabilities. The vehicles are equipped with electric wheelchair lifts.

General Public Demand-Response Transportation:

General public demand-responsive, point deviation service is provided to persons throughout Orange County who request pick-ups outside the Chapel Hill Transit service area. These services are funded using Rural Operating Assistance (ROAP) funding appropriated to Orange County by the State and supplemented by user fares and the County's general operating fund. The service is provided for any trip purpose and involves a \$12.75 fare each way. Pick-ups and drop-offs for users are intermingled with those for users of other specialized services throughout the county, and routes are structured to efficiently collect users for a shared ride, in many cases with users of other services, to any destination within the County. Advance reservations for the service are required to be made two (2) business days in advance. The service currently involves the provision of door-to-door assistance by vehicle operators for persons who lack the independent ability to access the vehicle from the street, and the vehicles used to provide the service are 100% accessible to and usable by persons with disabilities. The vehicles are equipped with electric wheelchair lifts.

Fixed-Route Transportation:

ADA paratransit service for OPT's fixed routes is provided through a combination of separate ADA dial-a-ride complementary service and deviation of regular fixed-route vehicles for ADA-eligible scheduled pick-ups and drop-offs within $\frac{3}{4}$ -mile of the fixed-route corridors served depending on which method can most efficiently and effectively be dispatched to serve the requested trip without compromising the rights of the ADA-eligible user and the timing and service integrity associated with fixed-route service. The $\frac{3}{4}$ -mile buffer surrounding OPT's existing fixed-route bus service corridors within which OPT is responsible for providing ADA paratransit service is depicted in **Exhibit 4**.

While OPT is still responsible for providing ADA paratransit service within $\frac{3}{4}$ -mile of its fixed-route bus service corridor that overlaps Chapel Hill Transit's $\frac{3}{4}$ -mile bus service corridors during the same days and hours the fixed-route service is provided, OPT does not typically receive requests to provide the service because Chapel Hill Transit provides the



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same service at no charge to the user. There is no fare for ADA-eligible users to take advantage of this service within ¾-mile of the Hillsborough Circulator route, and the fare is \$4.00 each way to take advantage of the service within ¾-mile of the Hillsborough to Chapel Hill Shuttle (“Route 420 Middy”), which is twice the full fare for the general public for using the fixed-route portion of the service. Both the fixed-route vehicles that are dispatched to deviate for scheduled pick-ups and drop-offs and vehicles used to provide separate complementary service are 100% accessible to and usable by persons with disabilities and are equipped with electric wheelchair lifts.

General Service Details:

For demand-responsive specialized transportation services, under normal circumstances, customers ride no more than one hour to reach their desired destination, and customers are delivered to their destinations on time. All specialized demand-response services are provided within a one (1)-hour window to maximize the active fleet’s available resources. Pick-up times are up to one (1) hour before the scheduled appointment with the actual pick-up times being anytime within that hour. Return trips home are provided within a one (1)-hour window. Currently there are no capacity constraints placed on ADA-eligible users of the system for either the specialized services or the fixed-route services.

For fixed-route service, reservations are taken from up to 14 days in advance of the scheduled service date until the day preceding the day of service for any trip purpose and for service from any origin to destination during the same days and times of operation and within the respective ¾-mile buffer of each respective fixed-route. Reservation service is available during the normal business hours of OPT’s administrative offices, as well as during the same time as OPT’s normal administrative business hours on days when the offices are closed preceding a service day.

Description of Current Eligibility Determination Process:

Requirements of Transit System:

As previously noted, there are three (3) major categories of individuals who are required to be served based on their functional disability upon interacting with conditions of the service and the surrounding environment:

- 1) Persons who are unable to board, ride, or disembark from accessible fixed-route vehicles as a result of their disability. This includes persons with mental or visual disabilities who cannot navigate the transit system.
- 2) Persons who could use accessible fixed-route services, but such services are being operated using vehicles that are not fully accessible. This includes persons who require a lift or ramp to board a bus. *Because OPT uses 100% accessible vehicles for its general public and specialized services, this category of persons is inapplicable.*



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- 3) Persons who cannot travel to or from a bus stop because their disability prevents it. This includes persons whose path of travel between their origin or destination and the bus stop is inaccessible, such as persons who use wheelchairs but cannot get to or from the bus stop because there is no sidewalk or the sidewalk is blocked (by lack of accessible curb cuts or a barrier that reduces the width of the sidewalk to less than three (3) feet). It also includes persons whose specific disability otherwise prevents them from traveling to or from or waiting at a bus stop, such as persons whose health would be endangered by certain weather conditions during this phase of the trip.

Orange Public Transportation's ADA paratransit service eligibility application screens for **functional** disability in order to control service demand and reserve assistance for eligible persons who are prevented from reaching fixed-route stops due to their disability. It is important to emphasize that only those persons who are prevented from using fixed-route services because of their disability are required to be served by ADA paratransit, rather than individuals who would have difficulty using fixed-route services but could use it.

A formal ADA eligibility determination process is part of federal ADA paratransit requirements. As such, OPT's ADA eligibility application is used to determine ADA paratransit eligibility (**Exhibit 5**). There are also requirements for transporting personal care attendants (PCAs), other traveling companions, persons visiting from other areas on ADA paratransit, and the eligibility determination process itself. The application requires certification from a certified and/or licensed professional as to the presence of a permanent or temporary disability preventing the applicant from reaching public transportation fixed routes. The application also collects personal care attendant (PCA) information and information explaining the eligibility determination process.

Determination of Eligibility:

A determination of whether individuals with disabilities are certified eligible for service is made by completing the attached application and submitting it to the OPT administrative offices (**Exhibit 5**). Applications are taken by phone, email, fax, or in-person by OPT staff. Applicants are required to provide verification of their disability from a certified and/or licensed professional (doctor, psychiatrist, social worker, case manager, etc.), and documentation as to why they are unable to access fixed-route service must be provided. **A determination of eligibility is made in these cases based on the functional ability or inability of a person to access fixed-route service and not solely on their disabled status.**

Applicants may be determined eligible for some trips and not others depending on circumstances, and eligibility can be temporary based on a temporary disability. ADA service may also be used as a feeder route to transport individuals to the closest public transportation route, which they can then access. Applicants are notified of their eligibility status by mail within 21 days of submitting a **completed** application. An eligibility decision



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may be full or conditional based on the day or functional ability to make trips. If applicants are not notified within the 21-day timeframe, they are presumed eligible and provided service until such time a determination is made. All applications are updated annually. Once a determination of approval is made, the registrant/passenger is added to an eligibility list and can begin scheduling trips.

Personal Care Attendants/Traveling Companions:

The need for a PCA must be noted during the application process. PCAs are not charged a fare for accompanying an eligible registrant. In addition to a PCA, registrants may have one traveling companion accompany them who pay the price paid by the ADA registrant. Additional traveling companions are allowed on a space-available basis only and are subject to the ADA fare. Traveling companions and PCAs must have the same origin and destination as the customer.

Visitors to the Transit System:

ADA transportation service is provided to eligible visitors. Visitors are presumed eligible for service after providing documentation of their ADA paratransit eligibility in the jurisdiction within which they reside. If a visitor is unable to provide this documentation, documentation of the applicant's place of residence is required as well as documentation of his/her disability if the disability is not readily apparent. These persons are additionally required to sign a certification that they are unable to use fixed-route transit.

ADA paratransit is provided to eligible visitors for no more than 21 days during a rolling 365-day period. After 21 days of service within this timeframe, applicants/registrants are required to complete OPT's full eligibility process, which involves completing an application and providing professional documentation of ADA transportation eligibility.

Determination of Ineligibility and Appeals:

If it is determined that a person is not eligible for ADA service, he/she is notified in writing of the reason(s) in a denial letter and will be given 60 days to appeal the decision. If a request for appeal is received, OPT must render a decision within 30 days. Services are not provided during this review process. Instructions for appeal that are provided to applicants that are determined ineligible for ADA paratransit service are provided in **Exhibit 6**.

The administrative appeals process provides the applicant the opportunity to be heard and to present information to a third party not involved in the initial determination. The County's designated hearing/appeals officer is the OPT Administrator, who is not involved in initial eligibility determinations. A date, time, and location for the meeting to discuss the applicant's appeal are sent to the applicant by mail within five (5) working days of the appeal request being received. The meeting is held and a decision rendered within the required 30 days. Should a decision not be rendered within 30 days, the applicant is provided ADA service after the 30-day period until such time a decision is reached. The applicant is **not** provided service during the 30-day appeal period.



ORANGE PUBLIC TRANSPORTATION ADA PARATRANSIT PLAN

ADA paratransit service may also be affected by a pattern of no-shows in which ADA-eligible registrants abuse the service by making reservations but not appearing to make use of the service. To avert the detrimental effects of this behavior on the effectiveness and efficiency of the service, OPT has adopted an ADA paratransit service no-show policy (**Exhibit 7**).

Description of Proposed Complementary Paratransit Service:

As previously noted, in spring 2015, OPT will begin providing additional fixed-route and deviated fixed-route services throughout Orange County that will expand the general public fixed-route or deviated fixed-route service provided by a total of approximately 9,310 service/revenue hours. With the addition of the fixed-route service, complementary paratransit service is federally mandated by the ADA. For the additional deviated fixed routes, curb-to-curb service will be provided for general public, non-ADA-eligible patrons as well as ADA-eligible registrants for those requesting a deviation. The fare for a requested deviation for both will be twice the general public fare as for those persons accessing the deviated fixed-route service at the fixed stop locations.

Table 1 summarizes these services and the proposed ADA service type associated with each. **Exhibit 8** depicts the locations of these service corridors and the ¼-mile buffer surrounding the corridors within which OPT will be responsible for providing ADA paratransit service during the service times indicated for each in **Table 1**.

Table 1: Summary of New/Expanded and Existing Fixed-Route Services Beginning Spring 2015

Service/Route	Service Days	Service Times	ADA Service Type	Fare
Orange-Alamance Connector	Monday-Friday	10:00am-3:00pm	Combination of separate dial-a-ride service and fixed-route deviation	\$2 general public/\$4 ADA
Efland-Hillsborough Commuter Loop	Monday-Friday	6:00am-9:00am and 4:00pm-7:00pm	Combination of separate dial-a-ride service and fixed-route deviation	\$2 general public/\$4 ADA
Cedar Grove-Hillsborough-Chapel Hill Shuttle	Monday-Friday	10:00am-3:00pm	Combination of separate dial-a-ride service and fixed-route deviation	\$2 general public/\$4 ADA
Hillsborough Circulator	Monday-Friday	8:00am-5:00pm	Combination of separate dial-a-ride service and fixed-route deviation	No fare for general public or ADA passengers

The additional fixed-route services are scheduled to begin May 1, 2015. Once the new services commence, the same method of ADA paratransit service currently provided as described in the Description of Current Paratransit Services section of this document will be



ORANGE PUBLIC TRANSPORTATION ADA PARATRANSIT PLAN

implemented and will apply to the new and expanded services. The same eligibility determination process will also apply to the new and expanded fixed-route services.

Estimate of Demand and Description of Estimation Methodology:

The current demand for ADA paratransit service in OPT’s fixed-route ADA service area is estimated at 2.7 paratransit trips per day (based on 2014 data). This estimation is based on an assumption that approximately four (4) percent of trips associated with fixed-route service would be provided as ADA paratransit trips and borrows from the experience of a similar system in a similar hybrid rural/urban environment, Apple Country Transit in Hendersonville, North Carolina. Experiences of other providers in the Triangle region range from a low of approximately 0.9 percent for Chapel Hill Transit to a high of approximately 5.9 percent for Capital Area Transit. As such, the four (4) percent assumption lies safely in the high end of the range for the region. When OPT’s fixed-route ADA service area expands in the spring of 2015, demand is estimated to increase to approximately eight (8) paratransit trips per day.

Complementary ADA paratransit trips are generally more expensive to provide than fixed-route trips or ADA paratransit trips provided as deviations from fixed-route service. However, given that a good portion of OPT’s existing service is provided in a demand response format, OPT can continue to realize the cost per trip benefit of combining complementary ADA paratransit trips with demand response trips provided for other purposes. Consequently, the use of OPT’s existing cost per trip for the system is a good estimation of the cost per trip for those dispatched to service ADA paratransit clients. The current cost per trip for OPT’s demand response service (using 2014 data), including both pure operating and administrative costs, is \$12.85. Assuming a demand of eight (8) ADA paratransit trips per day and 2,000 per year based on an assumption of there being 250 days of service per year, the total cost to provide these trips is anticipated to be \$25,700 per year with an escalation of approximately three (3) percent per year to account for inflation/increases in costs over time.

Operating and Capital Budget for Proposed ADA Paratransit Service:

The operating budget for proposed ADA paratransit service for the next five (5) years is provided in **Table 2** and is based on the estimation of demand explained in the previous section.

Table 2: Five-Year ADA Paratransit Service Operating Budget

Year	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Budget	\$27,265	\$28,083	\$28,926	\$29,793	\$30,687

Based on the anticipated cost per year to absorb the estimated demand for ADA paratransit service and in the manner it is anticipated to be provided, no additional capital needs are foreseen as necessary. OPT vehicles used for fixed-route service that may deviate to provide service to an ADA-eligible client are ADA-accessible and equipped with lifts. OPT vehicles that may be available to provide complementary ADA service independent of fixed-



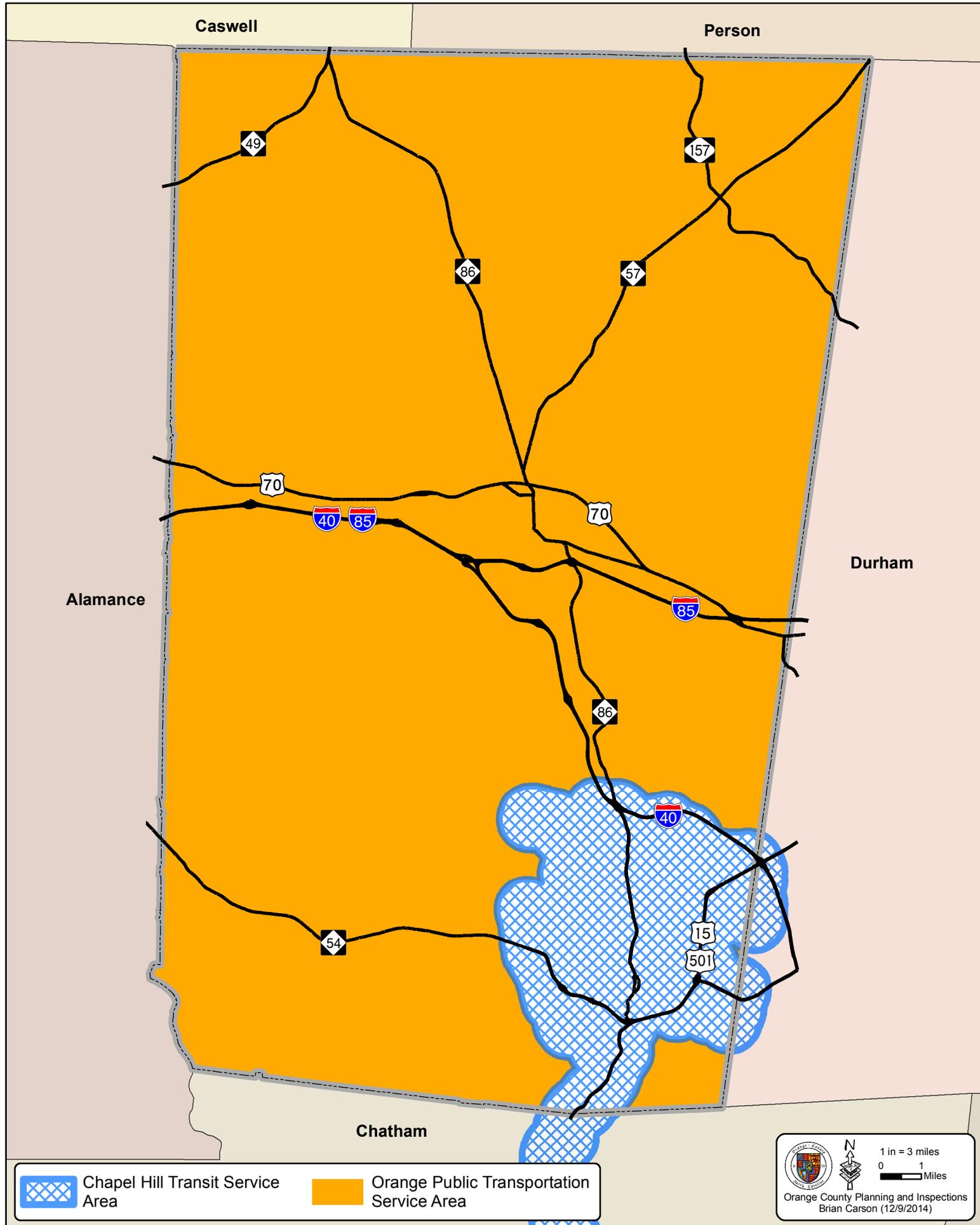
ORANGE PUBLIC TRANSPORTATION ADA PARATRANSIT PLAN

route deviation that also provide other demand response services are also ADA-accessible and equipped with lifts. These vehicles will be used to provide the service exerting no additional demands for capital expenses on the system than what already exists.

Description of Public Participation Process Used to Develop Plan:

To be completed when public participation process is completed.

Orange Public Transportation Service Area





Save Some Cash ... Take the Bus!

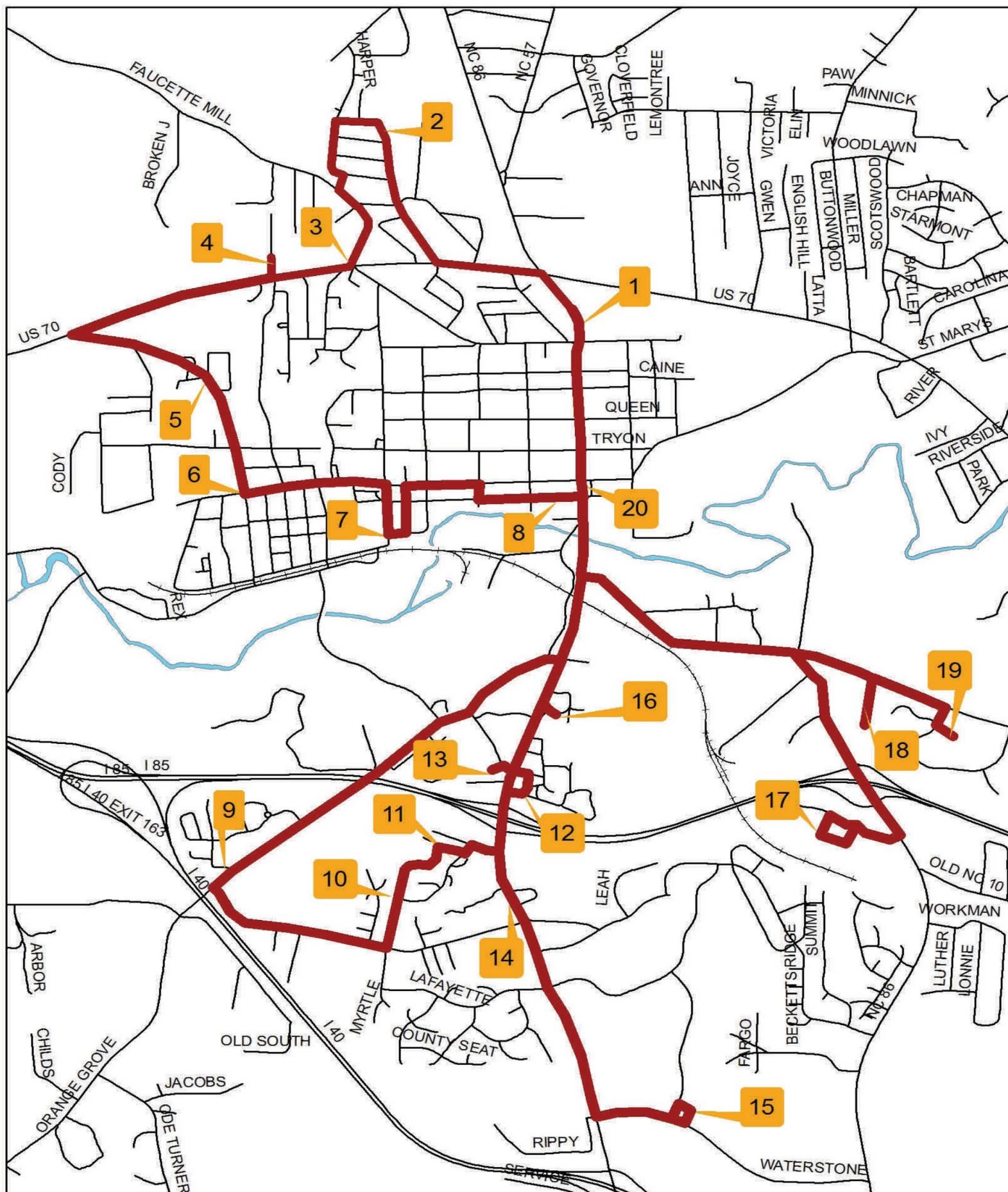
New Schedule with More Stops!

Hillsborough Circulator

A.M. CIRCULATOR BUS SCHEDULE																				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	1
8:00	8:03	8:05	8:06	8:09	8:10	8:12	8:14	8:17	8:20	8:21	8:23	8:24	8:26	8:29	8:35	8:41	8:45	8:48	8:51	8:55
9:00	9:03	9:05	9:06	9:09	9:10	9:12	9:14	9:17	9:20	9:21	9:23	9:24	9:26	9:29	9:35	9:41	9:45	9:48	9:51	9:55
10:00	10:03	10:05	10:06	10:09	10:10	10:12	10:14	10:17	10:20	10:21	10:23	10:24	10:26	10:29	10:35	10:41	10:45	10:48	10:51	10:55
11:00	11:03	11:05	11:06	11:09	11:10	11:12	11:14	11:17	11:20	11:21	11:23	11:24	11:26	11:29	11:35	11:41	11:45	11:48	11:51	11:55

P.M. CIRCULATOR BUS SCHEDULE																				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	1
1:00	1:03	1:05	1:06	1:09	1:10	1:12	1:14	1:17	1:20	1:21	1:23	1:24	1:26	1:29	1:35	1:41	1:45	1:48	1:51	1:55
2:00	2:03	2:05	2:06	2:09	2:10	2:12	2:14	2:17	2:20	2:21	2:23	2:24	2:26	2:29	2:35	2:41	2:45	2:48	2:51	2:55
3:00	3:03	3:05	3:06	3:09	3:10	3:12	3:14	3:17	3:20	3:21	3:23	3:24	3:26	3:29	3:35	3:41	3:45	3:48	3:51	3:55
4:00	4:03	4:05	4:06	4:09	4:10	4:12	4:14	4:17	4:20	4:21	4:23	4:24	4:26	4:29	4:35	4:41	4:45	4:48	4:51	4:55

1- Maxway	6- King Street/West Hill Avenue	11- Gateway Apartments	16- Food Lion
2- Rainey Street	7- South Nash and Calvin Streets	12- Daniel Boone (antiques area)	17- Walmart/Home Depot (around loop)
3- Hester/Whitted/Daye	8- Library	13- Social Services	18- Eno Haven
4- Whitted Forest	9- Timbers Mobile Home Park	14- UNC Family Practice	19- Triangle SportsPlex
5- West Hill Avenue	10- Coachwood Apartments	15- Durham Tech Campus	20- Courthouse



ORANGE PUBLIC TRANSPORTATION (OPT)

MID-DAY SHUTTLE



General Fares - \$2.00 Each Way

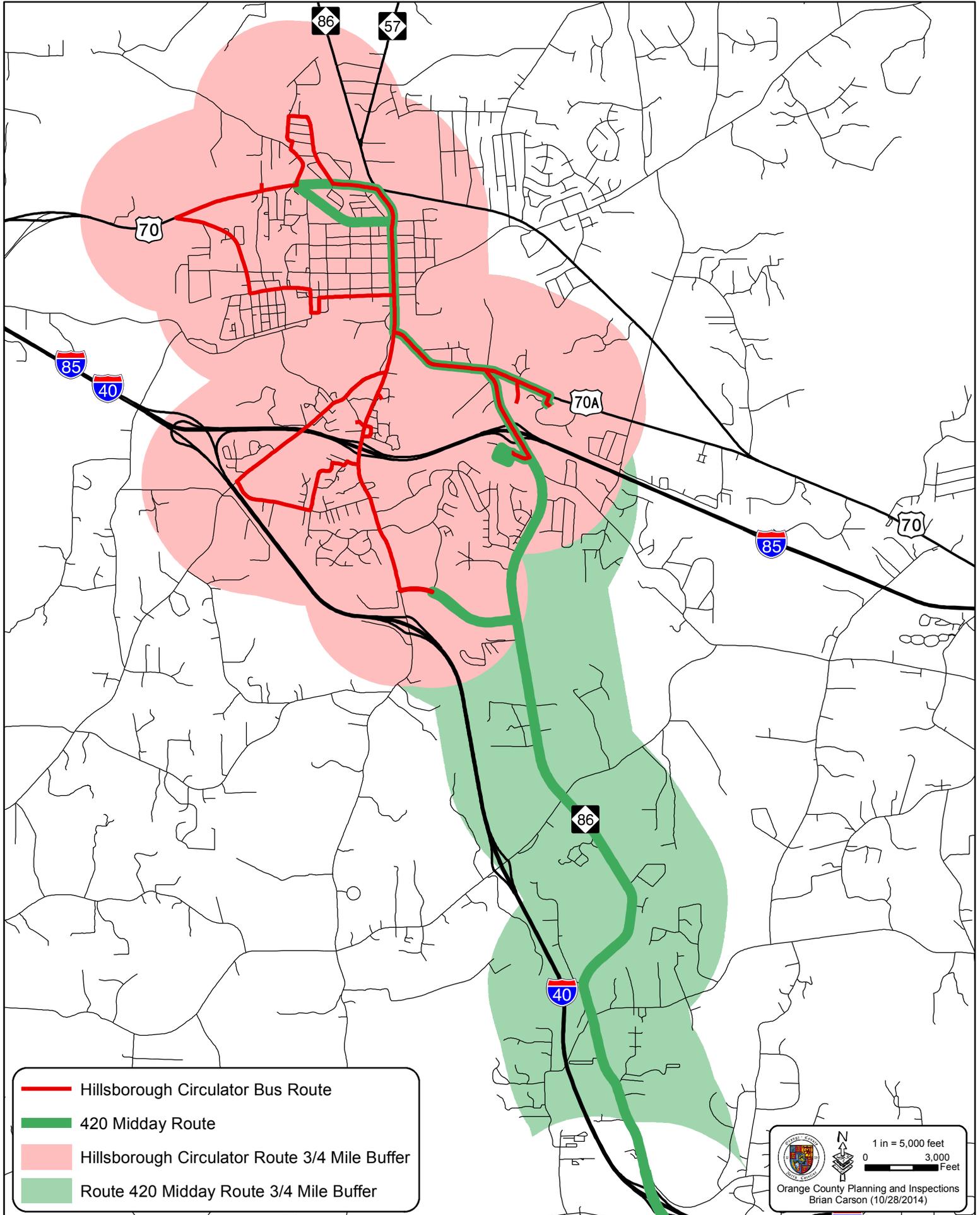
Disabled Fares - \$1.00 Each Way

Senior Citizen (60+) Fares – Free

(OPT does not accept any other transit system passes)

LOCATION	PICK-UP TIMES	
North Hills Shopping Center	10:00 a.m.	1:00 p.m.
Cornelius St.	10:02 a.m.	1:02 p.m.
Revere Rd.	10:04 a.m.	1:04 p.m.
Hillsborough Police Station	10:06 a.m.	1:06 p.m.
Triangle SportsPlex	10:11 a.m.	1:11 p.m.
Hwy 86 at Home Depot	10:14 a.m.	1:14 p.m.
Durham Tech Campus	10:19 a.m.	1:19 p.m.
MLK across from Harris Teeter	10:23 a.m.	1:23 p.m.
Seymour Senior Center	10:25 a.m.	1:25 p.m.
Columbia & Franklin	10:35 a.m.	1:35 p.m.
State Employee's Credit Union	10:38 a.m.	1:38 p.m.
Ambulatory Care Center	10:41 a.m.	1:41 p.m.
Manning Dr at UNC Hospital	10:45 a.m.	1:45 p.m.
Health Science	10:48 a.m.	1:48 p.m.
Sitterson Hall	10:50 a.m.	1:50 p.m.
Columbia & Rosemary	10:52 a.m.	1:52 p.m.
Seymour Senior Center	10:58 a.m.	1:58 p.m.
MLK at Harris Teeter	11:00 a.m.	2:00 p.m.
Durham Tech Campus	11:10 a.m.	2:10 p.m.
Hwy 86 at Home Depot	11:14 a.m.	2:14 p.m.
Triangle SportsPlex	11:17 a.m.	2:17 p.m.
Orange County Court House	11:21 a.m.	2:21 p.m.
North Hills Shopping Center	11:25 a.m.	2:25 p.m.

Hillsborough Circulator and 420 Route Service Areas





ADA Paratransit Eligibility Application Information and Instructions

Orange Public Transportation (OPT) provides complementary paratransit to eligible persons living within $\frac{3}{4}$ -mile of OPT's fixed routes or those visiting locations within $\frac{3}{4}$ mile of the fixed routes.

Through our Complementary Paratransit services, Orange Public Transportation provides an equivalent accessible transportation option to people who are unable to use the fixed-route bus service because of a disability. Orange Public Transportation provides rides, from origin to destination, within the $\frac{3}{4}$ -mile of its fixed routes.

Transportation services are accessed by completing this application and being certified through Orange Public Transportation, or if you are visiting from another area, by providing documentation of ADA certification from a transportation service in another area of the country.

Who should apply for ADA Paratransit services?

- People who are unable to use the fixed-route public bus services because of barriers like steep stairs, busy intersections, hills, lack of curb cuts, lack of sidewalks, unavailability of a lift on a public bus, weather-related heat or cold, difficulty traveling along and/or recognizing new destinations.
- People with mobility impairments due to visual limitations, arthritis, spinal cord injury, or other physical and/or cognitive limitations that are a barrier to using fixed route services.

How do you apply for ADA Paratransit services?

- Complete this application and **sign the Applicant Agreement** section.
- Have your doctor, rehabilitation specialist, or other qualified health care provider complete and sign the professional verification section.
- Send the completed application to:

Orange Public Transportation
PO BOX 8181
Hillsborough, NC 27278

Or fax to: (919) 732-2137

If you need an alternative format of this application or additional information, please contact us at (919) 245-2008 or pmurphy@orangecountync.gov.



ADA PARATRANSIT SERVICE APPLICATION

If you have a **physical or functional disability, as defined by the Americans with Disabilities Act (ADA), which limits you from using Orange Public Transportation’s fixed-route accessible buses**, you may be eligible for Orange Public Transportation ADA Paratransit service. The information obtained in this certification process will be used by to determine your eligibility. The information may be shared with other transit providers to facilitate your travel in other areas.

This application must be **filled out completely**, including the verification of eligibility by a qualified professional. Incomplete applications will be returned to applicants.

Step 1: Complete the General Information Section

Name:
 Last _____ First _____ MI _____

Address:
 Street _____ City _____ State _____ Zip _____

Phone:
 Home _____ Work _____ Cell _____

Date of Birth: _____

Step 2: Information about your disability

1. What disability prevents you from using Orange Public Transportation Fixed-Route Bus Service? Please specify all that apply.

2. How does your disability prevent you from using Orange Public Transportation Bus Service?

3. Please describe the area where you live (e.g., rural, urban, suburban, flat, very steep hill, gradual hill, etc)?



4. Are there sidewalks at your residence? ____ YES ____ NO

5. What is the most difficult part of riding the bus for you?

6. What is the closest bus stop to your home? (Please give location)?

In the next section, please check "Yes," "No," or "Sometimes." If you answer "No" or "Sometimes" to any of these questions, explain your answer in the space below the question.

7. Can you get to this bus stop by yourself?

____ YES ____ NO ____ SOMETIMES

8. Can you board the bus by yourself?

____ YES ____ NO ____ SOMETIMES

9. If vision-impaired, are you able to travel a distance of 200 feet without assistance?

____ YES ____ NO ____ SOMETIMES

10. Are you able to travel a distance of 3 blocks (1/4-mile) without assistance over different types of terrain?

____ YES ____ NO ____ SOMETIMES

11. Able to climb three 12-inch steps without assistance?

____ YES ____ NO ____ SOMETIMES



12. Able to cross: ____ 2-way stop ____ 4-way stop?

____ YES ____ NO ____ SOMETIMES

13. Able to cross traffic light-controlled intersection in the following areas:

____ residential ____ semi-business ____ business

14. If you have a cognitive disability, are you able to give name, address, and telephone numbers upon request?

____ YES ____ NO ____ SOMETIMES

15. Are you able to recognize your destination or landmark?

____ YES ____ NO ____ SOMETIMES

16. Deal with unexpected situations or unexpected changes in routine?

____ YES ____ NO ____ SOMETIMES

17. Ask for, understand, and follow directions?

____ YES ____ NO ____ SOMETIMES

18. Safely and effectively travel through crowded and/or complex facilities?

____ YES ____ NO ____ SOMETIMES



19. Do you use Orange Public Transportation fixed-route buses now? If NO or SOMETIMES, what limits or prevents you from using the buses? (e.g. no sidewalks)

YES NO SOMETIMES

20. Have you ever received any training to use the fixed-route bus service?

YES NO

If not, would you like to participate in training? YES NO

21. If you do not ride Orange Public Transportation fixed-route buses, how do you currently travel? (e.g. family, friends, volunteer drivers)

22. Do you use any of the following assistive devices? Check all that apply:

Manual wheelchair – passenger is able to transfer to a seat

Passenger is not able to transfer to a seat without assistance

High Wheelchair Long Wheel chair Electric Wheelchair

Power Scooter Walker (foldable) Cane

Crutches Service Animal Oxygen

23. If you use a mobility assistance device such as a wheelchair or power scooter, what is the total weight of the device inclusive of the passenger when the device is in use?



APPLICANT AGREEMENT

I agree that, if I am certified for Orange Public Transportation ADA Paratransit, I will pay the exact fare, if required, for each trip. I agree to notify the office of any changes in my status that may affect my eligibility to use the service. I also understand that failure to adhere to the policies and procedures will be grounds for revoking my application and the right to participate in the program.

I understand and agree to hold Orange County and Orange Public Transportation harmless against all claims or liability for damages to any person, property, or personal injury occurring as a result of my failure to equip or maintain the safety of the adaptive equipment or certified guide/service animal that I require for mobility.

I hereby authorize the release of verification information and any additional information to Orange County/Orange Public Transportation for the purpose of evaluating my eligibility to participate in the Program.

I certify that the information provided in this application is true and correct.

Signature

Date

If someone assisted you in completing this application, please provide his/her information and signature below:

NAME: _____ DAYTIME PHONE: _____

ADDRESS: _____

Street _____ Apt. # _____

City State Zip

Signature

Date



The Orange Public Transportation Administrator will review your application and may ask you additional questions. You may also be required to participate in an assessment so we can further evaluate your functional abilities.



Orange Public Transportation ADA Paratransit Appeals Process

Orange Public Transportation staff will carefully review each application to ensure that only qualified persons are approved. Upon completion of review, a letter of certification or denial will be mailed. If your application for ADA paratransit service is denied, you have the right to appeal this decision.

ADA Application Appeals

To appeal the decision, you will need to submit your request in writing sixty (60) days within receipt of the denial letter.

Appeals may be mailed to:

Orange Public Transportation
PO BOX 8181
Hillsborough, NC 27278
Or faxed to: (919) 732-2137
Email to: pmurphy@orangecountync.gov

Your appeal will be heard by an ADA paratransit hearing officer. The ADA paratransit hearing officer is an individual who was not involved in the initial certification process. His/her decision is made independently of the ADA Certification Process.

Upon receipt of your letter, Orange Public Transportation will set up a meeting with the ADA paratransit hearing officer. You will be notified by mail of the date and time of this meeting. You will have the opportunity to submit any additional information and written evidence and/or arguments to support your qualifications for service. You may bring a representative with you to this meeting.

You will be notified of the hearing officer's decision in writing within thirty (30) days of the hearing. The hearing officer's decision is final.



Orange Public Transportation ADA Paratransit No-Show Policy

The mission of Orange Public Transportation (OPT) is to provide quality and efficient ADA paratransit service to passengers while complying with the Americans Disabilities Act (ADA). No Shows, as well as late cancellations, result in wasted trips that could have been used by other passengers. It is the policy of Orange Public Transportation to record each customer's no-shows and apply appropriate sanctions when customers establish a pattern of excessive No-Shows. The policy is necessary in order to recognize the negative impact No-Shows have on the services provided to other passengers.

Procedures

Orange Public Transportation schedules pick-up and return trips separately. We will assume all scheduled return trips are needed unless notice is given by the passenger. If a passenger is a No-Show for the first trip of the day, Orange Public Transportation will automatically cancel subsequent trips for the day. If, however, the passenger does not need the return or other subsequent trip(s), they will need to cancel them as soon as possible out of courtesy for other riders.

If a passenger has been transported to his/her destination but is a "no-show" when the bus returns, the passenger will not be stranded; however, no pick-up window will be guaranteed. Return trips that are not canceled will be counted as a No-Show.

Definitions

The Orange Public Transportation definition of a "No-Show" is any time a driver goes to pick up a customer and he or she decides not to use the service or is not at the pick-up site and has not called to cancel his/her trip at least one (1) hour before the scheduled pick-up time. Customers who call at least one (1) hour before their scheduled pick-up will not be charged with a "No-Show."

If a vehicle arrives at the scheduled location within the scheduled pick-up time window and the bus operator cannot reasonably see the customer approaching the vehicle after waiting three (3) minutes, passengers will be charged with a "No-Show."

We understand emergencies do occur, and "No-Shows" for reasons that are beyond the passenger's control will not be counted. Examples of excused "No-Shows" include but are not limited to:

- Accidents
- Family emergency
- Personal Care Attendant who did not arrive on time to assist the rider
- External acts beyond the control of humans (flood, earthquake, etc.)



“No-Shows” are not excused when the trip is not canceled at least one (1) hour prior to the scheduled pick-up time and is missed for one of the following reasons:

- Passenger did not want to travel today
- Passenger received another ride
- Passenger did not contact the OPT administrative offices to convey that they were not planning to travel.

Should you encounter an emergency situation, please contact Orange Public Transportation as soon as possible to alert transit staff of your circumstances. Taking these proper steps may prevent your trip from being recorded as a “No-Show” and deter from any possible service suspensions.

No Show Policy:

Three (3) “No-Shows” within a 90-day period will result in suspension from the service for up to a period of one (1) month.

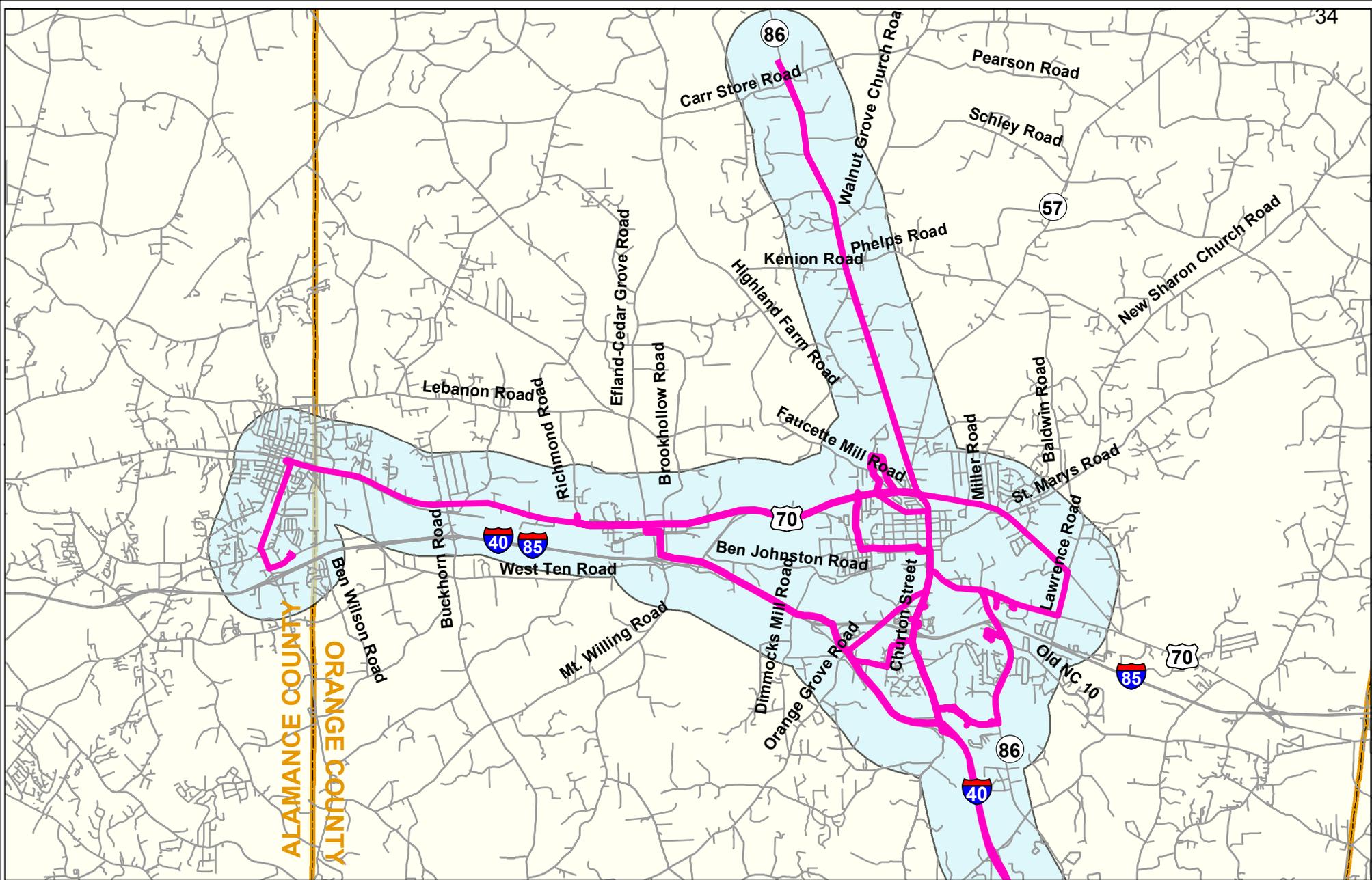
Appeal Process:

If you have been suspended from service and you feel information regarding your “No-Show” is incorrect, you have the ability to submit an appeal. You can appeal in writing to Orange Public Transportation, and a representative will contact the passenger within five (5) working days of receiving the notification to schedule a time to visit regarding the appeal. Appeals are granted at the discretion of the Transportation Administrator.

All appeals must be submitted in writing within 30 days. Please include the time, date and pickup address of the “No-Show” ride you are appealing.

Orange Public Transportation
PO BOX 8181
Hillsborough, NC 27278

Or email at pmurphy@orangecountync.gov



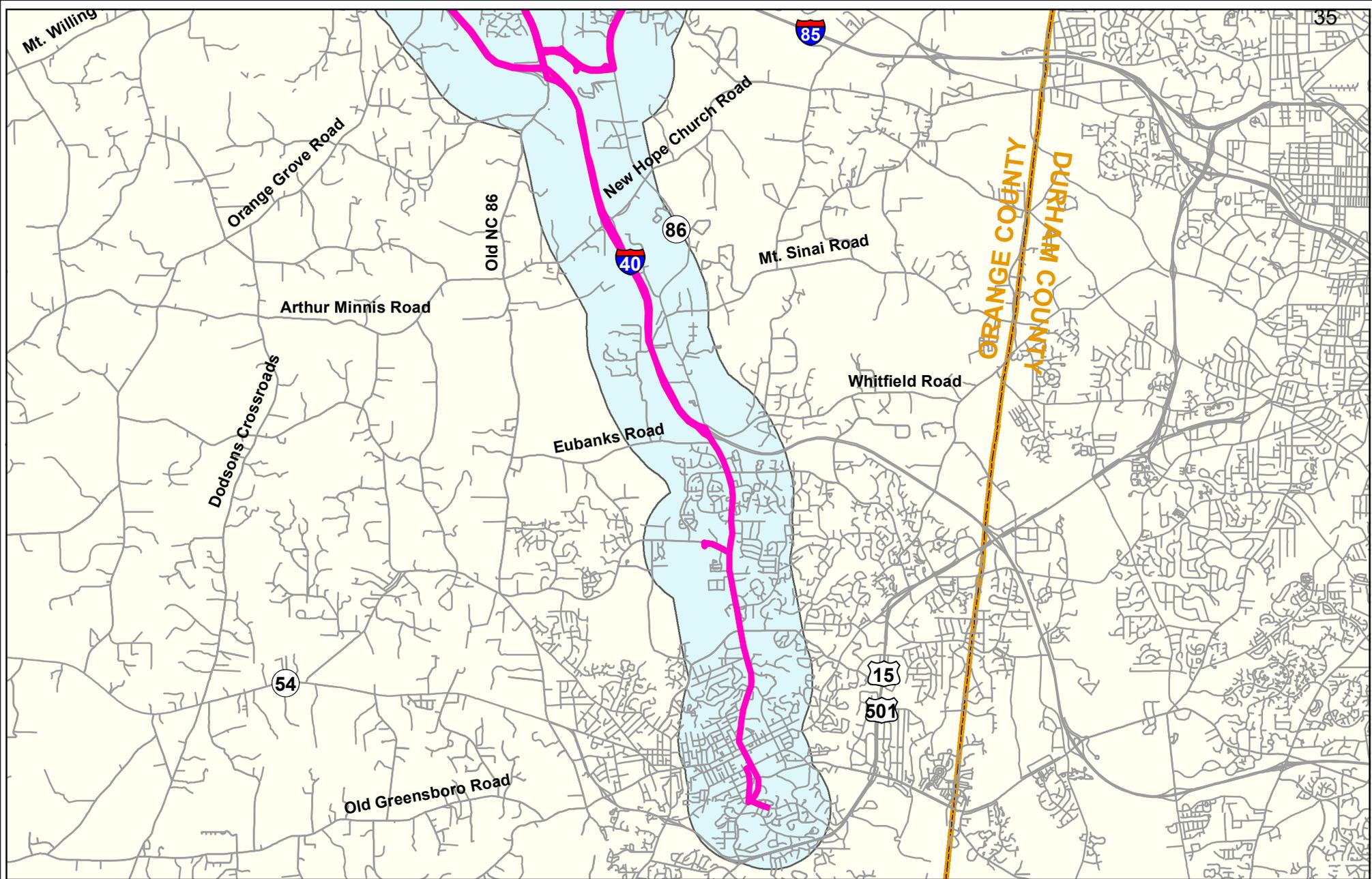
LEGEND

-  Route Locations
-  Road/Street
-  Fixed Route ADA Paratransit Service Area



**EXHIBIT 8: OPT FIXED ROUTE ADA SERVICE AREA
SHEET 1 OF 2**





LEGEND

-  Route Locations
-  Road/Street
-  Fixed Route ADA Paratransit Service Area



**EXHIBIT 8: OPT FIXED ROUTE ADA SERVICE AREA
SHEET 2 OF 2**



ATTACHMENT 2

ORANGE PUBLIC TRANSPORTATION Notice of Public Hearing and 30-Day Public Comment Period on a Draft ADA Paratransit Plan

The Americans with Disabilities Act (ADA) requires Orange Public Transportation to extend complementary ADA-accessible paratransit service to eligible persons within $\frac{3}{4}$ - mile of its fixed-route service at concurrent times and dates to the routes and hours of fixed-route operation.

A presentation of the draft Orange Public Transportation ADA Paratransit Plan and associated policies was provided at a **public meeting** held by Orange County staff February 12, 2015, at 7:00pm in the Orange County West Campus Office building located at 131 W. Margaret Lane, Hillsborough, NC 27278.

A **public hearing** for the draft plan will be held by the Orange County Board of County Commissioners March 17, 2015, at 7:00pm in the Orange County Southern Human Services Center located at 2501 Homestead Road; Chapel Hill, NC 27514, at which time a brief presentation of the draft plan will be provided and the public will be given an opportunity to comment. The **public hearing** originally scheduled for February 18th was cancelled due to inclement weather.

The draft plan will be available for review and inspection on the Orange Public Transportation website (<http://www.co.orange.nc.us/transportation/>); in the administrative offices of Orange Public Transportation located at 600 Highway 86 N, Hillsborough, NC, 27278; and in the administrative offices of the Orange County Planning and Inspections Department located at 131 W. Margaret Lane, Suite 201, Hillsborough, NC 28278. A **30-day public comment period** on the draft plan began Tuesday, February 3, 2015, and will terminate Thursday, March 5, 2015.

For further information, to view a copy of the draft plan, or to submit comments, please contact Bret Martin, Orange County Transportation Planner at (919) 245-2582 or brmartin@orangecountync.gov.

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

A RESOLUTION AUTHORIZING THE ORANGE PUBLIC TRANSPORTATION AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT PLAN

WHEREAS, the Americans with Disabilities Act (ADA) was passed by Congress and signed into law by the President in July 1990; and

WHEREAS, the ADA prohibits discrimination against persons with disabilities in employment, housing and transportation; and

WHEREAS, the ADA's intent is to ensure equal opportunity for persons with disabilities to access public accommodations, public services, telecommunications and transportation; and

WHEREAS, to comply with the ADA, Orange Public Transportation is required to provide paratransit service to those persons with disabilities who are unable to use or access the fixed-route transit system; and

WHEREAS, the North Carolina Department of Transportation and U.S. Department of Transportation require public transit operators providing fixed-route service to submit complementary paratransit plans and annual updates to the Federal Transit Administration; and

WHEREAS, Orange Public Transportation will be expanding fixed-route service considerably over the coming year necessitating a need to develop and adopt a major update to its ADA paratransit plan with an updated service plan and service area.

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners that the Board approves and adopts the 2015 Orange Public Transportation ADA Paratransit Plan.

BE IT FURTHER RESOLVED that the Orange County Board of Commissioners authorizes the Orange County Transportation Planner to submit the 2015 Orange Public Transportation ADA Paratransit Plan to the North Carolina Department of Transportation and Federal Transit Administration.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution was adopted this the 17th day of March, 2015.

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on March 17, 2015, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2015.

Clerk to the Board of Commissioners

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**ORANGE COUNTY
ORANGE UNIFIED TRANSPORTATION BOARD (OUTBoard)
ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 18, 2015**

**Action Agenda
Item No. 5.a.iv.**

SUBJECT: 2015 Orange Public Transportation Title VI Plan

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

N

ATTACHMENT(S):

1. Draft 2015 Title VI Plan
2. Resolution of Adoption

INFORMATION CONTACT:

Bret Martin, Transportation Planner,
919-245-2582
Peter Murphy, Transportation
Administrator, 919-245-2002
Craig Benedict, Planning Director, 919-
245-2592

PURPOSE: To consider endorsement of the Board of County Commissioners (BOCC) action on March 17, 2015, regarding the Orange Public Transportation Title VI Plan.

BACKGROUND: Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C. Section 2000d). The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the grounds of sex, and the Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited through an entire agency if any part of the agency receives federal financial assistance.

In response to this requirement, public transportation providers making use of federal financial assistance to provide their services are required to develop a Title VI plan/program to guide their administration and management of Title VI-related activities. More particularly, the plan must clarify roles, responsibilities, and procedures established to ensure compliance with Title VI. Orange County transportation planning staff has developed a plan/program that includes the required components for a Title VI plan/program as provided in guidance issued by the Federal Transit Administration (Attachment 1). The plan focuses on Orange Public Transportation programs with significant public contact responsibilities and provides policy direction necessary to ensure compliance with Title VI.

The draft Orange Public Transportation Title VI plan contains the following federally required components:

- 1) Draft of notice to the public indicating that the agency complies with Title VI and informs the public of the protections against discrimination afforded to them by Title VI;

- 2) The agency's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form;
- 3) Any public transportation-related Title VI investigations, complaints, or lawsuits filed with the agency;
- 4) A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of recent outreach efforts;
- 5) The agency's plan for providing language assistance to persons with limited English proficiency; and
- 6) A table depicting the racial breakdown of the membership of the OUTBoard, which serves as Orange Public Transportation's non-elected advisory board, and a description of efforts made to encourage the participation of minorities on the OUTBoard.

On March 17, 2015, the BOCC considered adoption by resolution of the draft 2015 Orange Public Transportation Title VI Plan (Attachment 2).

Next Steps:

Following the BOCC's consideration of approval of the draft Title VI plan on March 17, 2015, the OUTBoard is being asked to endorse the BOCC's action. The plan will then be forwarded for review and approval to agencies that require the plan for grant eligibility, such as NCDOT and the Federal Transit Administration. Once approved by those agencies, the plan will be published as OPT's official Title VI plan/program and implemented accordingly before expansion services begin this spring.

FINANCIAL IMPACT: The only financial impact associated with this item is the consequence of being ineligible for transit grant funding in the absence of an adopted Title VI plan.

RECOMMENDATIONS: The Staff recommends the OUTBoard:

1. Review the BOCC's action on March 17, 2015, regarding the Orange Public Transportation Title VI Plan; and
2. Endorse the BOCC's action.



ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN

Agency Name: Orange County/Orange Public Transportation

Date Adopted: 03/17/2015

Adopted By: Orange County Board of County Commissioners

This plan/policy is hereby adopted and signed by:

Transportation Administrator, Orange Public Transportation

Name

Date



ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN

I. Plan/Policy Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C. Section 2000d).

Orange County/Orange Public Transportation (OPT) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. Orange County/OPT as a recipient of FTA grant funding either directly from FTA or through the North Carolina Department of Transportation (NCDOT) will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation implementing regulations.

This plan was developed to guide Orange County/OPT in its administration and management of Title VI-related activities.

Title VI Coordinator Contact Information:

Peter Murphy, Transportation Administrator
 Orange Public Transportation
 P.O. Box 8181
 600 Highway 86 N
 Hillsborough, NC 27278
 (919) 245-2008
pmurphy@orangecountync.gov

II. Title VI information Dissemination

Title VI information posters shall be prominently and publicly displayed in the administrative offices of OPT and on the system’s revenue vehicles. The name of the Title VI coordinator will be displayed on the poster. Additional information related to nondiscrimination obligation can be obtained from the OPT Title VI Coordinator.

The Title VI Notice to the Public is as follows:



ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN

NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI

Orange Public Transportation

- Orange Public Transportation operates its programs and services without regard to race, color, and national in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Orange Public Transportation.
- For more information on Orange Public Transportation's civil rights program and the procedures to file a complaint, contact (919) 245-2008; email pmurphy@orangecountync.gov; or visit our administrative offices at 600 NC Highway 86 North, Hillsborough, NC 27278. For more information, visit www.co.orange.nc.us/transportation.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE Washington, DC 20590.
- If information is needed in another language, contact 919-245-2008. *Si se necesita informacion en otro idioma de contacto, 919-245-2008.*

Title VI information shall be disseminated to OPT employees annually via the Title VI Education Notice to OPT employees (**Exhibit 1**) in payroll envelopes. This notice reminds employees of the OPT Title VI policy statement and their Title VI responsibilities in their daily work and duties. This information will also be disseminated to new OPT employees during new employee orientation. All employees shall be provided a copy of the Title VI Plan and required to sign the acknowledgement of receipt (**Exhibit 2**).

For users of the system requiring registration or enrollment for specialized services, OPT will ensure that all new riders are provided with a copy of the Title VI Plan during intake/registration/subscription, and upon approval, it will be distributed to all current registered/enrolled users of the system. The Title VI Plan will also be located on the OPT website for public view.

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from OPT in which funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination



ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN

language, either directly or through the bid specification package, that by extension, becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator, or his/her designee, will maintain permanent records, which include but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the OPT Title VI Plan, copies of any Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

A complainant may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- Complainant's name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- Description of the incident including how, when, where and why you believe you discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

The Title VI complaint form (**Exhibit 3**) may be used to submit the complaint information. The complaint may be filed in writing with Orange Public Transportation at the following address:

Orange Public Transportation
 PO Box 8181
 600 Highway 86 N
 Hillsborough, NC 27278

NOTE: OPT encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible but not later than 180 days from the alleged date of discrimination.



ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN

Complaint Procedures:

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by OPT will be directly addressed by OPT. OPT shall also provide appropriate assistance to complainants, including those persons with disabilities or who are limited in their ability to communicate in English. Additionally, OPT shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of complaint will be mailed within seven (7) days to the address provided by a complainant (**Exhibit 4**). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

Notification of Complaint:

Orange Public Transportation will send a final written response letter to the complainant (**Exhibits 5 and 6**). In the letter notifying the complainant that the complaint is not substantiated (**Exhibit 6**), the complainant is also advised of his or her right to:

- 1) Appeal within seven (7) calendar days of receipt of the final written decision from OPT; and/or
- 2) File a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration.

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

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following office:

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

OPT History of Transit-Related Title VI Investigations, Complaints and Lawsuits

As indicated in **Exhibit 7**, Orange Public Transportation has no history of any transit-related Title VI investigations, complaints or lawsuits being conducted, submitted or filed. However, if investigations, complaints or lawsuits emerge, Orange County/Orange Public Transportation will track, record and report them to the North Carolina



ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN

Department of Transportation and/or the Federal Transit Administration using the form provided in **Exhibit 7**.

VI. Public Participation/Community Outreach

As an agency receiving federal financial assistance, OPT has made and continues to extend many public participation/community outreach efforts. OPT has engaged the public in its planning and decision-making processes, as well as in its marketing and outreach activities. Through 2013 and 2014, the public was invited to participate in the following activities:

- August 2013 Bus Service Expansion Public Outreach Meetings – Four (4) public outreach meetings were held at four (4) different locations throughout the OPT service area to solicit input through surveys, comments and other exercises regarding where and how within the county existing bus services should be improved and new bus service should be developed.
- May and June 2014 Bus Service Expansion Public Outreach Meetings – Four (4) public outreach meetings were held at four (4) different locations throughout the OPT service area to present information and receive feedback on bus service improvement and expansion plans developed from prior public input opportunities. When new service or major service changes are proposed, information is disseminated to the affected service area, and public meetings are scheduled and held.
- Orange Unified Transportation Board (OUTBoard) meetings, which are advertised and open to the public, were held throughout 2013 and 2014 with multiple agenda discussion and action items involving OPT transit service, including service change proposals, and will continue to be held on a monthly basis.
- Americans with Disabilities Act (ADA) Plan public meeting, public hearing and 30-day public open comment period were held February 2015 to provide the opportunity for public participation in a major update to OPT's complementary ADA paratransit service plan and the certification process for eligible users.
- Public hearings held before the County Board of Commissioners in the fall of 2013 and 2014 for OPT's proposed use of federal and state grants for rural services it provides, as well as administrative and capital projects. These public hearings will continue each fall and will correspond with federal and state grant applications.



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- In 2013, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), which covers a large portion of the OPT service area, developed an update to its Coordinated Public Transportation-Human Service Transportation Plan, which provides a framework for the development of projects intended to address the transportation needs of persons with disabilities, older adults, and individuals with lower incomes through a better coordinated transportation system. Federal transit law (MAP-21) requires that projects selected for funding under the Elderly and Individuals with Disabilities Program (Section 5310) be derived from a coordinated plan. The development of the plan update involved a survey and a stakeholder workshop to assess transportation needs and develop strategies to address those needs. The plan will be updated in future years and will involve continued public input.
- In 2013, the Triangle Area Rural Planning Organization (TARPO), which also covers a large portion of the OPT service area, developed an update to its Coordinated Public Transportation-Human Service Transportation Plan, which involved stakeholder workshops. The plan will be updated in future years and will involve continued public input.
- On its website, Orange Public Transportation solicits feedback and complaints to be directed to the system's transportation administrator by phone or email.

These efforts are carried out on a continuous basis to involve the public, with particular emphasis on engaging minority and limited English proficiency (LEP) populations as much as possible. OPT stresses serving areas of concentrated transit-dependent populations (i.e., elderly, low-income, no vehicle, disabled, and youth populations) with its fixed-route transit operation, which by extension also directly involves minority and limited-English-proficient communities. In doing so, OPT targets communities directly served by its operations with its public participation and outreach efforts by holding easily accessible small-format meetings that are squarely located within the heart of the applicable communities and that are scheduled during times the majority of the public can attend. OPT also targets specific organizations representing minority, transit-dependent, and LEP communities when advertising public participation processes and opportunities. Most notices posted and/or published for public hearings and public meetings are translated to Spanish to encourage participation from the Spanish-speaking community, which is the largest LEP population group in Orange County.



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VII. Limited English Proficiency (LEP) Plan

Individuals with a limited ability to read, write, speak or understand English are considered limited English proficient, or “LEP.” This includes persons who have reported to the U.S. Census Bureau that they speak English less than very well, not well, or not at all. U.S. Census Bureau 2013 American Community Survey data indicate that an estimated 4.8 percent of persons five (5) years of age or older in North Carolina speak English less than “very well.” American Community Survey data for 2013 also indicate that, in Orange County, an estimated 6.1 percent of persons five (5) years of age or older speak English less than “very well.” In Orange County, an estimated 60.6 percent of LEP persons speak Spanish as their primary language, and an estimated 28.2 percent of LEP persons in Orange County speak Chinese, Korean or other Asian languages as their primary language.

As a recipient of U.S. Department of Transportation funding, OPT is required to take reasonable steps to ensure meaningful access to its programs and activities for LEP persons. OPT’s language assistance plan includes the following elements:

- 1) The results of the Four Factor Analysis, including a description of the LEP population(s) served;
- 2) A description of how language assistance services are provided by language;
- 3) A description of how LEP persons are informed of the availability of language assistance service;
- 4) A description of how the language assistance plan is monitored and updated; and
- 5) A description of how employees are trained to provide language assistance to LEP persons.

Four Factor Analysis

- 1) The number or proportion of LEP persons in the service area who may be served or are likely to encounter an OPT program, activity or service.

The OPT service area, or the area containing populations served directly by OPT operations, includes the entire area of Orange County located outside the Chapel Hill Transit service area. For the purpose of the Four Factor Analysis, LEP census data for the Towns of Chapel Hill and Carrboro, which fall within the Chapel Hill Transit service area, are excluded from the count and proportion of LEP populations represented in the OPT service area.

According to the American Community Survey 5-year estimates for 2013, an estimated 2,479 persons in the portion of Orange County outside the Towns of Chapel Hill and



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Carrboro speak English “less than very well,” which accounts for 4.5 percent of the population. The largest LEP group of the total LEP population is Spanish-speaking persons. A total of 2,301 Spanish-speaking persons in the OPT service area speak English “less than very well,” which accounts for 4.2 percent of the OPT service area population. Because greater than 1,000 persons within the Spanish-speaking group are considered LEP, OPT is responsible for providing Spanish translation of vital documents in written format for these non-English users. Applicable documents include the Title VI policy statement and/or notice to the public, Title VI complaint procedure, Title VI complaint form, and ADA paratransit eligibility forms.

- 2) The frequency with which LEP persons come into contact with OPT programs.

OPT assessed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators. To date, OPT has had no requests for interpreters and no requests for translated documents. Although difficult to assess the exact level of English-speaking proficiency, staff has indicated that it has contact with very few LEP system users per month. However, if staff encounters an LEP person who requests language translation assistance, they are instructed to encourage the LEP person to request that documents such as schedules, route maps, and eligibility certification forms be translated for their use.

- 3) The nature and importance of programs, activities or services provided by OPT to the LEP population.

The overwhelming majority of the OPT service area population speaks only English or speaks English very well. There are social services, professional and leadership organizations within the OPT service area that focus on outreach to LEP individuals. OPT works closely with these organizations to ensure that the programs and activities administered by these groups that interface with OPT operations work to assist LEP populations.

- 4) The resources available to OPT and the overall cost to provide LEP assistance.

OPT has assessed its available resources that could be used to provide LEP assistance, including determining how much a professional interpreter and translation service would cost on an as-needed basis, the availability of other County staff qualified to provide such services, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations with which OPT could partner for outreach and translation efforts. While OPT does not have staff internally that could provide translation services, Orange County has adequate staff to provide such services should the need be indicated or arise.



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Description of How Language Assistance Services are Provided by Language

OPT has access to Orange County staff members in other County departments with Spanish-speaking and translation ability. Additionally, OPT works to ensure mechanisms are in place to reach LEP persons in the service area, such as translating public notices for public participation that are visibly posted and that are published in the newspaper. OPT also offers for its vital documents to be translated if requested by an LEP individual.

Description of How LEP Persons are Informed of the Availability of Language Assistance Service

OPT does the following to inform LEP persons of the availability of language assistance services:

- Publish schedules and route maps in languages other than English if requested;
- Provide graphics, visual aids and universal symbols in relevant published materials that traverse all language abilities;
- Strive to employ multi-lingual staff; and
- Post bilingual announcements, posters and other information.

Description of How the Language Assistance Plan is Monitored and Updated

OPT reviews its plan on an annual basis or more frequently as needed. In particular, OPT will evaluate the information collected on encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivery of programs and services to ensure meaningful access to minority and LEP persons.

Description of How Employees are Trained to Provide Language Assistance to LEP Persons

OPT employees are oriented on the principles of Title VI and OPT's Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs. If a driver, dispatcher or other employee needs further assistance related to LEP program participants, he/she will work with OPT's Title VI Coordinator to identify strategies to meet the language needs of the participants of the program or service.



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VIII. Minority Representation of the Orange Unified Transportation Board

The Orange Unified Transportation Board (OUTBoard) serves as OPT’s transit services advisory board and is a non-elected board. The table below depicts the OUTBoard’s racial/ethnic breakdown:

Caucasian	Hispanic/Latino	African American	Asian American	Native American
90%	10%	0%	0%	0%

Efforts to Encourage Minority Participation

Orange County and OPT understand diverse representation on its OUTBoard results in sound policy reflective of its entire population. As such, Orange County and OPT encourage participation of all citizens. As of March 2015, one minority ethnicity was represented on the OUTBoard. As vacancies on the Board become available, OPT will make efforts to encourage and promote diversity by engaging racial and ethnic minority communities within the OUTBoard’s representative townships to identify persons who could be recommended for appointment by the Orange County Board of Commissioners to the OUTBoard. This will involve reaching out to community, ethnic and faith-based organizations to connect with all populations. Additionally, OPT will create ways to make participating realistic and reasonable such as scheduling meetings at times best suited to its members and providing transportation for OUTBoard meetings, if needed.

EXHIBIT 1**Employee Annual Education Form****Title VI Policy**

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of Orange County/Orange Public Transportation are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a questions or compliant, direct him or her to the Title VI Coordinator/Orange Public Transportation Administrator.

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

EXHIBIT 2



Acknowledgement of Receipt of Title VI Plan/Program

I hereby acknowledge receipt of the Orange Public Transportation Title VI Plan/Program. I have read the plan and am committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Your signature

Print your name

Date

EXHIBIT 3



Title VI Complaint Form

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

Title VI Coordinator
 Orange Public Transportation
 PO Box 8181
 600 Highway 86 N
 Hillsborough, NC 27278

Please print clearly:

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back				

EXHIBIT 3



of this form. _____		
Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency: _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> State Court _____ <input type="checkbox"/> Local Agency _____		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
Section VI		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

Signature

Date

EXHIBIT 4**Letter Acknowledging Receipt of Complaint**

Date

Ms. Jane Doe
1234 Main Street
Stamping Ground, KY 40379

Dear Ms. Doe,

This letter is to acknowledge receipt of your complaint against Orange Public Transportation alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning (919) 245-2008, or write to me at P.O. Box 8181, 600 Highway 86 N, Hillsborough, NC 27278.

Sincerely,

Name
Title VI Coordinator

EXHIBIT 5

**Letter Notifying Complainant that the Complaint is Substantiated**

Date

Ms. Jane Doe
1234 Main Street
Stamping Ground, KY 40379

Dear Ms. Doe,

The matter referenced in your letter of _____ (date) against Orange Public Transportation alleging Title VI violation has been investigated.

(An/several) violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Name
Title VI Coordinator

EXHIBIT 6**Letter Notifying Complainant that the Complaint is Not Substantiated**

Date

Ms. Jane Doe
1234 Main Street
Stamping Ground, KY 40379

Dear Ms. Doe,

The matter referenced in your complaint of _____ (date) against Orange Public Transportation alleging _____ has been investigated.

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

Orange Public Transportation has analyzed the materials and fact pertaining to your case for evidence of the agency's failure to comply with of the civil rights laws. There was no evidence found that any of these laws have been violated.

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

You have the right to 1) appeal within seven (7) calendar days of receipt of this final written decision from Orange Public Transportation, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or Federal Transit Administration at:

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

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

Sincerely,

Name
Title VI Coordinator

EXHIBIT 7



List of Transit Related Title VI Investigations, Complaints and Lawsuits

Recipient/		
Subrecipient: Orange County/Orange Public Transportation		
Contact Person:	Signature:	Date:

Check One:

There have been no investigations, complaints and/or lawsuits filed against us during the reporting period.

There have been investigations, complaints and/or lawsuits filed against us. See *list below. Attach additional information as needed.*

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

A RESOLUTION ADOPTING THE ORANGE PUBLIC TRANSPORTATION TITLE VI PLAN/PROGRAM

WHEREAS, pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d et seq. and 23 C.F.R. part 21, the U.S. Department of Transportation and the Federal Transit Administration (FTA) prohibit discrimination on the basis of race, color or national origin; and

WHEREAS, Orange Public Transportation (OPT) operates a public transportation service including bus and paratransit services; and

WHEREAS, OPT receives FTA funding through the North Carolina Department of Transportation and will be applying to receive FTA funding directly to operate public transportation services and is, therefore, required to demonstrate compliance with such federal laws and regulations by submitting a Title VI program update once every three years; and

WHEREAS, OPT seeks to ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner; and

WHEREAS, OPT seeks to promote full and fair participation in public transportation decision-making without regard to race, color or national origin; and

WHEREAS, OPT seeks to ensure meaningful access to transit-related programs and activities by persons with limited English proficiency; and

WHEREAS, pursuant to federal laws and regulations, the OPT Title VI Plan/Program must be considered and approved by the governing body of OPT, the Board of County Commissioners; and

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners that the Board approves and adopts the 2015 Orange Public Transportation Title VI Plan/Program.

BE IT FURTHER RESOLVED that the Orange County Board of Commissioners authorizes the Orange County Transportation Planner to submit the 2015 Orange Public Transportation Title VI Plan/Program to the North Carolina Department of Transportation and Federal Transit Administration.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution was adopted this the 17th day of March, 2015.

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on March 17, 2015, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2015.

Clerk to the Board of Commissioners

**ORANGE COUNTY
ORANGE UNIFIED TRANSPORTATION BOARD (OUTBoard)
ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 18, 2015**

**Agenda
Item No. 6**

SUBJECT: Bicycle Safety

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

N

ATTACHMENT(S):

1. November 18, 2014 BOCC Meeting Information Item – Manager’s Response to Petition regarding Bicycle Safety
2. Staff Plan to Address Board of County Commissioners Petition Regarding OUTBoard/ Bicycle Safety

INFORMATION CONTACT:

Abigaile Pittman, Transportation/Land Use Planner,
919-245-2567
Tom Altieri, Comprehensive Planning Supervisor,
919-245-2579

PURPOSE: To receive an update on the Board of County Commissioners (BOCC) Petition related to bicycle safety.

BACKGROUND: At the BOCC November 6, 2014 regular meeting, a petition (Attachment 1) regarding bicycle safety was brought forth by Commissioners Price and Jacobs requesting Planning staff to review policies related to pedestrian bicycle access and begin working with cyclist groups, law enforcement and transportation officials to develop a culture of sharing the road. In response, Planning developed its plan to address the petition, which was provided to the BOCC as an Information Item at its February 3, 2015 meeting (Attachment 2).

The Staff Plan addresses representation from the BOCC, citizen participation, public outreach, task objectives, and ultimately a report back to the BOCC in June with recommendations/plan. The intent is to resolve these tasks over the course of three OUTBoard meetings. This first meeting will provide an introduction that includes an update on past discussions and recent events, and to provide a reference for the review of State laws. An overview of future meeting activities will be provided at the meeting as part of the Staff Plan.

The issue of bicycle safety has been a topic of interest by various County groups over the past several years, including discussions by the OUTBoard, the BOCC, and citizen groups that have consulted with authorities at the Sheriff’s Department, the Highway Patrol, and the North Carolina Department of Transportation (NCDOT). Discussions regarding bicycle safety have increased over the past 6-7 months following incidents between motorists and bicyclists last year. There has been interest in developing policies and procedures for enhancing bicycle

safety, reviewing State laws, promoting the development of safer bike lanes, and clearly identifying agencies/departments for addressing the problems. Because counties in North Carolina do not maintain roads, Orange County's involvement in this issue must look more towards policies, procedures and public education rather than enforcement.

Timeline of OUTBoard Prior Discussions of Bicycle Safety

The OUTBoard has discussed the issue of bicycle safety a number of times over the past several years:

- September 2011 – Bicycle Safety on OUTBoard agenda. Citizens Bonnie Hauser and Gail Alberti addressed the Board.
- October 2011 – Bicycle Safety on OUTBoard agenda. Agreement to send letter to BOCC 11/11/11 letter from Chair Cole-Baker to BOCC Chair Pelissier.
- January 2012 – Update provided at OUTBoard meeting. BOCC response to OUTBoard (1/6/12 letter from Chair Pelissier). At the request of OUTBoard, OC Planning staff follow-up with Sheriff's Office. No response provided.
- Winter/Spring 2012 – Citizen group (Rural Road Safety Coalition) comprised of motorists and cyclists meet to discuss bicycle safety. Guidelines are produced and published.
- October 2012 – Jeff Charles, OUTBoard member and representative of Rural Road Safety Coalition presents published guidelines to BOCC during "Public Comments, Matters Not on the Printed Agenda" and requests BOCC endorsement.
- August 2014 – Bicycle Safety on OUTBoard agenda pursuant to recent incidents between motorists and bicyclists.

NC Bicycle Laws

For additional background and information, NCDOT has produced a guide intended to serve as a tool and reference document for education and enforcement of bicycle and pedestrian laws: http://ncdot.gov/bikeped/download/bikeped_laws_Guidebook-Full.pdf .

RECOMMENDATIONS: The Staff recommends the OUTBoard receive the information.

Attachment 1
INFORMATION ITEM



Orange County Board of Commissioners
Post Office Box 8181
200 South Cameron Street
Hillsborough, North Carolina 27278

BARRY JACOBS, CHAIR
EARL MCKEE, VICE CHAIR
MARK DOROSIN
ALICE M. GORDON
BERNADETTE PELISSIER
RENEE PRICE
PENNY RICH

November 12, 2014

Dear Commissioners,

At the Board's November 6, 2014 regular meeting, petitions were brought forth which were reviewed by the Chair/Vice Chair/Manager Agenda team. The petitions and responses are listed below:

- 1) Review and consider a request by Commissioners Price and Jacobs that staff review Chapel Hill and Carrboro policies related to pedestrian and bicycle access and begin working with cyclist groups, law enforcement and transportation officials to develop a culture of sharing the road.

Response: *Manager to discuss with Town Managers; Chair and Vice Chair to discuss with NCDOT at quarterly meeting on 11/12; Manager to ask Planning staff to work with OUT Board to set up sub group(s) to discuss/develop plan with input on membership from BOCC.*

- 2) Review and consider a request by Commissioner Price to consider modifications to the County's Facility Naming Policy which would allow for interior portions of a facility to be named for living individuals.

Response: *Referred to Manager for review and recommendation.*

- 3) Review and consider a request by Commissioner Gordon for staff to follow up on an earlier petition request regarding agenda postings on the County website.

Response: *Information Technologies Director to investigate and follow up.*

- 4) Review and consider a request by Commissioner Pelissier that the BOCC begin recognizing staff for superior accomplishments.

Response: *Manager and Human Resources Director will review options with plan to share with BOCC.*

This letter will be provided as an Information Item on the November 18, 2014 agenda for public information.

Best,

Barry Jacobs, Chair
Board of County Commissioners

ATTACHMENT 2

STAFF PLAN TO ADDRESS BOCC PETITION REGARDING OUTBOARD/BICYCLE SAFETY

Proposed Structure

- **Venue:** Full OUTBoard rather than a subcommittee due to staff and administrative capacity, and to ensure better attendance.
- **BOCC Representation:** Unless others are identified, Commissioners Price and Jacobs will be noticed of meetings as the BOCC representatives to attend and participate in discussion when bicycle safety is an item on the OUTBoard's agenda.
- **Citizen Participation:** All citizens are welcome to attend and participate in discussion. If participation is high, guidelines may need to be established to ensure that all have equal opportunity to participate, to stay on topic, and to ensure that any other required items are addressed by the OUTBoard during the course of its meetings. Mrs. Bonnie Hauser will receive personal notification as a citizen that has expressed appreciable interest in the topic. If there are any others that County Commissioners would like to identify to receive personal invite, please make staff aware. All OUTBoard meetings are notified consistent with public meeting law.
- **Public Outreach:**
 - Notify identified stakeholders
 - Public notice via Carla Banks and News of Orange
 - Create brochure and use as a handout at meetings and to any interested parties
- **Task Objectives:**
 - Review County authority and State law
 - Provide copy of County-endorsed bicycle routes (map)
 - Get updated on topic and recent activities
 - Define current problem statement
 - Create broad categories for addressing problem (education; law enforcement; NCDOT; etc.)
 - Suggest/recommend policies, procedures, etc. for addressing problem
 - Identify agencies, County departments, etc. for addressing problem
- **Calendar:** Will attempt to resolve task over the course of three (3) OUTBoard meetings, and wrapped up by the end of May, 2015: Mtg. 1 – Intro, County authority and State law, update and recent activities; Mtg. 2 – Problem statement, categories for addressing problem, recommended policies and procedures, and identify agencies/departments for addressing problem; Mtg. 3 – Review recommendations/plan developed by staff, comment, and staff finalization and forwarding to BOCC.
- **BOCC Next Steps:** Staff will report back to the BOCC in June with recommendations and seek direction for next steps or closure.