
Title VI Implementation Plan

TOWN OF KEARNY

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Executive Summary

The Town of Kearny transportation program serves the incorporated limits of Kearny. The transportation program was developed and implemented for seniors who are at least fifty-five years of age and disabled persons. Transportation is provided for prescription pick-up, shopping and social activities. The Town of Kearny received a 5310 grant in 2007. The Kearny Senior Center operates the transportation program for the Town of Kearny.

What type of program fund(s) did you apply for?

- 5310
- 5311
- Other (please explain) _____

Type of Funding Requests? (Select all that apply)

- Vehicle Funds
- Operating Funds
- Other (please explain) _____

Non Discrimination Policy Statement

The Town of Kearny policy assures full compliance with Title VI of the Civil Rights act of 1964, the Restoration Act of 1987, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related statutes and regulations in all programs and activities. Title VI states that "no person shall on the grounds of race, color, national origin, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination" under any Town of Kearny sponsored program or activity. There is no distinction between the sources of funding.

The Town of Kearny also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. Furthermore, the Town of Kearny will take reasonable steps to provide meaningful access to services for persons with limited English proficiency.

When the Town of Kearny distributes Federal-aid funds to another entity/person, the Town of Kearny will ensure all subrecipients fully comply with the Town of Kearny Title VI Nondiscrimination Program requirements. The Mayor has delegated the authority to Kearny Town Manager, Title VI Program Coordinator, to oversee and implement FTA Title VI requirements.



Debra Sommers, Mayor

Non Discrimination Notice to the Public

Notifying the Public of Rights Under Title VI and ADA Town of Kearny

The Town of Kearny operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Town of Kearny.

For more information on the Town of Kearny's civil rights program, and the procedures to file a complaint, contact Anna Flores, Town Manager, 520-363-5547; email aflores@townofkearny.com; or visit our administrative office at 912-C Tilbury Road. For more information, visit www.townofkearny.com

A complainant may file a complaint directly with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: ADOT: ATTN: Title VI Program Manager 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 FTA: ATTN: Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

If information is needed in another language, contact 520-363-5547. Para información en Español llame: Anna Flores, 520-363-5547.

Non Discrimination Notice to the Public-Spanish

Aviso Público Sobre los Derechos Bajo el Título VI Town of Kearny

Town of Kearny (y sus subcontratistas, si cualquiera) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán provehidos sin consideración a su raza, color, o país de origen.

Para obtener más información sobre la Town of Kearny's programa de derechos civiles, y los procedimientos para presentar una queja, contacte Anna Flores, 520-363-5547; o visite nuestra oficina administrativa en 912-C Tilbury Road. Para obtener más información, visite www.townofkearny.com

El puede presentar una queja directamente con Arizona Department of Transportation (ADOT) o Federal Transit Administration (FTA) mediante la presentación de una queja directamente con las oficinas correspondientes de Civil Rights: ADOT: ATTN Title VI Program Manager 206 S. 17th Ave MD 155A Phoenix AZ, 85007 FTA: ATTN Title VI Program Coordinator, East Building, 5th Floor –TCR 1200 New Jersey Ave., SE Washington DC 20590

The above notice is posted in the following locations: Kearny Town Hall, 912-C Tilbury Road, Kearny, Arizona 85137 and the Kearny Senior Center, 912-E Tilbury Road, Kearny, Arizona 85137.

This notice is posted online at www.townofkearny.com

Non Discrimination Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) as they relate to any program or activity that is administered by the Town of Kearny including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, national origin, or disability may file a Discrimination complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The ADA/Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted the Town of Kearny will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the Town of Kearny or submitted to the State or Federal authority for guidance.

- (7) Town of Kearny will notify the ADOT Civil Rights Office of ALL Discrimination complaints within 72 hours via telephone at 602-712-8946; or email at civilrightsoffice@azdot.gov.
- (8) Town of Kearny has 30 days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- (9) After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.
- (10) A copy of either the closure letter or LOF must be also be submitted to ADOT within 72 hours of that decision. Letters may be submitted by hardcopy or email.
- (11) A complainant dissatisfied with the Town of Kearny decision may file a complaint with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) offices of Civil Rights: **ADOT:** ATTN ADA/Title VI Program Coordinator 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA:** Attention Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590
- (12) A copy of these procedures can be found online at: www.townofkearny.com. Una copia de estos procedimientos se puede encontrar en linea en: www.townofkearny.com

Discrimination Complaint Form

Section I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
Section II:		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to Section III.</i>		
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.	<input type="checkbox"/> Yes	<input type="checkbox"/> 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
<input type="checkbox"/> Disability		
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 of this form.		

Section VI:		
Have you previously filed a Discrimination complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court: _____ State Agency: _____

State Court : _____ 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: _____

Name of person complaint is against: _____

Title: _____

Location: _____

Telephone Number (if available): _____

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Town of Kearny, Title VI Coordinator
912-C Tilbury Road, PO Box
Kearny, AZ 85137
520-363-5547

A copy of this form can be found online at www.townofkearny.com

Discrimination Investigations, Complaints, and Lawsuits

This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

Description/Name	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin or disability)	Status	Action(s) Taken (Final findings?)
Investigations	None			
1)				
2)				
Lawsuits	None			
1)				
2)				
Complaints	None			
1)				
2)				

Town of Kearny has not had any ADA nor Title VI Discrimination complaints, investigations, or lawsuits in 2017.

Public Participation Plan

*Town of Kearny
Public Participation
Plan*

Town of Kearny is engaging the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public will be invited to participate in the process whether through public meetings or surveys. As an agency receiving federal financial assistance, Town of Kearny made the following community outreach efforts:

In the upcoming year Town of Kearny will make the following community outreach efforts:

- *A public meeting will take place in June each year to discuss the Town's budget and services provided to residents.*

Public Meetings:

- (1) Public meetings are scheduled to increase the opportunity for attendance by stakeholders and the general public. This may require scheduling meetings during non-traditional business hours, holding more than one meeting at different times of the day or on different days, and checking other community activities to avoid conflicts.
- (2) When a public meeting or public hearing is focused on a planning study or program related to a specific geographic area or jurisdiction within the region, the meeting or hearing is held within that geographic area of jurisdiction.
- (3) Public meetings are held in locations accessible to people with disabilities and are located near a transit route when possible.

**NOTICE OF A SPECIAL MEETING OF THE
COUNCIL OF THE TOWN OF KEARNY**

AGENDA

Pursuant to A.R.S. 38-431.02, notice is hereby given to the Members of the Town Council of the Town of Kearny and the general public that the Town Council will hold a **Special Meeting** open to the public on **Monday, June 25, 2018**, beginning at **7:30 p.m.**, at the Kearny Town Hall, 912-C Tilbury Drive, Kearny, Arizona.

Members of the Town Council of the Town of Kearny will attend either in person or by telephone, video, or internet conferencing.

The agenda for the Special Meeting is as follows:

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC HEARING

- A. Public Hearing for Final Proposed Budget for 2018-2019 Fiscal Year and Property Tax Levy and Resolution No. 18-17 Adopting Fiscal Year 2018-2019 Budget

Council Letter No. 1640

5. ADJOURNMENT

Posted by: Cathy Woolery

Date: 06/21/2018 Time: 10:00 a.m.

The Mayor and Town Council may require an Executive Session pursuant to ARS Section 38-431.03 for consultation with Staff and Counsel for discussion and advice for any of the above matters, personnel matters and real estate.

Individuals with special accessibility needs may contact the ADA Coordinator for the Town of Kearny, at (520) 363-5547 or (800) 367-8938 (TDD Relay). If possible, such requests should be made 72 hours in advance.

Persons who require materials in accessible format or require a foreign language interpreter or materials in a language other than English for this event, call (520) 363-5547 or (800) 367-8938 (TDD Relay) at least five business days in advance.

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Special Meeting
June 25, 2018

Las personas que requieran materiales en un formato accesible o que requieran un intérprete de un idioma extranjero o materiales en un lenguaje que no sea inglés para este evento, hablen al (520) 363-5547 o al (800) 367-8938 (TDD) al menos cinco días laborables por adelantado.

Limited English Proficiency Plan

Town of Kearny

Limited English Proficiency Plan

Town of Kearny has developed the following Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to Town of Kearny services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the Town of Kearny's extent of obligation to provide LEP services, the Town of Kearny undertook a U.S. Department of Transportation four-factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in the Town of Kearny service area who may be served or likely to encounter by Town of Kearny program, activities, or services;

Town of Kearny		
Language Spoken at Home	Estimate	Percent
Population 5 Years and Over	2,157	
English Only	1,547	72.00%
Language Other than English	610	28.00%
Speak English Less Than Very Well	141	7.00%
Spanish	549	26.00%
Spanish-Speak English Less Than Very Well	117	21.00%
Other Indo-European Languages	27	1.00%
Other Indo-European Languages-Speak English Less Than Very Well	0	0.0%
Asian Pacific Islander Languages	34	2.00%
Asian Pacific Islander Languages-Speak English Less Than Very Well	24	71.00%
Other Languages	0	0.0%
Other Languages-Speak English Less than Very Well	0	0.0%
Source: US Census, 2012-2016 American Community Survey. Language= Spoken at Home		

- 2) The frequency with which LEP individuals come in contact with Town of Kearny services;

The Town of Kearny has rarely received requests for services from LEP individuals. Translation services are provided upon request.

- 3) Transportation is vital for all residents. Programs, services and activities offered by the Town of Kearny are important to all Kearny residents, including minority and LEP populations.

- 4) The resources available to the Town of Kearny and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

The LEP population is included in the public process through translation of public notices and other materials as requested. While financial resources are limited, the Town of Kearny is able to provide translation services as needed.

A statement in Spanish will be included in all public outreach notices. Every effort will be made to provide vital information to LEP individuals in the language requested. The Town of Kearny has some employees who are able to provide oral translation services and provide written translation services.

Safe Harbor Provision

The Town of Kearny complies with the Safe Harbor Provision, as evidenced by the number of documents available in the Spanish language. With respect to Title VI information, the following shall be made available in Spanish:

- (1) Non Discrimination Notice to the Public
- (2) Non Discrimination Complaint Procedures
- (3) Discrimination Complaint Form

In addition, we will conduct our marketing (including using translated materials) in a manner that reaches each LEP group. Vital Documents include the following:

- (1) Notices of free language assistance for persons with LEP

Non-elected Committees Membership Table

☒ Town of Kearny does NOT select the membership of any transit-related committees, planning boards, or advisory councils.

Monitoring for Subrecipient Title VI Compliance

DESCRIBE HOW YOU MONITOR YOUR SUBRECIPIENTS. This can be through site visits, submissions of Title Vi Plans annually, or training and surveys.

■ Town of Kearny does NOT monitor subrecipients for Title VI compliance.

Title VI Training

The Town of Kearny Management and Staff will receive Title VI and LEP training once a year. The training is web-based conducted through SafePersonnel which is recommended by the Risk Pool. A training record will be maintained in the Title VI file at the Kearny Town Hall.

Title VI Equity Analysis

A subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. "Facilities" in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

There are many steps involved in the planning process prior to the actual construction of a facility. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. The Title VI Equity Analysis must be done before the selection of the preferred site.

Note: Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives any FTA dollars, it must comply with this requirement.

The Town of Kearny has no current or anticipated plans to develop new transit facilities covered by these requirements. No facilities covered by these requirements have been developed.

Board Approval for the Title VI Program

ATTACH A COPY OF THE BOARD MEETING MINUTES HERE

**TOWN OF KEARNY
REGULAR MEETING MINUTES**

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEARNY, ARIZONA,
AT THE KEARNY TOWN HALL LOCATED AT 912-C TILBURY DRIVE ON MONDAY,
OCTOBER 15, 2018, AT 7:30 P.M.**

COUNCILMEMBERS PRESENT

Mayor	Debra Sommers
Vice Mayor	Daniel Radcliffe
Councilmember	Rose Bradford
Councilmember	Rudy Flores
Councilmember	Nancy Hinojos
Councilmember	Samantha Misita
Councilmember	Sheila Stephenson

TOWN STAFF PRESENT

Town Manager	Anna Flores
Town Clerk	Cathy Woolery
Town Attorney	Steve Cooper (Telephonically)
Town Police Chief	Wallace Kenney

VISITORS PRESENT

Amanda Kenney

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Sommers called the meeting to order at 7:30 p.m. followed by the Pledge of Allegiance.

INVOCATION

Pastor David Wade of the Lighthouse Assembly of God Church delivered the invocation.

ROLL CALL

Mayor Sommers requested Town Clerk, Cathy Woolery, to call the roll. Quorum was present.

APPROVAL OF MINUTES

Motion by Councilmember Stephenson, **second** by Councilmember Bradford to approve the September 17, 2018 Regular Meeting minutes as presented. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

CALL TO THE PUBLIC

No persons addressed the Council.

COPPER BASIN CHAMBER OF COMMERCE REQUEST

Town Manager Anna Flores explained the Great Pumpkin and Trunk of Treat is scheduled for Saturday, October 27, 2018, from 4:00 p.m. to 10:00 p.m. Copper Basin. The Chamber of Commerce is asking for permission to have Alden Road closed from the Crosswalk of the old Bank of the West building to the end of the Kearny Health Mart building for the Great Pumpkin/Trunk of Treat activity. They will not be blocking the entrance to Norm's. They request the road be closed at noon till 10:00 p.m. It is recommended the Council approve the road closures with the understanding they could change. All

businesses uptown will be contacted by the Chamber to notify them of the road closures during daytime hours.

Motion by Councilmember Bradford, **second** by Vice Mayor Radcliffe to approve the Copper Basin Chamber of Commerce request. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

APPROVAL OF THE REVISED TOWN OF KEARNY'S TITLE VI IMPLEMENTATION PLAN

Town Manager Anna Flores presented the attached Town of Kearny's Title VI Implementation Plan. She stated this is mandated for Federal funding of the 5310 Grant. The Plan will be posted to our website and the Plan must be reviewed, revised, and approved every year by the Town Council. She stated this is the 5310 Grant which is for the Senior Van, and a way for us to get our funding for the van. Councilmember Bradford asked if this is for repairs and Town Manager Anna Flores stated yes. She also said she went to a training for two days and she needs to get some other policies, procedures, drivers handbook, and other mandates in place. This will be an ongoing process once these things are completed and will provide another update. Councilmember Bradford stated the Hand-Me-Up Shop wants to pay the drivers salary. Town Clerk Cathy Woolery said we received the first payment. Councilmember Bradford asked if was from Gwen. Town Clerk Cathy Woolery stated yes. Councilmember Bradford said they would like to pay the \$200 towards the salary for the driver each month, and then meet with Town Manager Anna Flores and set the trips they will take such as the Algodones every three months; then do the movies and Walmart every month. Maybe the fund will grow a bit so they can go to the ballgame once or twice in the winter. The Board agreed to donate that \$200 each month to the driver salary. Councilmember Misita asked if they instituted the payment from the seniors to go on the trips and if it is working out well. Town Manager Anna Flores stated they have been paying, and it is working out well.

Motion by Councilmember Bradford, **second** by Councilmember Hinojos to approve the revised Town of Kearny's Title VI Implementation Plan. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

APPROVAL OF ACCEPTANCE OF A DONATION FROM THE MILITARY SURPLUS PROGRAM

Town Manager Anna Flores explained Police Chief Kenney has received a donation from the military surplus program of a Street Sweeper. It is recommended to accept the equipment, and it comes to the department free of charge. Councilmember Bradford asked if it runs. Chief Kenney stated it needs to be serviced, but it will run. Mayor Sommers commented it looks pretty new. Chief Kenney said it does not have very many hours on it. The Council commented public works did a really good job of cleaning up the streets. Councilmember Misita asked if we pay for a street sweeper. Town Manager Anna Flores explained yes, but this is not to replace that. This is to assist with the shoveling. Councilmember Misita expressed her thanks to the Chief for finding this.

Motion by Councilmember Misita, **second** by Councilmember Stephenson to accept the street sweeper from the military surplus. **Vote** – Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

INFORMATIONAL ITEMS

Town Manager Anna Flores announced CenturyLink will be doing some work in front of the General Kearny Inn. She has the Town of Kearny Right-of-Way Encroachment Permit and also the Town of Kearny maps as to what they are going to do. This has been signed and returned. The second item presented is a letter of support for funding a grant to plant vegetation after the salt cedar is removed down by the river. It was due on Friday at 5:00 p.m. on October 12th, so the Mayor and she created a letter very quickly. She wanted the Council to be aware of what they did and to have a copy of the letter, the email, and a copy of the grant. Also, Town Manager Anna Flores expressed at the last meeting Mr. Michael Dinwiddie wanted it to be known that the main people who help with the food bank are Bernie Zornacki, Joe Martinez, and Joey Romero. She wanted to share that with the Council and audience to give credit where credit is due. Councilmember Misita asked if the Town issues permits. Town Manager Anna Flores explained we do, and with Southwest Gas the Town was never informed so there were problems after. She said this way CenturyLink will do things correctly. Councilmember Bradford asked about the DES building plans for the Town. Town Manager Anna Flores explained that Osselaer is not responding. Mayor Sommers also stated they are not responding, and she believed they said they are not interested in selling the land. Town Manager Anna Flores confirmed they are not. Councilmember Misita asked if there is a way to enforce paving of the parking lots. Town Manager Anna Flores stated she will talk with the Town Attorney.

REPORTS

Mayor Sommers asked if there was any discussion on the reports. No discussion.

Motion by Vice Mayor Radcliffe, **second** by Councilmember Stephenson to accept the reports. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.**

ADJOURNMENT

Motion by Vice Mayor Radcliffe, **second** by Councilmember Flores to adjourn. **Vote** - Mayor Sommers, Vice Mayor Radcliffe, Councilmember Bradford, Councilmember Flores, Councilmember Hinojos, Councilmember Misita, and Councilmember Stephenson all voted in favor. **MOTION PASSED.** Meeting was adjourned at 7:45 p.m.

Debra Sommers, Mayor

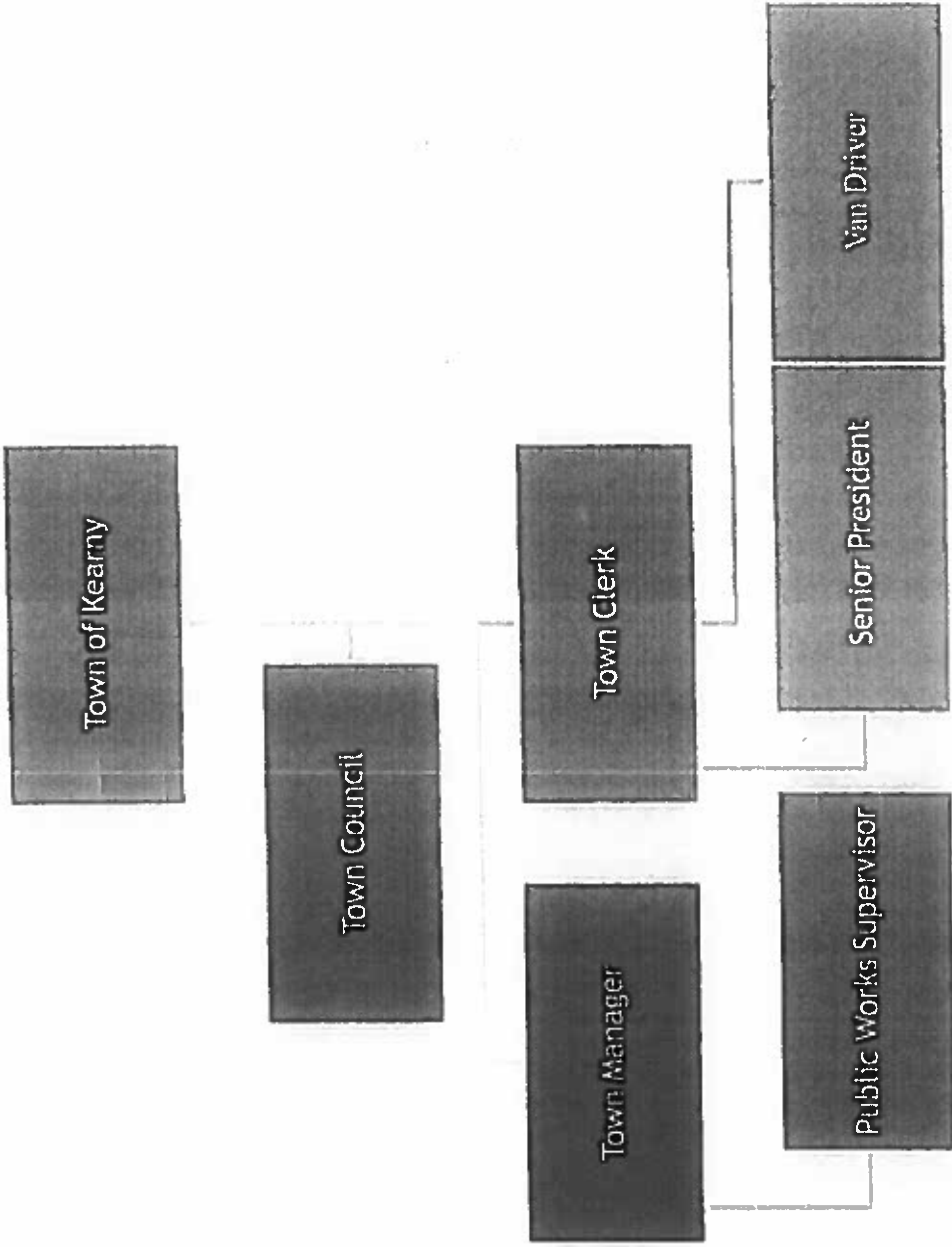
Anna Flores, Town Manager

ATTEST:

Cathy Woolery, Town Clerk

Organizational Chart

ATTACH A COPY OF THE ORGANIZATIONAL CHART HERE



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Debra Sommers, Mayor

Non Discrimination Notice to the Public

Notifying the Public of Rights Under Title VI and ADA Town of Kearny

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Aviso Público Sobre los Derechos Bajo el Título VI Town of Kearny

Town of Kearny (*y sus subcontratistas, si cualquiera*) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán provehidos sin consideración a su raza, color, o país de origen.

Para obtener más información sobre la Town of Kearny's programa de derechos civiles, y los procedimientos para presentar una queja, contacte Anna Flores, 520-363-5547; o visite nuestra oficina administrativa en 912-C Tilbury Road. Para obtener más información, visite www.townofkearny.com

El puede presentar una queja directamente con Arizona Department of Transportation (ADOT) o Federal Transit Administration (FTA) mediante la presentación de una queja directamente con las oficinas correspondientes de Civil Rights: ADOT: ATTN Title VI Program Manager 206 S. 17th Ave MD 155A Phoenix AZ, 85007 FTA: ATTN Title VI Program Coordinator, East Building, 5th Floor –TCR 1200 New Jersey Ave., SE Washington DC 20590

The above notice is posted in the following locations: Kearny Town Hall, 912-C Tilbury Road, Kearny, Arizona 85137 and the Kearny Senior Center, 912-E Tilbury Road, Kearny, Arizona 85137.

This notice is posted online at www.townofkearny.com

Discrimination Complaint Form

Section I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
Section II:		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to Section III.</i>		
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.	<input type="checkbox"/> Yes	<input type="checkbox"/> 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
<input type="checkbox"/> Disability		
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 of this form.		

Section VI:		
Have you previously filed a Discrimination complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court: _____ State Agency: _____

State Court : _____ 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:

Name of person complaint is against:

Title:

Location:

Telephone Number (if available):

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Town of Kearny, Title VI Coordinator
912-C Tilbury Road, PO Box
Kearny, AZ 85137
520-363-5547

A copy of this form can be found online at www.townofkearny.com

Town of Kearny ADA Policies

It is the policy of Town of Kearny to abide by all provisions of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973, as amended, including all programs, services, activities, operations and relationships with—and accommodations/modifications of—employees, client-customers, and the general public, including but not limited to those stated below.

The Americans with Disabilities Act of 1990 (ADA) requires that individuals with disabilities receive the same level of service as non-disabled individuals. Services that are “separate but equal” are not acceptable. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

All recipients must keep federally funded equipment and facilities in good operating condition. Recipients must have policies and procedures to maintain vehicles. Recipients must maintain, in operative condition, those features of facilities, vehicles, and other capital equipment that are required to make them accessible. ADA accessibility features must be repaired promptly if they are damaged or out of order. Recipients must establish a system of regular and frequent maintenance checks of lifts sufficient to determine if they are operative.

Specific transportation provisions of the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act of 1973, as amended, include but are not limited to the following requirements:

Equivalent service: As required by the ADA, the Town of Kearny has a sufficient number of, or access to, wheelchair accessible vehicles in our fleet regardless of employment status to ensure that individuals needing an accessible vehicle have equivalent access to our transportation services as ambulatory individuals.

Maintenance of Accessible Features on Vehicles: As required by the ADA, the accessible features on our vehicles are maintained in operative condition so that individuals needing these features receive equivalent service to individuals not needing those features. Accessibility features are repaired promptly if they are damaged or out of order. Drivers are required to report lift and ramp failures promptly.

Transporting and securing wheelchairs: A wheelchair is a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for, and used by individuals with mobility impairments, whether operated manually or powered. The Town of Kearny will transport passengers with wheelchairs, even in circumstances when the wheelchair cannot be secured to the driver’s satisfaction, unless the wheelchair exceeds the size or weight capacity of the wheelchair lift or ramp.

Adequate Time for Vehicle Boarding and Disembarking: As required by the ADA, Town of Kearny provides adequate time for boarding and disembarking our vehicles for individuals with disabilities.

Use of Portable Oxygen/Respirator Equipment: As required by the ADA, individuals using our transportation service may bring respirator, portable oxygen equipment, and/or other life support equipment on board our vehicles, as long as they do not violate the law or rules relating to the transportation of hazardous materials. All equipment must be small enough to fit into our vehicles safely and without obstructing the aisle and/or blocking emergency exits. Passengers must secure the equipment by means such as carrying the equipment using a shoulder strap or securing the equipment to a wheelchair or a seat.

Service Animals: As required by the ADA, any guide dog, signal dogs, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision or alerting individuals with impaired hearing, have access to our vehicles. All service animals must be kept under the control of their owner at all times and abides by local animal safety regulations.

Training in Wheelchair Securement, Sensitivity to Passengers: As required by the ADA, Town of Kearny trains its personnel to operate vehicles and equipment safely, assist passengers properly, and treat individuals with disabilities who use the service in a respectful and courteous way. A "Certified Trainer" in Passenger Assistance Safety and Security (P.A.S.S.) provides training to personnel prior to being released to drive for Town of Kearny.

Driver use of, and assistance with, Accessibility Equipment: As required by the ADA, Town of Kearny personnel make use of all available accessibility equipment when needed and provide a reasonable level of assistance to passengers as necessary and upon request with lifts, ramps, and securement devices.

ADA complaints: Town of Kearny discrimination related customer service complaints, including those associated with ADA regulations, are reported to ADOT Civil Rights Office and complaint documentation is maintained on file for one year. ADA related service complaint logs are kept on file for five years, per USDOT regulations.

Contact Anna Flores, at 520-363-5547 or at aflores@townofkearny.com.