



City of Dana Point Title VI Implementation Plan

Adopted 10/21/2025



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I. INTRODUCTION

This document was prepared by the City of Dana Point (City) to comply with Title VI of the Civil Rights Act of 1964. 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 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” (42 U.S.C. Section 2000d).

Recipients and subrecipients of United States Department of Transportation (USDOT) funding through the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans), are required to develop policies, programs, and practices that ensure federal funding is used a manner that is nondiscriminatory as required under Title VI.

The City is a recipient of USDOT funding through Caltrans and is therefore subject to the Title VI compliance conditions associated with the use of these funds.

Questions about the City’s Title VI Program can be directed to:

City of Dana Point
Administrative Services
Attn: Title VI Coordinator
33282 Golden Lantern Suite 203
Dana Point, CA 92629
titlevi@danapoint.org



A. City of Dana Point Non-Discrimination Policy Statement

Non-Discrimination Policy Statement

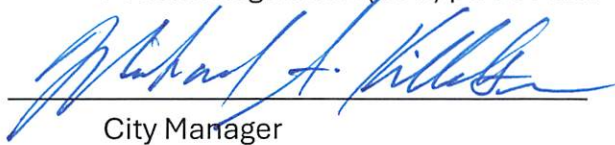
It is the policy of the City of Dana Point (City) that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the City as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of the City, including its contractors and anyone who acts on behalf of the City. This policy also applies to the operations of any department or agency to which the City extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

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

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


City Manager


Date



B. Non-Discrimination Laws and Executive Orders

The City policies and procedures are governed by a wide range of requirements, including federal laws, regulations, and executive orders. Title VI requirements include, but are not limited to:

- Title VI of the Civil Rights Act of 1964: Provides that no person in the United States 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 (as implemented through 23 CFR 200.9 and 49 CFR 21).
- Section 612(a) of the Federal-Aid Highway Act of 1973 (Section 324, Title 23 U.S.C.): Prohibits discrimination on the basis of sex by recipients and sub-recipients of Federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973: Prohibits discrimination on the basis of disability by recipients and sub-recipients of Federal financial assistance.
- The Age Discrimination Act of 1975 (Section 6101-6107, Title 42 U.S.C.): Prohibits discrimination on the basis of age by recipients and sub-recipients of Federal financial assistance.
- The Civil Rights Restoration Act of 1987 (Public Law 200-209): Clarifies that the original intent of Congress in the Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 was to apply the non-discrimination statutes to all programs and activities of Federal-aid recipients, sub-recipients, contractors and vendors, whether all such programs are federally assisted or not.
- Executive Order 12898 (issued February 11, 1994): Addresses Environmental Justice regarding minority and low-income populations and requires agencies to develop strategies to address disproportionately high and adverse human health or environmental impacts of their programs on minority and low-income populations; promote nondiscrimination in federal programs substantially affecting human health and the environment; and provide minority and low-income communities access to public information and an opportunity for public participation in matters relating to human health or the environment.
- Executive Order 13166 (issued August 16, 2000): Addresses improved access to services for persons with limited English proficiency. Agencies are directed to evaluate services provided and implement a system that



ensures that Limited English Proficiency (LEP) persons are able to meaningfully access the services provided consistent with, and without unduly burdening, the fundamental mission of the local agency. Agencies are directed to ensure that recipients of federal financial assistance provide meaningful access to programs, services and information to their LEP application and beneficiaries free of charge.

II. ORGANIZATION, STAFFING, AND STRUCTURE

The City Manager is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

The City has designated a Title VI Coordinator to ensure implementation of agency's Title VI program. The position of the Title VI Coordinator is the Risk Manager, located in the Administrative Services Department. The Title VI Coordinator can be reached at:

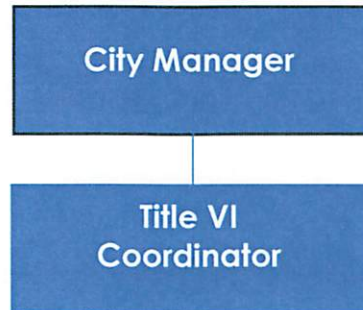
City of Dana Point
Administrative Services
Attn: Title VI Coordinator
33282 Golden Lantern Suite 203
Dana Point, CA 92629
titlevi@danapoint.org

The Title VI Coordinator is responsible for:

- Overseeing Title VI program implementation
- Submitting Title VI plan and annual reports on the agency's behalf
- Developing procedures for the prompt processing and disposition of complaints
- Processing complaints, compiling a complaint log, and reporting to Caltrans
- Developing procedures for the collection and analysis of statistical data
- Developing a program to conduct Title VI reviews of program areas
- Conducting annual Title VI assessments of pertinent program areas
- Developing Title VI information for dissemination
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary



Title VI Organization Chart



III. TITLE VI NOTICE TO THE PUBLIC

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

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

To file a Title VI discrimination complaint, contact:

City of Dana Point
Attn: Title VI Coordinator
33282 Golden Lantern Suite 203
Dana Point, CA 92629
titlevi@danapoint.org

IV. TITLE VI COMPLAINT PROCEDURES

The City of Dana Point (City), under Title VI of the Civil Rights Act of 1964, ensures “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.” Related federal statutes and state law further discrimination protections to include sex, disability, religion, sexual orientation, age, and Limited English Proficiency (LEP). This prohibition applies to all branches of the City, its contractors, consultants, and anyone else who acts on behalf of the City.



The City will make every effort to ensure nondiscrimination in all its services, programs, and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin (including LEP).

Any person that believes they have been discriminated against on the grounds of race, color, national origin by the City or a sub-recipient, may file a Title VI Complaint Form, included in this document as Appendix A. The City processes complaints received no more than 180 days after the alleged incident. The City will only process complaints that are complete, which include the complainant's contact information, details of the alleged discrimination, and the complaint's signature.

Once the Title VI complaint is received, the Title VI Coordinator will determine which federal administering agency has jurisdiction to investigate/process the complaint. Per the Federal Highway Administration (FHWA) Guidance Memorandum, Processing of Title VI Complaints, dated June 13, 2018, all Title VI complaints received by a sub-recipient are to be forwarded to Caltrans to be submitted to the FHWA Division Office. Complaints should be sent within one business day of receipt via email to Title.VI@dot.ca.gov. If the Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigation the complaint to Caltrans.

A person may also file a complaint directly with:

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE 8th Floor E81-105
Washington, DC 20590

Caltrans
Office of Civil Rights
Attention: Title VI Branch
P.O. Box 942874, MS 79
Sacramento, CA 94274

V. TITLE VI DATA COLLECTION AND ANALYSIS

Demographic and related data collected and used by City staff comes from governmental sources responsible for collecting and vetting the information for consistency and accuracy. These sources include, but are not limited to, the U.S. Bureau of Labor Statistics, U.S. Census Bureau, U.S. Bureau of Economic Analysis, California Department of Finance, California Department of Labor, and the California Employment Development Department.

Additionally, staff may also collect project-specific demographic data utilizing data collection as appropriate thorough the public outreach process on federally funded



projects. Such outreach that may give Staff the opportunity to collect demographic data may include door hanger, posters, emails, social media releases, press releases to local newspapers, public meetings, virtual meetings, and public comment through websites generated for projects.

VI. CONTRACT DOCUMENTS AND AGREEMENTS

The City's Title VI Coordinator will ensure that any Federally funded project documents contain the necessary Title VI Assurances and other language. Such assurances are included, but may not be limited to:

- FHWA Form 1273 (Title VI and other nondiscriminatory requirements)
 - Required on all FHWA contracts and subcontract valued greater than \$10,000
- Title VI Assurances Appendix A-E, included in this document as Appendix B
 - Appendix A-E to be attached to Federal-Aid contracts.

VII. LIMITED ENGLISH PROFICIENCY (LEP) ASSESSMENT / LANGUAGE ASSESS PLAN (LAP)

Background

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" requires that Federal agencies work to ensure that the recipients of Federal financial assistance provide meaningful access to their Limited English Proficiency (LEP) applicants and beneficiaries.

As such, local agencies are required to ensure that federally funded programs and activities normally provided in English are accessible to LEP persons. Each local agency shall perform an annual assessment to determine if modifications are needed to their programs and activities to ensure meaningful access by LEP persons. The assessment which is referred to as a "Four-Factor" analysis is based on the following factors:

- 1) The number or proportion of LEP people eligible to be served or likely to be encountered
- 2) The frequency of LEP contacts
- 3) The nature and importance of the programs, services, or activities provided by the City of Dana Point
- 4) Resources available for LEP people

The City of Dana Point has a population of approximately 31,000 residents (US Census: American Community Survey 2023 5-Year Estimate). Of the 31,000 residents,



approximately 8% of residents are Spanish speaking, approximately 3% of residents are Other Indo-European Language speaking, approximately 1% of residents are Tagalog speaking, and approximately 4% of residents speak other or unspecified languages.

Table 1: Languages Spoken by Dana Point Residents

Language Spoken	Group Population	Speaks English Very Well	Speaks English Less Than Very Well	Percentage of Total Population that Speaks English Less than Very Well
English Only	26,044	26,044	0	0%
Spanish	2,654	2,016	638	2.0%
Other Indo-European Languages	870	705	165	0.5%
Tagalog (Incl. Filipino)	319	229	90	0.3%
Other/Unspecified Languages	1410	1061	349	1.1%

Source: [US Census: American Community Survey 2023 5-Year Estimate](#)

Four Factor Analysis

- 1) The number or proportion of LEP people eligible to be served or likely to be encountered.

As shown in Table 1 above, 1,242 (3.9%) residents of Dana Point are considered LEP people, with a majority of LEP people speaking Spanish (2.0%), Other Indo-European Languages (0.5%), and Tagalog (0.3%).

According to the safe harbor rule for determining the need for written translations, if the size of a language group is 5% or less of the eligible population/beneficiaries and less than 1,000 in number, no written translation is required. If translation services are requested, staff will provide said translation in a timely manner.

- 2) The Frequency of LEP contacts

No data has been collected regarding frequency of contact with LEP people at the City. Staff do not regularly receive requests for translation through Federally funding programs/projects. Further, if translation services are needed, staff will provide said translation in a timely manner.



- 3) The nature and importance of programs, services, or activities provided by the City of Dana Point

From observations provided by the Public Works staff, it is rare that translation services are requested for programs, services, or activities which are federally funded. If translation services are requested, staff will provide said translation in a timely manner.

- 4) The Resources Available for LEP people

Any materials will be translated upon request in a timely manner.

VIII. PUBLIC PARTICIPATION

Public outreach strategies employed by the City of Dana Point are often determined by circumstances unique to individual projects and typically include a mix of public hearings and stakeholder meetings as applicable. Information is distributed via the City of Dana web page or social media sites, surveys, advertising, media outreach, community events, and/or target presentations. The City's commitment to public participation is based firmly on the belief that public involvement fosters an open decision-making process that elicits active participation from affected individuals, groups, communities, and other public agencies.

IX. TITLE VI INFORMATION DISSEMINATION

The City disseminates Title VI information to the public by way of posters, brochures, and links on the City of Dana Point web page for internal and external awareness. Title VI posters and the Non-Discriminatory Policy Statement are posted in public accessible areas at City Hall. Any materials are available for translation upon request.

X. TITLE VI TRAINING

The City of Dana Point will provide Title VI and related statute training to Public Works managers, supervisors, and staff with frequent public contact in the administration of federal -aid programs. These training courses will occur at a minimum every two years, and within six months of hiring a new employee. The training will be conducted by the Title VI Coordinator, online through presentations, or through trainings hosted by Caltrans. Additionally, links to Caltrans, FHWA, and other applicable agency resources for Title VI and related statutes will be posted on the City's website.

XI. TITLE VI ANNUAL WORK PLAN (TITLE VI ACCOMPLISHMENTS AND GOALS REPORT)



CITY OF DANA POINT TITLE VI IMPLEMENTATION PLAN

The City of Dana Point will develop an annual report of Title VI accomplishments and upcoming goals, including any updates to the Title VI Program to reflect organizational policy changes, and a Work Plan outlining Title VI monitoring and review activities planned for the upcoming fiscal year.



**CITY OF DANA POINT
TITLE VI IMPLEMENTATION PLAN**

Appendix A: Title VI Compliant Form

City of Dana Point

Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 states "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 wish to submit a Title VI complaint to the City of Dana Point, please complete the information below and submit this form to:

City of Dana Point
Attn: Title VI Coordinator
33282 Golden Lantern Suite 203
Dana Point, CA 92629
titlevi@danapoint.org

Section 1:		
Complainant Name:		
Street Address:		
City:	State:	Zip Code:
Phone (home):	Phone (cell or other):	

Section 2:



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Are you filing this complaint on your own behalf?	Yes*	No
*If you answered "yes," go to Section 3		
If you answered "no," what is the name of the person for whom you are filing this complaint?		
What is your relationship with this individual?		
Please explain why you have filed for a third party:		
Have you obtained permission of the aggrieved party to file on their behalf?	Yes	No

Section 3:	
I believe the discrimination that I experienced was based on (<i>check all that apply</i>):	
☐ Race ☐ National Origin ☐ Color ☐ Age ☐ Sex ☐ Disability	
Date of alleged discrimination:	Time of incident:
Location(s) where the alleged discrimination took place:	



In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please include specific details such as names, dates, times, route numbers, witnesses, and any other information that would assist us in our investigation of the allegations. Please provide any other information that would assist us in our investigation of the allegations. Please provide any other documentation that is relevant to this complaint. If more space is needed, please attach additional sheets of paper.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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CITY OF DANA POINT
TITLE VI IMPLEMENTATION PLAN

Have you previously filed a Title VI Complaint with the City of Dana Point?	Yes	No
Have you filed a lawsuit regarding this complaint?	Yes	No

Section 5:	
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:	

*If you answered "yes" to the above, provide the information about a contact person at the agency/court where the complaint was filed.		
Name:		Title:
Agency:		
Address:		
City:	State:	Zip:



**CITY OF DANA POINT
TITLE VI IMPLEMENTATION PLAN**

Telephone:	Email:	

Please attach any written materials or other information you think is relevant to your complaint.

Signature

Date

If you are not able to sign, please check here: []

Mail or deliver this form to:

City of Dana Point
Attn: Title VI Coordinator
33282 Golden Lantern Suite 203
Dana Point, CA 92629
titlevi@danapoint.org



Appendix B: US DOT Title VI Assurances A-E

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, age, sex, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, age, sex, or disability.



CITY OF DANA POINT TITLE VI IMPLEMENTATION PLAN

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 1. withholding payments to the contractor under the contract until the contractor complies; and/or
 2. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.



APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the California Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23 U.S.C., the regulations for the administration of the preceding statute, and the policies and procedures prescribed by the FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the California Department of Transportation all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the California Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the California Department of Transportation, its successors and assigns.



CITY OF DANA POINT TITLE VI IMPLEMENTATION PLAN

The California Department of Transportation, in consideration of the conveyance of said lands and interest in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the California Department of Transportation will use the lands and interests in lands and interest in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said lands, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)



APPENDIX C

**CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE
ACTIVITY, FACILITY, OR PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the California Department of Transportation pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the California Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*



- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the California Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the California Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)



APPENDIX D

**CLAUSES FOR CONSTRUCTION/USE.ACCESS TO REAL PROPERTY ACQUIRED UNDER
THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the California Department of Transportation pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishings of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits or, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.) in the event of breach of any of the above of the above Non-discrimination covenants, the California Department of Transportation will have the right to terminate the (license, permits, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the California Department of Transportation will there upon revert to and vest in and become the absolute property of the California Department of Transportation and its assigns.

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)



APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities, including, but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), prohibits discrimination on the basis of sex;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations 49 C.F.R. parts 37 and 38;



CITY OF DANA POINT TITLE VI IMPLEMENTATION PLAN

- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).