

Public Participation Plan

EXECUTIVE SUMMARY



Submitted by:

**Office of Civil Rights (OCR)
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Purpose of Executive Summary

Public participation allows members of the community to provide their input so that their concerns, desires, and values are considered as part of the organization's decision-making process. The Santa Clara Valley Transportation Authority's (VTA's) 2022 Public Participation Plan (PPP) serves as a guide for public outreach in order to ensure that the public is informed and engaged with transportation decisions. When diverse communities stay informed, they can give meaningful input on VTA programs and activities.

When VTA decision makers follow the guidelines of the PPP, people can have more influence on public services and programs, thus allowing VTA to better serve the needs of the community.

This is a document that is continuously reviewed and updated. The PPP emphasizes the importance of reaching out to traditionally underrepresented groups such as low-income, minority, and limited English proficient (LEP) populations¹.

¹ Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all. - Federal Transit Administration (FTA) issued Circular 4702.1B.

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Goals of Public Participation

VTA embraces reaching under-represented populations. This is a part of its commitment to being a valued community partner, and in recognition of the significant proportion of its customer base which is included in these populations. Twenty-three percent (23%) of Santa Clara County residents live in residences classified as “low-income” households².

The average VTA customer is from a low-income household and is considered a minority. More than half are identified as having a household income of less than approximately \$55,500 (poverty line as defined by VTA for a four-person household³). Additionally, VTA’s service population is twenty percent (20%) LEP⁴, with 18 languages satisfying the Safe Harbor Provision⁵ as specified by the U.S. Department of Transportation (USDOT)⁶. It is important that everyone, especially these populations, have input in transportation planning.

In planning for service and projects, VTA staff and consultants use The Spectrum of Community Engagement to Ownership (*see Appendix-A in the full version of the PPP*). This guide assists with the selection of the level of participation that defines the public’s role and opportunities in any public participation processes.

Goals:

- Involve stakeholders – people who have an interest in the outcome of a project – early and often throughout the process
- Increase the participation of under-represented populations
- Use public participation to improve outcomes
- Provide continuous public education

² 2016-2020 American Community Survey, five-year estimates, U.S. Census Bureau.

³ The U.S. Department of Health and Human Services (HHS) publishes updates to the federal poverty line annually at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines> and has published the 2022 poverty guidelines in the Federal Register, 87 FR 3315, on January 21, 2022. A household of four is defined as low-income if their combined income is less than \$27,750 in 2022. Due to the high cost of living in the Bay Area, the threshold used by VTA, MTC, and other local transit agencies is double the federal poverty line: In 2022, for a household of 4, it is \$55,500. Thus, households earning less than twice the federal poverty line are considered low-income households. The population of Santa Clara County (VTA’s service area) consists of 23 percent (23%) living in households earning less than twice the federal poverty line.

⁴ US Census Bureau, 2016-2020 American Community Survey.

⁵ The Safe Harbor Provision stipulates that if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

⁶ Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons, U.S. Department of Transportation, 2005.

- Make public participation accessible
- Make public participation relevant
- Meet the requirements of federal funding and oversight agencies
- Maintain and create new partnerships with the community
- Function as a “living document”, meaning that it can be changed
- Maximize input opportunities for the community

VTA staff regularly meet to discuss and collaborate on public engagement strategies and projects to promote joint efforts and collaboration.

Language Access Plan (LAP)

VTA's Language Access Plan (LAP) is used in conjunction with the Public Participation Plan. Its contents guide VTA on how to communicate most effectively with its customers⁷. The LAP helps VTA staff conduct outreach to individuals who speak English less than very well. Information provided in this plan includes:

- What languages are currently spoken most frequently in VTA's service area⁸
- Which VTA services are utilized most often
- How VTA customers get information about public transportation
- Whether customers experience any barriers to accessing VTA services

The LAP aims at enabling full access to VTA services and programs, including those with limited English proficiency (LEP). LEP persons are individuals whose primary language is other than English and who have a limited ability to read, write, speak, and/or understand English.⁹

Language Line Assistance

To ensure individuals who have limited English proficiency have meaningful access to VTA information, employees, programs and services, language line services are available through VTA’s Customer Service department. When a customer contact VTA’s Customer Service and no onsite interpreter or staff member is available, VTA will contact the language line for support.

To promote the language assistance services more widely, language line cards were created. This allows customers to identify their primary language and call Customer Service for assistance. During VTA’s New Employee Orientation trainings and in Operator trainings, employees are made aware of the language assistance service. See *Appendix - C* in the full version of the PPP for reference to the language line card.

⁷ To see the full version of the 2022 Language Access Plan, please visit <https://www.vta.org/about/title-vi>.

⁸ Sources of information are U.S. Census data, <https://data.census.gov/>, VTA’s Customer Service data, and state government data such as English learners in schools, Medi-Cal recipients data from the Health department, etc.

⁹ The LEP definition is based on the Census category: People who reported to the U.S. Census that they speak English less than very well, not well, or not at all are considered LEP persons.

VTA Vital Documents Plan

The VTA Vital Documents plan was created to ensure translations are completed for documents vital to the public when using VTA's services. It was also created to ensure awareness of individual rights under applicable federal laws. Vital documents may include documents such as written notices of rights, consent and complaint forms, and application forms. This plan outlines how it prioritizes translations. See Appendix - D in the full PPP for reference to the Vital Documents Plan. See Appendix - E in the full PPP for reference to VTA's Title VI Fact Sheet translated in various languages.

Limited English Proficiency (LEP) Survey

As part of VTA's outreach efforts for various projects and services, VTA sent an online survey to social services agencies, cultural centers, places of worship, residential communities, and community-based organizations (CBOs) that provide services to individuals who are LEP. This 2022 Title VI/LEP Survey was translated into 18 languages. This survey on language preferences and barriers was available online. Printed surveys were distributed at the Customer Service Center as well as at community events¹⁰.

Community Outreach Strategies

VTA employs several strategies to reach out to communities depending on scope of the project:

- Identify stakeholders by determining who is affected now by a project, program, or service change
- Use VTA's Geographic Information Systems (GIS) and Census data to determine race and language-related data
- Educate stakeholders before implementing the proposed project/program and requesting feedback
- Develop customized outreach/engagement plans for each project/program
- Convey program and project information in multiple formats and languages
- Meet the community where they are by attending local meetings, participating in community events and hosting pop up events
- Enlist the experience of local facilitators when appropriate (English and non-English) on any stakeholder selection committee
- Conduct surveys in multiple formats and languages

¹⁰ The shelter-in-place orders as well as social distancing guidelines affected some of VTA's ability to participate in in-person outreach.

Identifying Stakeholders

Stakeholder Tiers

For the most robust outreach and to engage relevant communities, VTA categorizes stakeholders in tiers. VTA considers for every project those stakeholders who will be the most impacted and how, in addition to the political interest (Tier One). The spectrum goes to Tier Three - those stakeholders who are least impacted, passing by, or curious about progress. A stakeholder can fall into more than one tier. The following stakeholder examples are generic and must be specified for each project.

Tier One

Residents, businesses, and property owners who are directly impacted by project activities or service changes on properties located in the vicinity, the Mayor's Office and city council members, VTA's Board of Directors, standing committees, partner stakeholders, and project advocates.

Tier Two

Interested and involved constituencies, such as: News media, Chamber of Commerce, VTA riders, homeowners associations/neighborhood groups, transit-reliant communities such as senior centers, senior housing, etc.

Tier Three

This group includes all communities found just outside the mailing area of the project location, as well as stakeholders requiring less frequent updates (neighborhood groups/HOA's, schools), and the general public driving through the area impacted by the construction activities.

Key Partners for Public Participation

Strategic cooperation within VTA and with valued partners of VTA ensure effective public participation. The following lists these key partners.

VTA Board of Directors

VTA's Board of Directors sets VTA policy and provides direction to staff. There are certain actions that require approval from the board, and those are listed in the full version of the PPP. It is also possible for the Board of Directors to authorize the General Manager to act on its behalf. All Board meetings as well as committee meetings are open to the public, and the public is allowed to speak at these meetings¹¹.

The VTA Board of Directors meetings are held at the Board of Supervisors Chambers, County Government Center, 70 West Hedding Street, San Jose. These

¹¹ Until further notice and following California Government Code section 54953(e), the VTA Board of Directors meetings are hybrid meetings, held both in person as well as allowing access through video conferencing.

are recurring meetings on the first Thursday of every month starting at 5:30 p.m. These meetings are hybrid which means interested persons can also follow the meeting online. For more information, go to <https://www.vta.org/about/board-and-committees>.

Advisory Committees¹²

Advisory committee meetings are open to the public. Anyone can contribute by making public comments during the meetings. The following committees meet on a monthly basis or every other month at VTA River Oaks Campus, 3331 North First Street, Conference Room B-106, San Jose, at 6:30 p.m., or as otherwise posted. For more information about the dates for each committee's meeting location, date, and time, please visit <https://www.vta.org/about/board-and-committees>.

Bicycle and Pedestrian Advisory Committee (BPAC) – Consisting of 16 members, BPAC advises the Board on funding and planning issues for bicycle and pedestrian projects. It also serves as the countywide bicycle advisory committee for Santa Clara County.

Citizens Advisory Committee (CAC) - The Committee advises the Board on policy issues referred to the committee either by the Board or the General Manager in consultation with the CAC Chairperson.

Committee for Transportation Mobility and Accessibility (CTMA) - The CTMA advises the Board on transportation mobility and accessibility issues for senior citizens and persons with disabilities, paratransit services, accessibility to VTA transit services, and VTA's efforts to fully comply with the Americans with Disabilities Act (ADA).

Policy Advisory Committee (PAC) - This committee ensures that all jurisdictions within the county have access to the development of VTA's policies.

Technical Advisory Committee (TAC) - The TAC advises the Board on technical aspects of transportation-related policy issues and initiatives.

Other Committees Working Groups and Advisory Boards – For a comprehensive list, please go to this link, <https://www.vta.org/about/board-and-committees>.

External Affairs Division

The External Affairs Division includes Government Affairs, Community Outreach and Public Engagement, Communications, Market Development, Creative Services, Customer Service, and the Board Office.

Government Affairs

Responsible for developing and coordinating VTA's legislative and intergovernmental programs at the federal, state, regional, and local levels.

¹² Until further notice and following California Government Code section 54953(e), the Advisory Committees meetings are currently held in person and by video conference and teleconference (hybrid meetings).

Community Outreach and Public Engagement (COPE)

Educates, informs, and shares up-to-date planning and construction project information with residents, businesses, stakeholders, and the public.

Communications

Communications team handles all media. The team conducts media briefings and interviews, writes press releases, and builds strong working relationships with media partners that includes print, television, radio, web, social media, and ethnic media.

Market Development & Sales

Creates award-winning marketing campaigns and communications programs that highlight the agency. The team develops creative promotions for VTA services and fares to Santa Clara County residents.

Creative Services

VTA's in-house resource for creative design and production services for printed materials and web graphics to support VTA departments and capital projects.

Customer Service

Keeps our customers moving in Santa Clara County by responding to their inquiries, comments, or concerns in a timely manner. The Customer Service department receives, tracks, and addresses customer inquiries, comments, and complaints for all programs and services of VTA.

VTA's Customer Service Information call center is open from Monday through Saturday. The Downtown San Jose office location is located on 55-A West Santa Clara Street San Jose, CA 95113. Automated information is available 24 hours a day through VTA's interactive voice response system.

Here is how you can reach VTA's Customer Service:

customer.service@vta.org

Telephone: (408) 321-2300

Hearing Impaired (TTY only):

(408) 321-2330

More information can also be found on VTA's website www.vta.org.

Board Office

Responsible for VTA Board and Committee support, which includes preparation and distribution of the meeting agenda and minutes, responding to Board compliance, developing, and supporting relationships with Board and committee members and VTA constituencies, and providing support services to the Board of Directors.

To contact the VTA Board Secretary:

Board.secretary@vta.org

Telephone: (408) 321-5680

Office of the General Manager Division

Office of Civil Rights

The VTA Office of Civil Rights, ensures that public outreach efforts pay particular attention to under-represented communities such as low-income, minority, and LEP populations. The Office of Civil Rights monitors and ensures compliance with federal regulation to bring community stakeholders to the table when decisions about that community are made.

Title VI Complaints

Any person who believes that they have been subjected to discrimination under Title VI may file a complaint with VTA.

[Title VI Complaint Form](#)

Complaints must be filed within 180 days of the alleged discriminatory act. Please call the Office of Civil Rights or submit your complaint in writing to the Title VI Coordinator:

Office of Civil Rights
Santa Clara Valley
Transportation Authority
3331 North First Street, B-2
San Jose, CA 95134
(408) 952-8901

Complaints may also be filed directly with the [Federal Transit Administration](#), the [Federal Highway Administration](#), [Caltrans](#), and the [California Civil Rights Department](#).

System Safety & Security

This division oversees VTA's safety and transit system security and law enforcement functions, which include oversight of the Protective Services Department, management of contracted security services provided by Allied Universal Security, and administration of VTA's contract with the Sheriff's Department for sworn law enforcement personnel.

Public Outreach

VTA uses a variety of tools to communicate and accommodate different learning and exchange styles. For a comprehensive list of outreach methods, please reference the Stakeholder and Communications Method Matrix in the full version of the PPP (*see Appendix – H in the full version of the PPP*).

1. Printed Materials
2. VTA Website
3. Direct Mail
4. Media

5. Dedicated Phone Lines
6. Email/Web Resources/Social Media
7. Government Meetings
8. Language Line Services
9. Events
10. Community and Stakeholder Working Groups
11. Surveys
12. Stakeholder Interviews
13. Focus Groups/Steering Committee
14. Public Meetings
15. Community Group Presentations
16. Other Printed Materials
17. Ethnic Media
18. "Train the Trainer"
19. Passenger Interactions
20. Community Based Organizations (CBO)
21. Community Events
22. Community Based Organization Meetings
23. Virtual Meetings
24. Mobile Application

Examples of Outreach Efforts

VTA-Hosted Events

VTA prepares a Communications and Outreach Plan for all its capital projects. The plans can change as needed to reflect relevant project activity and correlating communications and outreach efforts. Consistent with VTA's Project and Communications Outreach Procedure, capital projects such as the BART Eastridge to BART Regional Connector extension projects, and major highway projects are required to develop project communications and outreach procedures containing the following four components:

- Stakeholder identification to determine who is most affected by these potential changes.
- Communication methods, tools, and timing that effectively connect VTA to impacted communities.
- Implementation and measurement of adherence to the communication plan.

The following examples provide a snapshot of VTA's capital project outreach.

VTA's BART Silicon Valley Phase II is the largest single public infrastructure project ever constructed in Santa Clara County. VTA's BART Silicon Valley Phase II Project (Phase II) will extend BART service six miles from the Berryessa Transit Center into downtown San Jose up until city limits of Santa Clara. The project includes tunneling and building four new stations located at 28th

Street/Little Portugal Station, Downtown San Jose Station, Diridon Station (connecting to light rail, Caltrain, Amtrak, Greyhound, and VTA Bus Services, as well as future High-Speed Rail), and Santa Clara Station. This project has three community-based working groups to represent community interests at the future station areas.

Eastridge to BART Regional Connector Project (EBRC) – Light Rail

Extension is VTA’s second largest project and brings about the final phase of extending light rail from the Alum Rock Station 2.4 miles to the Eastridge Transit Center with an elevated guideway primarily in the center of Capitol Expressway in East San Jose. The Eastridge extension will include an elevated light rail station at Story Road, and an at-grade station located at the Eastridge Transit Center. E. San Jose is an area with a large LEP community. Newsletters and mailed notices are provided in multiple languages that represent the community. Presentations are provided with interpreters as needed. As the agency moves toward construction, VTA-hosted meetings will include facilitated meetings in Spanish. The meetings addressed below are the quarterly Stakeholder Working Group meetings.

Projects in the Transit-Oriented Development Portfolio look to create mixed-use and mixed income developments through public-private and public-public partnerships on VTA-owned sites. Portfolio wide, 35% of the residential units will be affordable to residents that fall in the low to very low-income categories. Several of the developments will also provide supportive services to their residents. The community meetings are either facilitated in languages other than English or provide simultaneous interpretation. All notices are provided in multiple languages.

US 101/SR 25 Highway Interchange Project addresses an aging interchange in south Santa Clara County, which has a high LEP Spanish speaking population. All materials mailed and presented are provided in English and Spanish (meetings include simultaneous interpretation).

US 101/De La Cruz Boulevard/Trimble Road Interchange

Improvements proposes to reconstruct the US 101/Trimble Road interchange and to widen Trimble Road between De La Cruz Boulevard/Seaboard Avenue and Central Expressway in the City of San Jose and City of Santa Clara. This project is funded by the 2016 Measure B sales tax. A pre-construction meeting was held and noticed in a newsletter describing the project and what the public can expect to see/experience from construction activities. The area is in an industrial area and the meeting was held during the lunch hour to accommodate the business community attendees. The meeting was provided with simultaneous Spanish interpretation.

Conclusion

The PPP demonstrates VTA’s accessible methods, community-focused

approach, and commitment to meet and exceed federal requirements when it comes to Environmental Justice, Title VI, and engaging individuals with disabilities as well as Limited English Proficient, low-income, and minority communities. The PPP ensures that no person shall, on the grounds of any other protected category described by state or federal law, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any VTA programs or activities. Public engagement is a continuous effort. Therefore, this is a document that is continuously reviewed and updated. The next update will be prepared in 2025. Should you wish to give us feedback or input for further improvement, please contact the Office of Civil Rights:

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