

**MOVE Board of Directors Meeting Agenda**  
**1:00 PM, Tuesday, November 16, 2021**

**Due to Covid-19 the meeting will be held utilizing "GoToMeeting" online conferencing.**  
**Email Stacie Morales for meeting Link**  
**[staciem@movestanislaus.org](mailto:staciem@movestanislaus.org)**

---

**AGENDA**

**1. Call to Order**

**2. Roll Call –**

Jenny Kenoyer  
Jeff Lambaren  
Joe Madden  
Pat Maisetti  
Lupe Aguilera

**3. Public Comments**

Matters under the jurisdiction of the MOVE Board of Directors, and not on the agenda may be addressed by interested parties in the audience at the beginning of the regular agenda. Any member of the audience wishing to address the Board of Directors during the "Public Comments" period shall be permitted to be heard for up to five minutes or at the discretion of the Chair.

**4. Approve Minutes**

**Action:** Approve minutes of September 21, 2021, Board Meeting.

**5. Presentation: Human Services Coordination Plan – Edith Robles**

**6. Adopt Resolution #2021-1101 approving the 2021 MOVE Title VI Program and Limited English Proficiency (LEP) Plan – Stacie Morales**

**Action:** Authorize the Chief Executive Officer (CEO) of MOVE take steps required to execute any and all documents necessary to complete the Title VI process. Adopt Resolution #2021-1101 approving the 2021 MOVE Title VI Program and Limited English Proficiency (LEP) Plan and authorize staff to submit the necessary documentation to Caltrans for review and approval.

**7. Approve MOVE Board of Directors 2022 Meeting Schedule and Calendar – Stacie Morales**

**Motion:** Approve the MOVE Board of Directors 2022 Meeting Schedule and Calendar

**8. MOVE Board of Directors Bylaws – Stacie Morales**

**Motion:** Approve the creation of a MOVE Board of Directors Bylaws Review Committee consisting of two MOVE Board of Directors and the CEO of MOVE.

**9. CEO Report**

**10. Comments by Rosa De León Park, Ex-Officio**

**11. Comments by Board Members**

**12. Information Items**

- a. The following items are for information only  
September/October 2021 Program Reports

**13. Adjourn**

**Next Scheduled Board Meeting:**

December 21, 2021 (Tuesday) @ 1:00 PM  
Stanislaus Veterans Center  
3500 Coffee Road, Room 112  
Modesto, CA 95355

**Due to Covid-19 the meeting may be held in person and/or on-line via “GoToMeeting” conferencing.**

**DATE:** November 16, 2021

**TO:** MOVE Board of Directors

**RE:** Minutes of September 21, 2021

**Agenda Item: 4**

---

## **MEETING MINUTES**

### **Important Notice Regarding COVID 19**

In accordance with Governor Newsom's Executive Order N-29-20, the MOVE Board of Directors board room was closed. In the interest of maintaining appropriate social distancing measures, MOVE Board of Directors and members of the public were able to participate in the meeting electronically via GoToMeeting and had the right to observe and offer public comment during the meeting.

#### **PRESENT:**

Chair Jenny Kenoyer  
Vice Chair Jeff Lambaren  
Director Pat Maisetti  
Director Lupe Aguilera

**ALSO PRESENT:** Stacie Morales, Hayley Vieyra, Edith Robles, Karen Dunger, Clint Miller, and Laura Coutrakis.

**1. Call to Order –** Meeting called to order September 21, 2021, 1:08 p.m.

#### **2. Roll Call –**

Jenny Kenoyer  
Jeff Lambaren  
Joe Madden – Absent  
Pat Maisetti  
Lupe Aguilera

#### **3. Public Comments**

Matters under the jurisdiction of the MOVE Board of Directors, and not on the agenda may be addressed by interested parties in the audience at the beginning of the regular agenda. Any member of the audience wishing to address the Board of Directors during the "Public Comments" period shall be permitted to be heard for up to five minutes or at the discretion of the Chair.

No comments were made by those present.

#### **4. Approve Minutes**

**Action:** Approve minutes of July 20, 2021 Board Meeting

**Discussion:** Chair Kenoyer chose to abstain since she did not attend the July Board Meeting

Motion made by Director Aguilera, Second by Director Maisetti to approve July 20, 2021, Board Meeting minutes.

Passed: Three Ayes, Chair Kenoyer abstained

#### **5. Presentation: Human Services Coordination Plan – Edith Robles**

**Discussion:** Edith Robles from Stanislaus Council of Governments (StanCOG) shared the current status of the Human Services Coordination plan, as well as needs identified from the plan findings. Target populations include seniors, persons with disabilities, low income, Veterans, youth and students. They each make up over ¼ of the population identified as transit dependent. Current needs for tailored outreach, funding and infrastructure improvements came to light, as well as several barriers and challenges to accessing transportation. Strategies for improvements will be presented at public workshops within the next couple of days, to share the information and receive feedback with our community.

#### **6. Presentation: Rides to Vaccines – Stacie Morales and Hayley Vieyra**

**Discussion:** Stacie Morales and Hayley Vieyra reviewed the LISC grant program. This grant program provides funding to arrange rides for any individuals who need transportation to and from COVID 19 vaccine appointments utilizing the Uber Health app. Promotions are underway to reach out to Stanislaus County residents who need assistance getting to their vaccine appointments. Uber drivers are not available in Patterson, therefore we are partnering with Catholic Charities and Scott Pearson from Hamon Senior Center in Patterson to recruit volunteer drivers in the area. Flyers have gone out to county residents as well as local committees to promote these services. Next steps will be to partner with public health to promote this free service.

#### **7. Approve Services Agreement with Stanislaus Regional Transit Authority (StanRTA) for ADA Paratransit Eligibility Services – Stacie Morales**

**Action:** Authorize the CEO of MOVE to negotiate and take any steps required to execute any and all documents necessary to enter into a Service Agreement with StanRTA to provide ADA Paratransit Eligibility Services.

**Discussion:** February 2016, a study was completed to determine how to best provide eligibility services for local paratransit services. At that time there were four transit agencies each with their own process, and it was decided that a regional process was needed. In February 2018 MOVE standardized the process and started to conduct in-person interviews to determine paratransit eligibility. On January 26, 2021, the City of Modesto and Stanislaus County decided to consolidate transit services into one agency the Stanislaus Regional Transit Authority (StanRTA). The consolidation was completed July 1<sup>st</sup>, 2021, therefore previous agreements with local agencies became void due to the consolidation. The terms of the service agreement are the same as the previous service agreements. This agreement with StanRTA will allow MOVE to continue to provide regional eligibility service.

**Motion** made by Vice Chair Lambaren, Second by Director Maisetti to authorize the CEO of MOVE to negotiate and take any steps required to execute any and all documents necessary to enter into a Service Agreement with StanRTA to provide ADA Paratransit Eligibility Services.

Passed: Unanimous

## **8. Financial Report Update – Stacie Morales/Miller Consulting**

Clint Miller (Miller Consulting) presented several financial highlights for fiscal year 2020-2021. Financial reports were provided in the board packet summarizing our current financial position. We have been keeping within our annual budget. Due to COVID, we received a Payroll Protection Loan and FFCRA (credits to cover employee time off due to COVID). We saw a decrease in services over the past year, again due to COVID which reduced expenses last year. This provided MOVE with funding which will be used during this new fiscal year to continue and increase operations and services. These are un-audited financials and it's possible there may be some minor changes after our audit is conducted.

## **9. CEO Report – Stacie Morales**

Stanislaus Eligibility Center (SEC)– We are continuing to conduct paratransit eligibility interviews by telephone. We do not expect to conduct in-person interviews over the next few months as there has been a significant increase in COVID cases in our county.

Travel Training – Travel training is being conducted virtually and in-person. We expect to see an increase in demand when masks are no longer required indoors and as the day programs begin reopening.

VetsVan – We had a record day where we provided 12 rides in one day. However, with the recent increase of COVID cases in our county we noticed that doctor appointments are being cancelled and conducted again over the phone for public

safety. We expect to see the number of rides going down during this time.

New Staff Members – We have two new staff members, Claudia Yepez has joined our eligibility team. We have also hired a new Travel Trainer, Stevie Kostelnik. We are happy to have them join the MOVE team. We will introduce them when the board meetings are in-person.

MOVE Website – We've been working on developing our new site. Hayley will be reaching out to each one of the Board Members to complete your bios for the new website.

#### **10. Comments by Rosa De León Park, Ex-Officio**

Edith Robles from StanCOG attended on behalf of Rosa De León Park. Ms. Robles shared that StanCOG is continuing to work remotely. Thank you to MOVE for working with us on the Coordination Plan!

#### **11. Comments by Board Members**

There were no comments from the board.

#### **12. Information Items**

- a. The following items are for information only.
  - July and August Program Reports
- b. Public Transit Human Services Coordination Plan Virtual Community Workshop

#### **13. Adjourn to Closed Session**

The MOVE Board adjourned to closed session at 1:48 p.m.

#### **14. Reconvene from Closed Session**

The MOVE Board returned from closed session 2:20 p.m.

#### **15. Discussion and Possible Action Regarding Chief Executive Officer Evaluation**

Chair Kenoyer reported on the behalf of the MOVE Board of Directors that the CEO of MOVE will receive a 3% increase in base salary retroactive to July 1, 2021 and a 2% incentive bonus for Fiscal year 2020/21.

#### **16. Adjourn** – Meeting adjourned September 21, 2021, 2:25 p.m.

##### **Next Scheduled Board Meeting:**

October 19, 2021 (Tuesday) @ 1:00 PM  
Stanislaus Veterans Center  
3500 Coffee Road, Room 114/115  
Modesto, CA 95355

**Due to Covid-19 the meeting may be held on-line via “GoToMeeting” conferencing**

**DATE:** November 16, 2021  
**TO:** MOVE Board of Directors  
**RE:** Adopt Resolution #2021-1101 approving the 2021 MOVE Title VI Program and Limited English Proficiency (LEP) Plan

**Agenda Item: 6**

---

**Discussion:**

MOVE Stanislaus Transportation (MOVE), as the Consolidated Transportation Services Agency (CTSA) and a recipient of federal funds in the Stanislaus region, must establish and execute a program to ensure that all planning, operations, and other activities do not discriminate against minority individuals or communities.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. To be eligible for Federal Transit Administration (FTA) funding, recipients are required to implement a Title VI Program that demonstrates that no programs or services provided by MOVE creates discrimination toward any demographic of the population served by that program or service. The Title VI Program is required to be updated every three years and submitted to Caltrans for review and approval.

The Federal Transportation Administration (FTA) and the Federal Highway Administration (FHWA) allocate funds to the Stanislaus region; therefore, MOVE is required to file a report to Caltrans demonstrating its adherence to Title VI of the 1964 Civil Rights Act.

In order to adhere to this FTA requirement, staff has prepared an updated Title VI Program for MOVE in accordance with FTA Circular 4702.1B, dated October 1, 2012. The MOVE Board of Directors approved the original Title VI Program on September 20, 2018. MOVE is required to update this plan every three years. The plan being submitted is the recommended updated plan.

Specifically, the Title VI Program includes the following contents:

- Title VI Public Notice
- Title VI Complaint Procedures and Form, and records of any Title VI related complaints, investigations, or lawsuits
- Public Participation Plan
- Limited English Proficiency (LEP) and Language Assistance Plan

Once approved by the MOVE Board of Directors, this Title VI Program plan will be submitted to

Caltrans for final approval.

**Fiscal Impact:**

There is no direct fiscal impact from adopting the Title VI Program and the LEP Plan.

Failure to update this document every three years could result in the loss of future FTA funds that MOVE needs to provide its services.

**Recommendation:**

It is recommended that the MOVE Board of Directors:

**Action:** Authorize the CEO of MOVE take steps required to execute any and all documents necessary to complete the Title VI process. Adopt Resolution #2021-1101 approving the 2021 MOVE Title VI Program and Limited English Proficiency (LEP) Plan and authorize staff to submit the necessary documentation to Caltrans for review and approval.

Attachment:

- A. 2021 MOVE Title VI Program and Limited English Proficiency (LEP) Plan
- B. Resolution #2021-1101





# **Title VI Program and Limited English Proficiency Plan**

MOVE  
3500 Coffee Road, Suite 19  
Modesto, California 95355  
(209) 672-1143  
Web Site: [www.movestanislaus.org](http://www.movestanislaus.org)

MOVE Board of Directors Adopted: September 20<sup>th</sup>, 2018  
Revised and Adopted: November 16<sup>th</sup>, 2021

*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.*

*- Civil Rights Act of 1964*

## **Table of Contents**

<b>1. Introduction</b>	<b>1</b>
<b>2. Agency Overview</b>	<b>1</b>
<b>3. Title VI Public Notice</b>	<b>2</b>
<b>4. Title VI Complaint Procedures</b>	<b>5</b>
<b>5. Title VI Complaint Form</b>	<b>10</b>
<b>6. List of Title VI Complaints, Investigations, or Lawsuits</b>	<b>14</b>
<b>7. Public Participation Plan</b>	<b>15</b>
<b>8. Access for Persons with Limited English Proficiency (LEP)</b>	<b>16</b>
<b>9. Title VI Equity Analysis</b>	<b>21</b>
 <b>Appendix 1: Board of Directors Resolution Approving Title VI Program</b>	 <b>22</b>

## Introduction

Title VI of the Civil Rights Act of 1964, a federal statute, provides that no person shall, on the ground of Limited English Proficiency (LEP), 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. In addition, Presidential Executive Order 13166 require recipients, sub-recipients of federal funds to take responsible steps to address the needs of individuals who have limited-English proficiency in order to ensure no discrimination occurs based upon national origin.

On October 1, 2012, the Federal Transit Administration (FTA) released Circular 4702.1B to comply with the newly revised Department of Transportation (DOT) regulation issued to implement the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and Executive Order 13166. MOVE's Title VI Program has been established to reflect the requirements of the circular. As part of the program implementation, MOVE is required to submit a Title VI compliance report to Caltrans Division of Mass Transportation every three years. This plan and report highlight MOVE's efforts to support and comply with all aspects of Title VI.

## Agency Overview

MOVE's is a non-profit organization dedicated to connecting the residents of Stanislaus County with transportation options to access the community. We empower people to improve their lives by find the most appropriate mode of transportation for their needs. Our staff stives to promote mobility for individuals who face challenges because increased mobility supports great independence and higher quality of life. We offer a variety of programs to fit the diverse needs of our clients.

*Travel Training:* Riding the bus is a fun and affordable way to travel within the community. MOVE's free Travel Training program equips residents with the skill needed to independently ride the various public transit systems. Our professional Travel Trainers provide one-on-one and small group trainings.

*ADA Paratransit Eligibility:* The Stanislaus Eligibility Center, operated by MOVE, provides one simplified eligibility process for ADA paratransit services in Stanislaus County. Paratransit is a safety net for people whose disability prevent them from using accessible public transit.

*VetsVan:* The VetsVan program is a free service available for Veterans who have decreased mobility and have no other way to get to medical appointments in Modesto, Livermore, Palo Alto, and other locations in Northern California.

*BRIDGES*: The BRIDGES volunteer driver program provides door-through-door transportation services for those who are unable to ride public transit. Accessing medical appointments, Grocery stores, and social activities is difficult for many individuals who are able to drive or use public transit. Participants are able to schedule trips with their volunteer driver at their convenience. MOVE provides participants with mileage reimbursements to pay their driver for qualified trips.

## **Title VI Public Notice**

MOVE Stanislaus Transportation, herein after referred to as MOVE, operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. MOVE is committed to complying with the Title VI requirements in all programs and services.

For more information on MOVE's civil rights program, and the procedures to file a complaint, please contact:

**MOVE Stanislaus Transportation  
3500 Coffee Road, Suite 19  
Modesto, CA 95355  
209-672-1143**

Any person who believes he or she has been aggrieved by any unlawful discriminatory practice in the delivery of or access to MOVE's services on the basis of race, color, or national origin, may file a complaint with MOVE. For information on how to file a complaint, contact MOVE as listed above, or go to the MOVE website: [www.movestanislaus.org](http://www.movestanislaus.org).

A complainant may file a complaint directly with the office listed below:

**Federal Transit Administration  
Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Ave., SE  
Washington DC 20590**

If information is needed in another language, contact 209-672-1143 for assistance.

## **Notificación al Público**

### **Sobre los Derechos Segun Título VI, Acta de Derechos Civiles de 1964**

La Agencia de MOVE ofrece sus programas y servicios sin consideraciones de raza, color o origen nacional, de conformidad con el Título VI del Acta de Derechos Civiles de 1964. La Agencia de MOVE está comprometido a cumplir con requisitos de Titulo VI en todo sus programas y servicios.

Para obtener más información sobre la Agencia de MOVE y del procedimiento para presentar una reclamación, favor de contactar a:

**MOVE Stanislaus Transportation  
3500 Coffee Road, Suite 19  
Modesto, CA 95355  
209-672-1143**

Cualquier persona que cree que ha sido perjudicada por una práctica discriminatoria por motivos de raza, color o origen nacional durante el uso de los servicios de MOVE, puede presentar una reclamación con la Agencia de MOVE. Para información sobre presentar una reclamación, puede ponerse en contacto con MOVE como listado arriba o visitar la Agencia de MOVE en [www.movestanislaus.org](http://www.movestanislaus.org).

Un demandante puede presentar una reclamación directamente con:

**Federal Transit Administration  
Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Ave., SE  
Washington DC 20590**

Si necesita información en otro idioma, llame al (209) 672-1143 para obtener asistencia.

## **List of Locations Where the Title VI Notice is Posted**

- MOVE Website: [www.movestanislaus.org](http://www.movestanislaus.org)
- MOVE office bulletin board
- MOVE VetsVan vehicles

## 1. Title VI Complaint Procedures

This document outlines the Title VI complaint procedures related to providing programs, services, and benefits. It does not, however, deny the complainant the right to file formal complaints with the California Department of Transportation, the Secretary of the US Department of Transportation, Equal Employment Opportunity Commission (EEOC), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of **race, color or national origin** be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

### **Title VI Complaint Procedure:**

1. Any person who believes he or she has been discriminated against on the basis of race, color, or national origin by MOVE may file a Title VI complaint by completing and submitting the Agency's Complaint Form. The complaint procedure may be obtained from the MOVE's website at [www.movestanislaus.org](http://www.movestanislaus.org). The complaint procedure may be requested via e-mail at [info@movestanislaus.org](mailto:info@movestanislaus.org), or telephone at 209-672-1143. The complaint procedure can also be obtained by writing to MOVE, 3500 Coffee Road, Suite 19, Modesto, CA 95355.
2. A complaint form is available in hard copy at the MOVE office or may be downloaded from [www.movestanislaus.org](http://www.movestanislaus.org). If the complainant is unable to write a complaint, MOVE staff will assist the complainant in doing so.

The complaint may be sent to the following address:

**MOVE Stanislaus Transportation  
3500 Coffee Road, Suite 19  
Modesto, CA 95355  
209-672-1143**

3. MOVE investigates complaints received no more than 180 calendar days of the last alleged incident. Once the complaint is received, MOVE will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.



4. MOVE has 60 days to investigate the complaint. If more information is needed to resolve the case, MOVE may contact the complainant. The complainant has 30 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 30 days, MOVE can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
5. Upon receipt of the complaint, MOVE will record the complaint in a Title VI Complaints, Investigations, and Lawsuit Log. This log includes the date of investigation, lawsuit, or complaint; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by MOVE in response to the investigation, lawsuit, or complaint.
6. 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 Title VI 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.
7. If the complainant is dissatisfied with the written decision, he or she may file a written appeal with MOVE, 3500 Coffee Road, Suite 19, Modesto, CA 95355 no later than 15 days of the date of the mailing of the decision. The appeal must be signed by the complainant or by someone authorized to do so on the complainant's behalf. If deemed necessary, the Chief Executive Officer of MOVE may seek assistance from the Agency legal counsel for further investigation.
8. In addition to the complaint process described above, a complainant may file a Title VI complaint with the office listed below:

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

## ***Procedimientos de Reclamaciones del Título VI***

Este documento indica el proceso de Título VI relacionado con programas, servicios y beneficios. Sin embargo, no niega que el demandante tenga el derecho hacer una reclamación formal con el Departamento de Transporte de California (California Department of Transportation), el secretario del Departamento de Transporte de los EE.UU. (Secretary of the US Department of Transportation), la Comisión de Igualdad de Oportunidad en el Empleo (Equal Employment Opportunity Commission [EEOC]), la Administración de Carreteras Federales (Federal Highway Administration [FHWA]), la Administración de Transporte Federal (Federal Transit Administration [FTA]), o para buscar un consejero privado por reclamaciones alegando discriminación, intimidación o retaliación de cualquier tipo que es prohibido por ley.

Título VI de La Ley de Derechos Civiles de 1964 exige que ninguna personal en los Estados Unidos, por razón de raza, color u origen nacional sea excluida de, esté denegado beneficios de, o esté sujeto a discriminación, bajo cualquier programa o actividad que recibe asistencia de beneficios financieros.

### **Proceso de presentar una reclamación bajo Título VI**

1. Cualquier persona quien cree que él/ella ha sufrido discriminación en base de raza, color o origen nacional por causa de La Agencia de MOVE puede presentar una reclamación de Título VI por medio de llenar y someter el formulario de reclamación de la Agencia. El formulario puede estar descargado del sitio de Internet de la Agencia de MOVE, [www.movestanislaus.org](http://www.movestanislaus.org). El formulario de reclamación pueda estar pedido por medio de e-mail en [info@movestanislaus.org](mailto:info@movestanislaus.org) o por teléfono en 209-672-1143. También, el formulario puede estar obtenido por escribir a MOVE, 3500 Coffee Road, Suite 19, Modesto, CA 95355.
2. Un formulario de reclamación está disponible en copia dura en la oficina de la Agencia de MOVE o se puede estar descargado de [www.movestanislaus.org](http://www.movestanislaus.org). Si el demandante no puede escribir una reclamación, un empleado de la Agencia de MOVE puede dar asistencia al demandante para hacerlo.  
Se debe mandar la reclamación a la dirección siguiente:

MOVE Stanislaus Transportation  
3500 Coffee Rd., Suite 19  
Modesto, CA 95355

3. La Agencia de MOVE investigará las reclamaciones recibidas no más de 180 días después del supuesto incidente. A una vez que la reclamación esté recibida, la Agencia de MOVE la revisará para determinar si nuestra Agencia tenga jurisdicción. El demandante recibirá una carta de conocimiento que informa a el/la si la reclamación estará investigada por nuestra Agencia.
4. La Agencia de MOVE tiene 60 días para investigar la reclamación. Si se necesita más información para resolver el caso, la Agencia de MOVE puede ponerse en contacto con el demandante. El demandante tiene 30 días desde la fecha de la carta pidiendo más información para enviar la información solicitada al investigador asignado al caso. Si el investigador no recibe una respuesta o la información solicitada dentro de los 30 días, la Agencia de MOVE puede cerrar el caso administrativamente. Un caso puede ser cerrado administrativamente también si el autor ya no desea seguir su caso.
5. De recibir la reclamación, la Agencia de MOVE entrará la reclamación en el registro de Title VI Complaints, Investigations, and Lawsuits. Este registro incluye la fecha de la investigación, demanda judicial, o reclamación y las acciones tomadas por la Agencia de MOVE en respuesta a la investigación, demanda judicial, o reclamación.
6. Tras la investigación, el investigador mandará una de dos cartas a la demandante: 1) una carta de cierre, o 2) una carta de resolución (letter of finding [LOF]). En una carta de cierre se resume las alegaciones y afirma que no había una violación del Título VI, y que el caso se cerrará. En la carta de resolución se resume los hechos denunciados y de las entrevistas sobre el supuesto incidente. La carta también incluye una explicación si hay alguna acción disciplinaria, si se producirá la formación adicional del miembro del personal, o si hay otra acción.
7. Si el demandante está insatisfecho con la decisión, él/ella tiene 15 días después de la fecha de la carta de cierre de la Agencia de MOVE o carta de resolución para apelar al Director Ejecutivo de MOVE, 3500 Coffee Rd., Suite 19, Modesto, CA 95355. La apelación tenga que estar firmada por el demandante o alguien autorizado hacerlo por parte del demandante. Si se considera necesario, el Director Ejecutivo puede buscar asistencia del consejero legal de la Agencia de MOVE para investigación adicional.

8. En adición al proceso de reclamación descrito arriba, el demandante también puede presentar una reclamación de Título VI directamente con la:

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

## Title VI Complaint Form

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

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

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

Signature and date are required below to complete form:

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

MOVE Stanislaus Transportation  
 3500 Coffee Road, Suite 19  
 Modesto, CA 95355

## **Título VI Formulario de Reclamación de Agencia de MOVE**

<b>Sección I:</b>				
<b>Nombre:</b>				
<b>Dirección:</b>				
Teléfono (casa):			Teléfono (trabajo):	
Correo Electrónico:				
¿Usted requiere formatos accesibles? ¿Cuáles?	Letra Grande		Cinta de Audio	
	TDD		Otra Forma	
<b>Sección II:</b>				
¿Está presentando esta reclamación en su propio nombre?			Si*	No
* Si respondió "sí" a esta pregunta, vaya a la Sección III.				
Si no es así, proporcione el nombre y la relación de la persona por la que se reclama:				
Explique por qué ha solicitado un tercero:  _____				
Confirme que ha obtenido el permiso de la parte perjudicada si está presentando una reclamación en nombre de un tercero.			Si	No
<b>Sección III:</b>				
Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):				
<input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen nacional				
Fecha de presunta Discriminación (Mes, Día, Año): _____				
Explique, con la mayor claridad posible, qué sucedió y por qué cree que fue discriminado. Describe a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la persona (s) que lo discriminó (si lo conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, use hojas adicionales.				

<b>Sección IV</b>		
¿Ha presentado anteriormente una reclamación del Título VI con esta Agencia?	Si	No
<b>Sección V</b>		
¿Ha presentado esta reclamación ante cualquier otra agencia federal, estatal o local, o ante cualquier corte federal o estatal? <input type="checkbox"/> Si <input type="checkbox"/> No En caso afirmativo, marque cada casilla que corresponda: <input type="checkbox"/> Agencia Federal _____ <input type="checkbox"/> Corte Federal _____ <input type="checkbox"/> Agencia Estatal _____ <input type="checkbox"/> Corte Estatal _____ <input type="checkbox"/> Agencia Local _____		
Por favor proporcione información sobre una persona de contacto en la agencia o corte donde se presentó la reclamación.		
Nombre:		
Título:		
Agencia:		
Dirección:		
Teléfono:		
<b>Sección VI</b>		
Nombre de la agencia contra cual reclamación:		
Persona de Contacto:		
Título:		
Número de Teléfono:		

Puede adjuntar cualquier material escrito u otra información que considere relevante para su reclamo.

La firma y la fecha se requieren a continuación para completar el formulario:

Firma \_\_\_\_\_ Fecha \_\_\_\_\_

Envíe este formulario en persona o envíelo por correo a la siguiente dirección:

MOVE  
3500 Coffee Road, Suite 19  
Modesto, CA 95355



## 2. List of Title VI Complaints, Investigations, or Lawsuits

**MOVE does not have any past, current, or pending Title VI complaints. As such, this requirement is not applicable.**

In the event that a complaint is received by MOVE, a summary will be prepared and maintained documenting any alleged discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming MOVE

A list, in the format shown below, shall include the date that the Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint.

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

## **5. Public Participation Plan**

MOVE continually strives to inform the community about our many services and programs including ADA Paratransit Regional Eligibility, BRIDGES Volunteer driver program, VetsVan, and Travel Training via staff outreach, marketing materials and our website ([www.movestanislaus.org](http://www.movestanislaus.org)).

MOVE staff disseminates information about the services/ changes at outreach opportunities by attending in person and virtually during the COVID-19 pandemic. The following represents an example of the outreach opportunities:

- Age with Movement
- Stanislaus County Health Services Agency
- Stanislaus County Community Services Agency
- Healthy Aging Summit
- Senior Awareness Days
- International Rescue Committee (IRC)
- Senior Congregate Meal Sites throughout Stanislaus County
- Senior Information Day, City of Oakdale
- Ceres Unified School District Adult Transition Program
- Stanislaus Council of Governments Unmet Transit Needs Process

### **Recurring Outreach Efforts**

MOVE benefits from additional outreach when the Chief Executive Officer and staff attend regularly scheduled meetings to promote the benefits of the MOVE programs:

- Commission on Aging
- MOVE Board of Directors meetings, conducted in accordance with the Open Meeting Act
- Senior Coalition of Stanislaus Meetings
- Serving our Seniors (SOS) meetings
- Stanislaus County Transit Managers Meetings
- The Social Services Transportation Advisory Council (SSTAC) meetings
- Veteran Advisory Commission (VAC)

## 6. Access for Persons with Limited English Proficiency (LEP)

Executive Order 13166, titled, “Improving Access to Services for Persons with Limited English Proficiency,” indicates that differing treatment based upon a person’s inability to speak, read, write or understand English is a type of national origin discrimination. The Order applies to all state and local agencies which receive Federal funds.

MOVE has taken reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of our programs and activities for persons with limited English proficiency. Consideration is given to identifying a person who may need language assistance, providing assistance, and conducting staff training.

### Four Factor Analysis

A Four Factor Analysis was conducted to determine the specific language services that are appropriate to provide.

***Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.***

Language	Percentage	Population Count
Speak English Only	37.1%	183,001
Speak Spanish Only	22.2%	109,733

The 2010 census identifies the two major language groups in Stanislaus County as English and Spanish, with approximately 37.1% of the population identified as English speaking only, and 22.2% identified as speaking Spanish only. All other LEPs combined equal approximately 10% of the population, with Asian and Pacific Island languages totaling approximately 2.3%.

Given these demographics the most likely language need at MOVE would be English or Spanish.

Due to the COVID-19 Pandemic, the census results for 2020 are not currently available.

***Factor 2: The frequency with which LEP persons come into contact with the program.***

Consistent with the data for the area, LEP persons who speak either English or Spanish would be the most likely to request services from MOVE. Currently there are 356 clients of MOVE programs that require an interpreter for Spanish.

**Factor 3. The nature and importance of the program, activity, or service provided by the program to people's lives**

MOVE understands that its services are used for life-sustaining activities, such as transportation to work, grocery shopping, non-emergency medical appointments, as well as life-enriching activities, such as school, and social events. For transit-dependent individuals, MOVE services are gravely important. Whenever feasible within the constraints of time and economy, MOVE will provide translations of vital documents relating to its services.

**Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.**

MOVE currently has 3 members of our staff who speak Spanish and one member who speaks Ukrainian and Russian. MOVE has an account established with Pacific Interpreters. Pacific Interpreters provides interpreters who speak 240 different languages. This allow MOVE to be able to communicate with any resident in Stanislaus County interested in our services. In addition, MOVE also has an account established with Grafica Design, Roberto Radrigan, who provides Spanish interpretation and translation services.

For persons who are hearing impaired or disabled, MOVE staff directs anyone who needs service to use the free California Relay Service (711).

There is no cost for these services.

**Safe Harbor Provision**

**The Federal Transit Authority Circular 4702.1B states:**

***"DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. 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.***

***These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program."***

MOVE will provide vital documents including Title VI Notice, Title VI Instructions, Title VI Complaint Form, and Enrollment Forms in English and Spanish.

## **LANGUAGE ASSISTANCE**

A person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to MOVE services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

MOVE is committed to making its services and programs available to LEP persons and to continue with the following practices:

- An LEP person interested in becoming a participant of MOVE services in many cases is accompanied by a family member or friend who provides language assistance. In the event this is not the case, Spanish speaking staff will assist.
- MOVE program staff will note the need for language assistance on the in-take form or database., Using monthly reports from MOVE programs, the Title VI Administrator will analyze annually the number of LEP encounters to evaluate MOVE's interpretation/translation needs and services.

- MOVE will post the Title VI Notice and the Complaint Procedures and forms in English and Spanish on the agency website, [www.movestanislaus.org](http://www.movestanislaus.org), and post the availability of translators in the locations where staff and volunteers are most likely to encounter LEP persons.
- Instructions for callers who want to use the Language Line or the California Relay service are posted on the MOVE website.
- The MOVE staff most likely to encounter LEP persons will be trained on using these resources.

## **LANGUAGE ASSISTANCE MEASURES**

1. MOVE employees take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources are available to accommodate LEP persons:
  - a. MOVE has posted notice of Title VI Policy Statement and Complaint Procedures on the agency website, [www.movestanislaus.org](http://www.movestanislaus.org), and post the availability of interpretation or translation services free of charge in the locations where staff and volunteers are most likely to encounter LEP persons (notices in English only).
  - b. Copies of the Policy Statement and Complaint Procedures in both English and Spanish can also be obtained at 3500 Coffee Rd. Suite 19, Modesto, CA 95355.

## **STAFF TRAINING**

The staff most likely to encounter LEP individuals who participate, or are interested participating in the programs, and their family members or caregivers has been identified as:

- The MOVE staff at 3500 Coffee Rd., Suite 19, Modesto, CA 95355
- The Travel Trainers
- Stanislaus Eligibility Center staff
- A VetsVan driver
- Staff members who participate in outreach outside the agency

These interactions may take place on the phone, email or in person.

Because any MOVE staff member may encounter LEP individuals, training is provided to all upon hire and is reviewed annually. The training includes:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- How to handle a potential Title VI/LEP complaint.
- Documentation of language assistance requests and complaints.

## **MONITORING**

### **Monitoring and Updating the LEP Plan**

MOVE will review and update the LEP Plan every three years, at a minimum, or as requested when data from the Census is available that demonstrates higher concentrations of LEP individuals are present in the MOVE service area. Updates include the following:

- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination whether the need for translation services has changed.
- The Title VI complaint log.

## **DISSEMINATION OF THE MOVE LEP PLAN**

A link to the MOVE LEP Plan and the Title VI Procedures is included on the MOVE's website, [www.movestanislaus.org](http://www.movestanislaus.org) and copies can also be obtained at 3500 Coffee Rd. Suite 19, Modesto, CA 95355.

Any person or agency with internet access is able to access and download the plan from the MOVE website. Alternatively, any person or agency may request a copy of the plan via email, telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost.

Questions or comments regarding the LEP Plan may be submitted to:

Title VI Administrator  
MOVE  
3500 Coffee Rd. Suite 19  
Modesto, CA 95355  
Main: 209-672-1143  
Fax: 209-593-0803  
Email: [staciem@movestanislaus.org](mailto:staciem@movestanislaus.org)

## **7. Title VI Equity Analysis**

MOVE has not undertaken any construction projects and therefore has not conducted an equity analysis.



## **Appendix 1**

### **Board of Supervisors Resolution Approving Title VI Program**

**Draft**

**Approved and executed Resolution will be added after board approval**

**MOVE STANISLAUS  
TRANSPORTATION RESOLUTION  
#2021-1101  
APPROVING THE 2021 MOVE TITLE VI COMPLIANCE REPORT  
AND THE 2021 MOVE LIMITED ENGLISH PROFICIENCY PLAN**

WHEREAS, MOVE Stanislaus Transportation (MOVE) is the designated Consolidated Transportation Services Agency (CTSA) of Stanislaus County and recipient of Federal Transportation funds; and

WHEREAS, 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, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance; and

WHEREAS, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," directs Federal agencies to examine the services they provide to ultimately develop and implement a system by which Limited English Proficiency (LEP) individuals can meaningfully access those services; and

WHEREAS, as a recipient of Federal Transportation Administration funds, MOVE is required to adhere to all provisions established in Title VI of the 1964 Civil Rights Act and Executive Order 13166; and

WHEREAS, MOVE is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI and LEP responsibilities, and to the delivery of equitable and accessible services; and

WHEREAS, any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with MOVE within 180 days from the date of the alleged discrimination.

NOW, THEREFORE BE IT RESOLVED that the MOVE Board of Directors approves the 2021 MOVE Title VI Compliance Report and 2021 MOVE Limited English Proficiency Plan.

BE IT FURTHER RESOLVED that the Chief Executive Officer is authorized to make administrative changes to the Title VI Compliance Report and Limited English Proficiency Plan, as needed, to ensure that the programs contained therein are implemented in the most efficient and cost- effective manner possible.

The foregoing Resolution was introduced at a regular meeting of the MOVE Stanislaus Transportation Board of Directors, on the 16th day of November 2021. A motion was made and seconded to adopt the foregoing Resolution. Motion carried, and the Resolution was adopted.

MEETING DATE: November 16, 2021

---

JENNY KENOYER, CHAIR

**DATE:** November 16, 2021  
**TO:** MOVE Board of Directors  
**RE:** Approve MOVE Board of Directors 2022 Meeting Schedule and Calendar – Stacie Morales

**Agenda Item: 7**

---

***Discussion:***

The MOVE Board of Directors has a regularly scheduled public meeting date and time on the third Tuesday of the month at 10:00 am. All meetings are held at the Stanislaus Veterans Center - 3500 Coffee Road, Modesto, CA 95355. Due to Covid-19 meetings may be held virtually utilizing GoToMeeting.

It is proposed that the same meeting day and time be reserved in 2022. There are two recommendations that are not on the third Tuesday of the month. It is recommended that the March meeting be held on March 29<sup>th</sup>. This will allow for the CEO to complete the budget and Transportation Development Act (TDA) claim for the Stanislaus Council of Governments. The May meeting is recommended to be held on May 24<sup>th</sup> as the CEO will not be available to meet on May 17<sup>th</sup>.

***Fiscal Impact:***

There is no direct fiscal impact from approving the MOVE Board of Directors 2022 Meeting Schedule.

***Recommendation:***

It is recommended that the MOVE Board of Directors:  
Approve MOVE Board of Directors 2022 Meeting Schedule and Calendar.

**Attachment:**

- A. MOVE Board of Directors 2022 Meeting Schedule and Calendar



## MOVE Board of Directors 2022 Meeting Calendar

MOVE Board Meetings are held on the 3rd Tuesday each month at

1:00 p.m. 3500 Coffee Rd., Room 113, Modesto, CA 95355

During Covid 19 Meetings are being held online.

# 2022

January						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Our March 2022 meeting will be held on March 29, 2022 to allow additional time during that month for the Annual Budget.



## **MOVE Board of Directors 2022 Meeting Schedule**

**Meetings are held at 1:00pm**

Tuesday, January 18, 2022

Tuesday, February 15, 2022

Tuesday, March 29, 2022

Tuesday, April 19, 2022

Tuesday, May 24, 2022

Tuesday, June 21, 2022

Tuesday, July 20, 2021

Tuesday, August 16, 2022

Tuesday, September 20, 2022

Tuesday, October 18, 2022

Tuesday, November 16, 2022

Tuesday, December 20, 2022

**DATE:** November 16, 2021  
**TO:** MOVE Board of Directors  
**RE:** MOVE Board of Directors Bylaws – Stacie Morales

**Agenda Item: 8**

---

**Discussion:**

MOVE Stanislaus Transportation (MOVE) was incorporated on October 16, 2017, by Incorporating Directors Jenny Kenoyer and Mickey Peabody. Bylaws establishing the makeup of the Board of Directors, establishing business practices, and other corporate structure details were adopted to direct the functioning of the organization.

The MOVE Bylaws have been in place for several years. It is recommended that a committee of two MOVE Board of Directors and the Chief Executive Officer (CEO) meet in January 2022 to review and make recommendations for updating the bylaws.

As stated in the current Bylaws, Article V Committees:

1. The Board may, by majority vote of the directors then in office, create such other committees of the Board on any subject with the powers or purposes of the Corporation, as needed. The Board Chair shall appoint all committee members.

After the recommendations are presented to the MOVE Board of Directors the Bylaws may be amended by a majority of the Board.

**Fiscal Impact:**

The adoption or updating of the corporate Bylaws does not in itself establish any fiscal impact upon the corporation.

**Recommendation:**

It is recommended that the MOVE Board of Directors:

Approve the creation of a MOVE Board of Directors Bylaws Review Committee consisting of two MOVE Board of Directors and the CEO of MOVE.

Attachment: MOVE Board of Directors Bylaws

## **Bylaws of MOVE Stanislaus Transportation**

### **Article I – Name, Offices and Purpose**

1. The name of this nonprofit public benefit corporation is MOVE Stanislaus Transportation.
2. The location of the principal place of business shall be at:  
3500 Coffee Road, Suite 19  
Modesto, CA 95355
3. The purposes of MOVE Stanislaus Transportation are:
  - a. To improve through coordination with social services, charitable organizations, public transit services and other transportation providers the awareness and availability of mobility options including door through door transportation for people who cannot use traditional transportation services.
  - b. To identify, organize and serve the mobility needs of people who cannot use traditional transportation services.
  - c. To coordinate, facilitate and provide mobility options including door through door transportation for people who cannot use traditional transportation services.

### **Article II – Membership**

The Board of Directors shall constitute the members.

### **Article III – Board of Directors**

1. Board Role, Size and Compensation
  - a. Subject to the limitations as prescribed by the California Nonprofit Public Benefit Corporation Law, all corporate powers shall be exercised by or at the direction of, and the business and affairs of the Corporation shall be managed by, the Board of Directors. The individual directors shall act only as members of the Board, and the individual directors shall have no power as such.
  - b. The Board is comprised of five (5) voting members and one (1) Ex-Officio member who shall be appointed as follows:
    - The members shall be appointed by consensus of the members of the Board of Directors
    - One Ex-Officio non-voting member shall be the Executive Director of Stanislaus Council of Governments (StanCOG).
  - c. Members of the Board shall not be entitled to designate or send an alternate for attendance or voting at meetings.
  - d. For incorporating purposes, the Incorporating Director(s) shall constitute the Board of Directors and shall serve a full term. At the end of the initial full term, these Directors shall be subject to reappointment as any other Board member.
  - e. There will be no compensation for Board members.
2. Terms of Office, Resignations, and Vacancies:
  - a. The term of a director is three years, and each is eligible for re-appointment for a maximum of two full three year consecutive terms.

- b. Any director may resign at any time by giving written notice of such to the Chairman, Secretary, Treasurer, or Board of Directors. Such resignation shall take effect at the time specified in the notice.
- c. The term of office of any director shall expire and there shall be a vacancy on the Board in the event the Board declares the term of a director to have expired following a failure by that director to attend three consecutive meetings of the Board unexcused or who has a total of four unexcused absences in a twelve month period.

3. Board of Directors Meetings and Notices:

- a. Regular Meetings: The Board of Directors shall meet at least quarterly, at an agreed upon time and place. An official Board meeting requires that each Board member have written notice at least two weeks in advance. Board members are required to call the Secretary to the Board of Directors at least 48 hours in advance when they are unable to attend a regularly scheduled meeting of the Board. Members who fail to so notify the Secretary to the Board of Directors prior to the scheduled meeting will be considered unexcused.
- b. Special Meetings: Special meetings of the Board for any purpose may be called at any time by the Chairman or by two directors. Notice of the time and place of special meetings shall be given to each director by personal delivery of written notice, by e-mail, by facsimile, either directly to the director or to a person at the director's office who would reasonably be expected to communicate such notice promptly to the director. The notice of a special meeting need not state the purpose of the meeting.

4. Quorum:

Not less than a majority of the Directors currently appointed and serving shall constitute a quorum of the Board of Directors. Every act or decision made by a majority of the directors present at a meeting duly held at which a quorum is present shall be the act of the Board subject to the provisions of these Bylaws and/or the California Nonprofit Public Benefit Corporation Law. In the absence of a quorum at any meeting of the Board, a majority of the director's present may adjourn the meeting. A meeting at which a quorum is initially present may continue to transact business, notwithstanding the withdrawal of enough directors to leave less than a quorum. The Board may continue to conduct business with any action taken requiring at least a majority of the required quorum for such a meeting.

5. Conflict of Interest

- a. Any Board Member shall excuse themselves from any discussion when they have a vested interest in the subject before the board.
- b. Employees shall not be members of the Board of Directors.
- c. Failure of a board member to disclose such conflict of interest shall be grounds for removal from office by majority vote of the Board of Directors
- d. No compensation shall be paid to any board member for services as a member on the board, except that with the pre-approval of the board, directors may be reimbursed for expenses incurred on behalf of the corporation.



#### **Article IV Officers and Duties:**

1. There shall be four officers of the Board, consisting of a chair, vice chair, secretary and treasurer, all of whom shall hold their respective office for a term of one year. Officers of the Board shall be elected at a Board meeting to be held the fourth quarter of each calendar year for a term beginning on January 1 of the subsequent year and ending on December 31 of that subsequent year.

2. The officers' duties are as follows:

The **Chair** shall convene regularly scheduled Board meetings, shall preside or arrange for other members of the executive committee to preside at each meeting in the following order, vice chair, secretary and treasurer, and shall with ratification of the Board appoint persons to all committees.

The **Vice chair** shall chair committees on special subjects as designated by the Board.

The **Secretary** shall maintain a record of the proceedings of all meetings of the Board; serve all notices required by Law or by the Bylaws; answer all correspondence requiring response or which may be submitted for such purpose by another officer. The Secretary shall maintain a complete up to date and accurate record of the Articles of Incorporation, Bylaws and any amendments to the Bylaws and file with the Secretary of State any amendments to the Articles of Incorporation.

The **Treasurer** shall make a report quarterly to the Board on the financial statement of the corporation and more frequently as requested by the Board. The books and records of the corporation in the hands of the secretary or treasurer shall be open to inspection at all times to the Board of Directors. There shall be an annual audit by a certified public accountant.

The Board may authorize any officer, employee or agent, in the name and on behalf of the corporation, to enter into any contract or execute and satisfy any instrument, and any such authority may be general or confined to specific instances, or otherwise limited. In the absence of any action by the Board to the contrary, the Chair [and/or the Chief Executive Officer (see Article VI)] shall be authorized to execute such instruments on behalf of the corporation.

All checks, drafts and other orders for the payment of money out of the funds of the corporation, and all notes or other evidences of indebtedness of the corporation, shall be signed on behalf of the corporation by the Treasurer or by such other officer or employee as may be determined by the Board.

#### **Article V – Committees**

1. The Board may, by majority vote of the directors then in office, create such other committees of the Board on any subjects within the powers or purposes of the Corporation, as needed. The Board Chair shall appoint all committee chairs.
2. The Executive Committee shall consist of three officers: the Chair, Vice Chair, and Secretary. Except for powers to amend the Articles of Incorporation and Bylaws, the Executive Committee shall have all the powers and authority of the Board of Directors in the intervals between meetings of the Board of Directors, and is subject to the direction and control of the full Board.
3. A Finance Committee shall consist of 3 Board Members one of whom must be the Board Treasurer. The Committee would, among other things, be required to review the annual

audit, oversee preparation of the annual budget by the staff, and monitor financial performance on an ongoing basis through records provided by staff.

#### **Article VI – Chief Executive Officer and Staff**

1. Chief Executive Officer – the Chief Executive Officer is hired by the Board. The Chief Executive Officer shall fulfill the day to day responsibilities for the organization including carrying out the organization's goals and policies. The Chief Executive Officer will attend all Board meetings, report on the progress of the organization, answer questions of the Board of Directors and carry out the duties described in the job description. The Board of Directors can designate other duties as necessary.
2. The Chief Executive Officer is responsible to hire staff as needed. The Chief Executive Officer has the authority to hire and to make staffing adjustments when necessary. The Board of Directors can terminate the Chief Executive Officer as provided in an employment agreement in the event that an agreement is used to engage a Chief Executive Officer. A Chief Executive Officer may also be employed on an at-will basis.

#### **Article VII – Indemnification of Directors and Officers and Insurance**

1. Right of Indemnity. To the full extent permitted by law, this corporation shall indemnify its directors, officers, employees and other persons described in Section 5238(9a) of the California Corporations Code, including persons formally occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any "proceeding", as that term is used in such Section and including an action by or in the right of the corporation, by reason of the fact that such person is or was a person described by such section. "Expenses" as used in the Bylaws shall have the same meaning as in Section 5238(a) of the California Corporations Code.
2. Approval of Indemnity. Upon written request to the Board by any person seeking indemnification under Section 5238(a) or Section 5238(c) of the California Corporations Code, the Board shall promptly determine in accordance with Section 5238(e) of the Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and if so the Board shall authorize indemnification. If the Board cannot authorize indemnification because the number of directors who are parties to the proceeding with respect to which indemnification is sought prevent the formation of a quorum of directors who are not parties to such proceeding, the Board or the attorney or other person rendering services in connection with the defense shall apply to the court in which such proceeding is or was pending to determine whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met.
3. Advancement of Expenses. To the full extent permitted by law and except as is otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification under this Article VII in defending any proceeding covered by the Article shall be advanced by the corporation prior to the final disposition of the proceeding upon receipt by the corporation of an undertaking by or on behalf of such person that the advance

will be repaid unless it is ultimately determined that such person is entitled to be indemnified by the corporation therefore.

4. Insurance. The corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its officers, directors, employees and other agents of the corporation, against any liability asserted against or incurred by an officer, director, employee or agent in such capacity or arising out of the officers, directors, employees or agents status as such.

**Article VIII – Amendments**

The Bylaws may be amended at any meeting of the Board by a majority vote of the current membership of the Board, provided the proposed amendment has been sent to each director at least thirty (30) days before the meeting.

**CERTIFICATE OF SECRETARY**

I, MICHELLE C. PERRY HEREBY CERTIFY THAT:

I AM THE DULY ELECTED AND ACTING Secretary of MOVE Stanislaus Transportation, a California nonprofit public benefit corporation; and the foregoing Bylaws constitute the amended Bylaws of said Corporation duly adopted Feb. 15, 2018 by the Board of Directors effective February 15, 2018.

IN WITNESS WHEREOF, I have hereunder subscribed my name this 15<sup>th</sup> of February 2018.

/s/ Michelle C. Perry





# Stanislaus Eligibility Center Monthly Summary Report

Fiscal Year 2021/2022

		Jul-21			Aug-21			Sep-21			Oct-21								
CALLS for Appointments: received during the reporting month, regardless of the actual interview date (by Agency)																			
	MOD	PAT	TUR	Total	MOD	PAT	TUR	Total	Total	MOD	PAT	TUR	Total	Total					
	114	5	8	127	130	7	6	143	270	154	4	6	164	434	215	2	8	225	659
APPOINTMENTS by Status during the reporting month by Agency																			
	Booked	Canc	No Sh	Total	Booked	Canc	No Sh	Total	Total	Booked	Canc	No Sh	Total	Total					
MADAR	86	11	16	113	89	10	24	123	236	111	21	23	155	391	147	34	29	210	601
Start	1	0	4	5	3	2	3	8	13	2	1	1	4	17	2	1	0	3	20
Turlock	4	2	3	9	6	0	0	6	15	3	2	1	6	21	7	0	1	8	29
TOTAL Appt by Status	91	13	23	127	98	12	27	137	264	116	24	25	165	429	156	35	30	221	650
Interviews conducted during the reporting month (by Type)																			
New: In-Person (Phone due to COVID)	54				63					79					100				
Renew: In-Person (Phone due to COVID)	33				28					20					31				
TOTAL ADA Interviews	87				91				178	99				277	131				408
Assessments conducted during the reporting month (by Type)																			
1No Assessment	87				91					99					131				
1TUG Gait & Balance	0				0					0					0				
Functional Skills Assessment	0				0					0					0				
MMSE	0				0					0					0				
Professional Verifications	1				0					0					0				
Determinations completed during the reporting month (by Eligibility Type)																			
ADA	New	Renew	Total		New	Renew	Total			New	Renew	Total			New	Renew	Total		
Unconditional	49	30	79		57	26	83			70	20	90			90	30	120		
Temporary Unconditional	1	0	1		1	0	1			4	0	4			3	1	4		
Conditional	4	3	7		3	2	5			4	0	4			5	0	5		
Not Eligible	0	0	0		2	0	2			1	0	1			2	0	2		
Total ADA Determinations	54	33	87		63	28	91		178	79	20	99		277	100	31	131		408
Requests by Phone																			
Extension: Phone	2				3					6					8				
Immed Med: Phone	44				50					50					52				
Visitor: Phone	1				0					0					0				
TOTAL Non-ADA Determinations	47				53				100	56				156	60				216
2Compliance with ADA Timelimit																			
3Maximum Days	3				7					5					5				
No. of Determinations over 21 days	0				0					0					0				
4Average Days	1				1					2					2				
Appeals																			
Requests Received (this month)	0				0					0					0				
Requests Withdrawn (this month)	0				0					0					0				
Hearings Held (this month)	0				0					0					0				
Withdrawn																			
Did not complete interview process	0				0					4					5				
Referrals																			
Mobility Training	0				0					0					0				

ADA Interviews & Assessments      Total ADA Interviews should equal No assessments + TUG Gait & Balance

<sup>2</sup>ADA Timelimit ADA requires that determinations be completed within 21 days of receipt of completed application

<sup>3</sup>Maximum Days Maximum number of days between the eligibility process and the determination completed dates

<sup>4</sup>Average Days Average number of days between the eligibility process and the determination completed dates

Interviews are currently being conducted by telephone due to the COVID 19 pandemic.

**TRAVEL TRAINING, EDUCATION, AND OUTREACH PERFORMANCE RECORD 2021/2022**[illegible]

# VetsVan Summary Report

Month	Service Days	Unique Riders	Unique Drivers	Timesheet Hours	Service Hours	Service Miles	Perf	Canc	No Show	Denials			
										Cap	NE	Vol	SN
TOTAL	85			800	290.02	14,271.67	273	56	4	0	0	10	0
Jul 2021	21	22	4	186	73.43	3,647.89	58	6	0	0	0	0	0
Aug 2021	22	21	6	171	64.10	3,153.32	62	10	2	0	0	4	0
Sep 2021	21	25	7	227	76.02	3,776.87	69	24	0	0	0	6	0
Oct 2021	21	25	9	216	76.47	3,693.59	84	16	2	0	0	0	0