

 <p style="text-align: center;"><b>Council</b> <b>Communication</b> Office of the City Manager</p>	<b>Date:</b>	January 22, 2018
	<b>Agenda Item No.</b>	7
	<b>Roll Call No.</b>	<u>18-0100</u>
	<b>Communication No.</b>	<u>18-031</u>
	<b>Submitted by:</b>	<b>Pamela S. Cooksey, P.E., City Engineer</b>

**AGENDA HEADING:**

Approving Renewal of Iowa Department of Transportation (IDOT) Standard Title VI Assurances and Agreement.

**SYNOPSIS:**

Recommend renewal of the IDOT Standard Title VI Assurances and Agreement, which was first approved by Council on December 17, 2012 along with the City of Des Moines Title VI Policy Statement and Implementation Procedures.

Title VI of the Civil Rights Act of 1964 is a Federal law that protects individuals and groups from discrimination on the basis of their race, color and national origin in programs and activities that receive Federal financial assistance. Pursuant to 23 U.S.C. § 302, the Federal Highway Administration (FHWA) primary recipients are the state highway (transportation) agencies. In Iowa, the IDOT is the primary recipient. IDOT and its subrecipients and contractors are all required to prevent discrimination and ensure nondiscrimination in all transportation-related programs and activities whether they are Federally funded or not.

Subrecipients of Federal assistance include cities, counties, contractors, consultants, suppliers, universities, colleges, transit agencies, and regional and metropolitan planning agencies. IDOT requires all subrecipients of Federal funds, such as the City of Des Moines, to provide IDOT with certain documentation before Local Public Agencies (City) can enter into agreements for Federal funding assistance for transportation-related projects. This documentation includes the Standard Title VI Assurances, and the Title VI Agreement which also outlines the Local Public Agency (LPA) implementation procedures.

**FISCAL IMPACT:**

The Title VI assurances and agreement are required for federal transportation funds.

**ADDITIONAL INFORMATION:**

Federally assisted programs include any transportation project, program or activity for the provision of services and benefits. Transportation-related programs may include education, training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by a recipient or indirectly by a subrecipient. A primary recipient is an entity or person that directly receives Federal financial assistance and/or manages a program or activity, which would subject them to Title VI compliance responsibilities. For Iowa’s federally funded transportation projects, IDOT is the primary recipient. A subrecipient is an entity or person that indirectly receives federal financial

assistance to implement a program or activity, which subjects them to Title VI compliance responsibilities. A subrecipient may include a city, county, metropolitan, or regional planning organization, transit agency, college/university, contractor, or subgrantee. The City of Des Moines is considered a subrecipient, and thus is subject to Title VI compliance for transportation-related projects. IDOT's compliance requires the City be entered into a Title VI Agreement with IDOT, to provide Title VI Assurances to IDOT, and have implemented a Title VI compliance plan as set forth in the Agreement.

**The Title VI Requirements and Program document (attached to the roll call) identifies the minimum Title VI elements that may be adopted by Subrecipient's. Also included in the Document are the Title VI Implementation procedures previously approved and proposed for the City of Des Moines, including the Title VI Policy statement.**

**PREVIOUS COUNCIL ACTION(S):**

Date: December 17, 2012

Roll Call Number: [12-1916](#)

Action: [Approving](#) Iowa Department of Transportation Standard Title VI Assurances, Agreement and City of Des Moines Title VI Policy Statement and Implementation Procedures [Council Communication No. 12-629](#) Moved by Hensley to adopt. Motion Carried 7-0

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Departments shall implement and administer the Title VI requirements.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Administration Building, 400 E. Court Avenue Ste.116. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).