


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number: 24-364	Meeting: September 16, 2024
	Agenda Item: 7	Roll Call: 24-1214
	Submitted by: Steven L. Naber, P.E., City Engineer	

AGENDA HEADING:

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

SYNOPSIS:

Recommend renewal of the USDOT and IDOT Standard Title VI Assurances and Agreement, which must be renewed every five (5) years, and every time the head of the local public agency changes (mayor for cities), or if the agency's Title VI Coordinator changes. Due to the change in the City's mayor in January 2024, the City is required to renew said Title VI Assurances and Non-Discrimination Agreement to maintain eligibility to receive federal transportation funds.

FISCAL IMPACT:

The Title VI assurances and agreement are required to be eligible to receive federal transportation funds.

ADDITIONAL INFORMATION:

- 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, 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.
- The Title VI Requirements and Program document (attached to the roll call) identifies the minimum Title VI elements that may be adopted by Subrecipients. 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.

- The Engineering and Human Rights Departments are responsible for the implementation and administration of the above-stated Title VI Assurances and Agreement for federally funded transportation related projects.
- 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.
- On December 17, 2012, by Roll Call No. 12-1916, Council approved the USDOT Standard Title VI/Non-Discrimination Assurances, IDOT Title VI Non-Discrimination Agreement, City of Des Moines Title VI Policy Statement, designation of a City of Des Moines Title VI Coordinator, modification of the City of Des Moines Contract Compliance Program to include a Title VI non-discrimination statement, and implementation of procedures to meet the requirements in the Standard Title VI Agreement.
- On January 22, 2018, by Roll Call No. 18-0100, and on March 6, 2023, by Roll Call No. 23-0310, Council approved renewals of USDOT Standard Title VI/Non-Discrimination Assurances, IDOT Title VI Non-Discrimination Agreement, designation of the City of Des Moines Title VI Coordinator, and updates to the City of Des Moines Contract Compliance Program to meet the requirements of the Standard Title VI Agreement.

PREVIOUS COUNCIL ACTION(S):

Date: March 6, 2023

Roll Call Number: [23-0310](#)

Action: [Renewal](#) of United States Department of Transportation and Iowa Department of Transportation Standard Title VI Assurances and Agreement. ([Council Communication No. 23-118](#)) Moved by Gatto to adopt. Seconded by Voss. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Departments shall implement and administer the Title VI requirements.

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