

★ Roll Call Number

12-1916

Agenda Item Number

9

Date December 17, 2012

**APPROVING IOWA DEPARTMENT OF TRANSPORTATION STANDARD TITLE VI
ASSURANCES, AGREEMENT, AND CITY OF DES MOINES TITLE VI POLICY
STATEMENT AND IMPLEMENTATION PROCEDURES**

WHEREAS, 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; and,

WHEREAS, an entity or person that directly or indirectly receives Federal financial assistance and/or manages a program or activity, subjects them to Title VI compliance; and,

WHEREAS, the Federal Highway Administration's (FHWA) reference to Title VI includes other civil rights provisions of Federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving Federal financial assistance; and,

WHEREAS, the Iowa Department of Transportation (IDOT) now requires all sub recipients of Federal funds to enter into certain Title VI compliance agreements before Local Public Agencies can enter into Federal funding assistance agreements for transportation-related projects, which compliance agreements include Standard Title VI Assurances, Title VI Agreement, and Local Public Agency implementation plans; and,

WHEREAS, the City Engineer and Legal Department recommend approval of the Standard Title VI Assurances, Title VI 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.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Standard Title VI Assurances, Title VI Agreement, and City of Des Moines Title VI Policy Statement, all as on file in the office of the City Clerk and City Engineer attached hereto, are hereby approved as to form and content.
2. That the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said documents, for and on behalf of the City of Des Moines, Iowa
3. That the appointment of the Assistant City Manager as the City of Des Moines Title VI Coordinator, be and is hereby approved.
4. That the revisions to the City of Des Moines Contract Compliance Program, as on file in the office of the City Clerk and City Engineer attached hereto, be and are hereby approved as to form and content.

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5. That the Engineering and Human Rights Departments, and other departments as may be applicable, are hereby authorized and directed to implement and administer procedures to meet the requirements in the Standard Title VI Agreement for their respective Federally funded transportation-related projects.
6. That the City Engineer and other Department Directors are authorized and directed to report annually for transportation-projects to the City of Des Moines Title VI Coordinator pursuant to the Title VI Agreement and implementation plan.
7. That the City of Des Moines Title VI Coordinator, or his designee, is hereby authorized to administer the executed Title VI Assurances and Title VI Agreement and Title VI Policy Statement, and is authorized and directed to execute and submit any documents related to administration of the Title VI requirements, for and on behalf of the City of Des Moines, Iowa.

(Council Letter Number 12-629 attached)

Moved by Hensley to adopt.

FORM APPROVED: Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

JB

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| COLEMAN | ✓ | | | |
| GRIESS | ✓ | | | |
| HENSLEY | ✓ | | | |
| MAHAFFEY | ✓ | | | |
| MEYER | ✓ | | | |
| MOORE | ✓ | | | |
| TOTAL | 7 | | | |
| MOTION CARRIED | | | | |

T. M. Franklin Cownie Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh City Clerk