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REPORT TO THE CITY COUNCIL

November 17, 2016

FROM: BRIAN R. MARSHALL, Director
Department of Transportation

BY: KATHLEEN HEALY, Administrative Manager
Department of Transportation

SUBJECT

Approve the Department of Transportation Title VI Triennial Program

RECOMMENDATION

Staff recommends Council approve the Department of Transportation Title VI triennial program for the period of July 1, 2013, through June 30, 2016.

EXECUTIVE SUMMARY

The Federal Transit Administration (FTA) requires all direct grant recipients and sub-recipients of federal financial assistance document their compliance of Title VI of the Civil Rights Act of 1964 by submitting a Title VI Program (Program) to their FTA regional civil rights officer once every three years. This Program must be approved by the transit provider's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to the FTA. Accordingly, every three years the Department of Transportation (DOT) requests Council approve the

DOT's Program. This Program submission covers July 1, 2013, through June 30, 2016.

BACKGROUND

Title VI of the Civil Rights Act of 1964 states, "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." For all transit providers, a Title VI Program must be approved by the transit provider's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to the FTA.

The DOT's last Program was approved by Council on November 21, 2013, and submitted to the FTA on December 1, 2013. The DOT Program was found to be satisfactory and compliant by the FTA. Council was also briefed on the Program on September 1, 2016, during a workshop. The workshop reviewed many elements of the service and route restructure process. A large part of this process involves the Title VI concerns and assurances.

The requirements set forth in the FTA Title VI circular 4702.1B apply to all fixed route providers of public transportation service. The purposes of these requirements are so that no person or group of persons shall be discriminated against on the basis of race, color, or national origin with regard to the following:

- Routing structure
- Scheduling structure
- Quality of service
- Frequency of service
- Age and quality of vehicles assigned to routes
- Quality of stations and amenities serving different routes

Included in this Program are service standards and policies set by the transit provider for each specific mode of service they provide. These standards and policies must address how service is distributed across the transit system and must ensure the manner of distribution affords users access to these assets. Providers of public transportation shall also adopt system-wide service policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin and do not place a disparate or disproportionate burden on minority and low income populations.

For the next Program period, covering July 1, 2016, through June 30, 2019, several service improvements are planned. These service improvements require the Department of Transportation to conduct a Service and Fare Equity (SAFE) analysis. The analysis will ensure any disparate or disproportionate burdens on minority and low income populations are properly mitigated. The department will return to Council for approval of the SAFE analysis contract.

The City Attorney Office's has reviewed and approved to form the proposed Program.

ENVIRONMENTAL FINDINGS

This Program is not a project pursuant to CEQA Guidelines Section 15378.

LOCAL PREFERENCE

Local preference was not applied because this Program is not a bid or award of a contract.

FISCAL IMPACT

There is no additional cost associated with this program approval. Approval of this program ensures continuation of federal funding. This program approval will have no impact on the general fund.

Attachment:

Department of Transportation Title VI Program