

★ Roll Call Number

23-0310

Agenda Item Number

35

Date March 6, 2023

**APPROVING RENEWAL OF UNITED STATES DEPARTMENT OF TRANSPORTATION  
AND IOWA DEPARTMENT OF TRANSPORTATION  
STANDARD TITLE VI ASSURANCES AND AGREEMENT**

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, 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) requires all subrecipients 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 the Title VI Non-Discrimination Agreement between the IDOT and the City, and the United States Department of Transportation (USDOT) Standard Title VI Assurances/Non-Discrimination Assurances (DOT Order No. 1050.2A); and,

WHEREAS, on December 17, 2012, by Roll Call No. 12-1916, City 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; and,

WHEREAS, on January 22, 2018, by Roll Call 18-0100, City Council approved the renewal 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; and

WHEREAS, the IDOT is again requiring the City to renew the USDOT Standard Title VI/Non-Discrimination Assurances and IDOT Title VI Non-Discrimination Agreement, and confirm the designation of the City of Des Moines Title VI Coordinator, and the City Engineer recommends approval of said renewals and further recommends updating the City's Contract Compliance Program to better incorporate Title VI and similar federal requirements.

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

1. That the United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances, and the Title VI Agreement Non-Discrimination Agreement between the Iowa Department of Transportation and the City including the Title VI Non-Discrimination Policy Statement contained therein, 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 Deputy City Manager is hereby appointed to serve as the City of Des Moines Title VI Coordinator.
4. That the updated City of Des Moines Contract Compliance Program, on file in the office of the City Clerk and City Engineer, is hereby approved.
5. That the Engineering and Human Rights Departments remain authorized and directed to implement and administer procedures to meet the requirements in the above-stated Title VI Assurances and Agreement for Federally funded transportation-related projects.
6. That the City Engineer remains authorized and directed to report annually for transportation-projects to the City of Des Moines Title VI Coordinator, pursuant to the IDOT Title VI Non-Discrimination Agreement and implementation plan.
7. That the City of Des Moines Title VI Coordinator, or their designee, remain authorized to administer the executed Title VI Assurances, Agreement, and Policy Statement, and are 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.

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(Council Communication No. 23-118 attached)

Moved by Gatto to adopt.

Seconded by Voss

FORM APPROVED:

s/Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

SLN<sub>pw</sub>

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         | ✓    |      |      |        |
| BOESEN         | ✓    |      |      |        |
| GATTO          | ✓    |      |      |        |
| MANDELBAUM     | ✓    |      |      |        |
| SHEUMAKER      | ✓    |      |      |        |
| VOSS           | ✓    |      |      |        |
| WESTERGAARD    | ✓    |      |      |        |
| TOTAL          | 7    |      |      |        |

MOTION CARRIED APPROVED  
T.M. Franklin Cownie Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner City Clerk