DATE: March 3, 2020

SUBJECT: Adoption of Resolution No. CC 2020-012, a Resolution of the City Council to repeal and replace Resolution No. CC 2017-035 with Resolution No. CC 2020-012, which adopts the Updated Title VI Plan for the City of Palmdale for 2020-2023

ISSUING DEPARTMENT: Public Works

SUMMARY

Issue:
Shall the City Council adopt Resolution No. CC 2020-012 for the purpose of adopting the Updated Title VI Plan for the City of Palmdale, associated with receiving Federal Transit grant funds for transit projects?

Recommendation:
It is recommended that the City Council adopt Resolution No. CC 2020-012 for the purpose of adopting the Updated Title VI Plan for the City of Palmdale associated with receiving Federal Transit grant funds for transit projects.

Fiscal Impact:
There is no fiscal impact.

BACKGROUND

In April 2014, the City Council adopted the City’s Title VI Plan, associated with the Civil Rights Restoration Act of 1964 and 1987 which prohibits discrimination on the basis of race, color, and national origin, in programs and activities receiving federal financial assistance and including all programs or activities of federal aid recipients, sub recipients, and contractors, whereas such programs and activities are federally assisted or not.

As a condition of federal grant funding for transit related projects, the City must have a Title VI plan to implement federal Title VI non-discrimination and environmental justice
requirements, Environmental justice includes the need to identify and address the effects of programs, policies, and activities on minority and low-income populations and ensure full and fair participation by these populations during the decision-making process.

The City also has a Limited English Proficient (LEP) Plan, which was implemented to comply with Executive Order 13166, signed by President Clinton, mandating that all recipients of federal aid improve access to services for people with limited English proficiency, one of the provisions of the Title VI of the Civil Rights Act of 1964. This plan has been updated for 2019-2020 through 2024-2025.

A Title VI Plan is required when City Departments receive federal funds (42 U.S.C. Section 2000d, 23 CFR 200.9 and 49 CFR 21), via either primary or sub recipient through federal agencies (i.e. Metro, Caltrans, FTA) and is required to be updated every three (3) years. The updated Title VI plan, Exhibit A, contains the following provisions:

- Requirement to provide Title VI Assurances by reporting annual Certifications and Assurances to federal agencies;
- Requirement to notify beneficiaries of protection under Title VI;
- Requirement to have Title VI complaint procedures and a complaint form;
- Requirement to promote inclusive public participation;
- Requirement to provide meaningful access to Limited-English Proficient (LEP) persons;
- Requirement to ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all facilities projects;
- Requirement to provide additional information upon request

Staff recommends that the City Council adopt Resolution No. CC 2020-012 for the purpose of adopting the Updated Title VI Plan for the City of Palmdale, authorize the periodic review and update of the City’s Title VI Plan and LEP Plan as new grants and guidance are received and authorize its City Manager or his designee to implement the City’s Title VI Plan and LEP Plan.
City will take all actions necessary and convenient to carry out and implement the Plan(s) and to administer the City’s obligations, responsibilities and duties to be performed thereunder.

Respectfully submitted by,

Lynn Glidden, P.E.
Capital Improvement Program Manager

Reviewed by,

J.J. Murphy, ICMA-CM
City Manager

Charles R. Heffeman, P.E.
Director of Public Works

Attachment:
Resolution No. CC 2020-012
Exhibit A