



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION 7
Missouri, Iowa, Nebraska,
and Kansas

901 Locust Street, Suite 404
Kansas City, MO 64106

March 29, 2018

Drew Brooks
Transit & Parking Manager
GoCoMo
City of Columbia,
701 E BROADWAY
COLUMBIA, MO 65201
Recipient ID: 1825

Re: Triennial Title VI Program Update

Dear Drew Brooks,

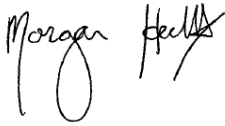
The Federal Transit Administration (FTA) has received and reviewed City of Columbia, GoCoMo's initial Title VI program submitted on 1/17/2018. This Title VI program will be effective August 1, 2017 - July 31, 2020. The Department of Transportation (DOT) requires recipients of DOT funds to demonstrate compliance with Title VI of the Civil Rights Act of 1964 through regular compliance reports. The Federal Transit Administration's (FTA) Circular 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Grantees" sets forth the information that should be included in these updates, and requires they be submitted as Title VI Programs submitted every three years.

FTA's review of your Title VI program considered all elements required by the Department of Transportation regulations found at 49 C.F.R. § 21, as outlined in Circular 4702.1B. The Review Assessment attached to this letter identifies the specific areas reviewed, any concerns, and relevant reviewer comments. To assure you are implementing Title VI program requirements in accordance with the regulations, you must promptly address and correct any concerns identified with a "no" in the Review Assessment. Your program status is now *Concur*. Your next triennial Title VI program submission is due to FTA on June 1, 2020. Please retain documentation as needed to demonstrate the corrections noted have been addressed. FTA typically verifies corrections have been made and implemented at the next oversight opportunity, but can request this information at any time.

Your Title VI program demonstrates your agency has the procedures and resources to ensure public transportation services are provided in a nondiscriminatory manner, as required by Title VI of the Civil Rights Act of 1964. FTA's review and concurrence on a Title VI program does not relieve recipients from the requirements and responsibilities outlined in Circular 4702.1B or of the DOT Title VI regulation at 49 CFR part 21. You must properly implement your program

to ensure nondiscriminatory service, including full and fair participation in public transportation decision-making, and meaningful access to transit-related programs and activities by persons with limited English proficiency. If you use contractors or have subrecipients, you must monitor their compliance with Title VI. You can find these monitoring responsibilities in Chapter 2, Section 6 (Contractors) and Chapter 3, Section 12 (Subrecipients) in the FTA Title VI Circular. As a basic requirement for Title VI compliance, you must develop a language assistance plan (LAP). Your LAP must include a Four Factor Analysis—you can find information on this analysis in Chapter 3, Section 6 of the FTA Title VI Circular. If you believe that your agency only serves an English-speaking population, you still must complete a Four Factor Analysis to demonstrate this.

Sincerely,

A handwritten signature in black ink that reads "Morgan Hecht". The signature is written in a cursive style with a large loop for the letter 'M' and a stylized 'H'.

Morgan Hecht
Civil Rights Officer, Region 7

cc: Mokhtee Ahmad, FTA Region 7, Regional Administrator
Monica McCallum, FTA Civil Rights, Director of Regional Operations

Title VI Program Review Assessment:

Items below identified as “YES” are included in the Title VI program review, and no changes are needed. Items identified as “NO” were not included or were insufficient and must be corrected. Carefully address all insufficient items, as indicated in this review letter, to ensure you are implementing your Title VI program in accordance with the regulations.

Chapter 3: GENERAL REQUIREMENTS AND GUIDLINES

1. Does the program submission include appropriate documentation demonstrating that the transit board of directors has approved the Title VI program? *No*

Public Notice

2. Does the submission include a copy of the public notice informing the public of the protections against discrimination afforded to them under Title VI? *Yes*
3. Is there a list of public locations where the notice is posted? *Yes*
4. Did you verify the notice is posted on the agency’s website and in public areas of the agency’s offices? *Yes*
5. Does the public notice include how to request additional information on your Title VI obligations? *Yes*
6. Does the public notice include how to file a complaint? *Yes*

Complaint Procedures

7. Did you include the (internal to the agency) procedures for investigating and tracking Title VI complaints filed against them? *Yes*
8. Did you include the instructions it gives to members of the public about how to file a Title VI discrimination complaint? *Yes*
9. Are the procedures for filing a Title VI discrimination complaint available on the agency website? *Yes*

Complaint Form

10. Does the program include a copy of the complaint form that specifies the three classes protected by Title VI (race, color, and national origin)? *Yes*
11. Is the complaint form available on the agency’s website? *Yes*

12. Did you include a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and/or complaints naming the grantee? *N/A - no complaints received*

Public Participation Plan

13. Did you include a Public Participation Plan that describes the proactive strategies, procedures, and desired outcomes of public participation activities? *Yes*
14. Does the Public Participation Plan include information on how the grantee considers the needs of, and engages minority and LEP populations in public participation activities? *Yes*
15. Did you summarize the public outreach and involvement activities undertaken in the last 3 years? *No*

Board Selections

16. Did you select members to transit-related, non-elected planning boards, advisory councils or committees? *Yes*
17. If you select members, did you provide a table with a racial breakdown of the membership of those boards, councils, or committees? *No*
18. Did you describe how they encourage minorities to participate on these boards, councils, and committees? *No*

Subrecipient

19. Does the program indicate if you have subrecipients? *No - No subrecipients*
20. If you have subrecipients, did you provide the monitoring procedures and/or efforts you use to ensure subrecipients comply with Title VI? *N/A*
21. Did you describe the process used to provide assistance to subrecipients, when needed? *N/A*

LEP Four-Factor Analysis & Plan

22. Did you include a Language Assistance Plan? *Yes*
23. Does the Language Assistance Plan include a Four-Factor Analysis that determines the appropriate level of LEP assistance and outreach efforts needed? *Yes*

24. Did your Language Assistance Plan NOT include something? *The frequency with which LEP persons come into contact with the program.*

Facility Site Equity Analysis

25. Did you identify a site or location for a new facility (excluding bus shelters) or construct a facility during the period covered by your program? *No*

26. Did you complete and submit an equity analysis conducted during the planning stage for all projects requiring land acquisition and the displacement of persons from their residences and businesses? *N/A*

27. Did the site analysis include outreach to persons potentially impacted by the siting of facilities? *N/A*

28. Did the site analysis compare the equity impacts of alternative locations prior to selecting the preferred site? *N/A*

29. Did you give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result? *N/A*

30. Did you determine that the location of the project will result in a disparate impact on the basis of race, color, or national origin? *N/A*

31. Did you provide a substantial legitimate justification for the project location? To do so, you must demonstrate that either 1) no alternative locations are available, or 2) any alternative locations, if identified, would result in the same or more disparate impact on the basis of race, color, or national origin. *N/A*

Chapter 4: FIXED ROUTE TRANSIT PROVIDER REQUIREMENTS

Service Standards

32. Did you include your service standards and policies for each specific fixed route mode of service you provide? *Yes*

33. Which service standards, if any, are NOT included? *No service standards were missing from the submission.*

Service Policies

34. Are the current service policies included? *Yes*

35. Is there a description of how service policies are adopted to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin? *Yes*

36. Which service policies, if any, are NOT included? *None - All service policies are included*

FTA Reviewer Comments:

There are two parts to the program missing.

First, as stated in the Title VI FTA Circular, Chapter 2, Sec. 5 states in part, “The Title VI Program must be approved by the direct or primary recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA.” There is no documentation of approval by GoCoMo’s officials responsible for transit-related policy decisions. As GoCoMo is operated by the City of Columbia, having the City Manager/Mayor sign off on the program might be sufficient to sign off on a Title VI program. However, we usually require whomever directs transit policy decisions to sign off on the Title VI program.

I noticed elsewhere in the Title VI program there is reference to a transportation board and committees, which may be the appropriate body to sign off on the Title VI program to fit the requirements. It appears that these transit boards are just advisory boards with no decision making and if that is the case, than the Title VI program must be approved by those people who make those policy decisions. However, if I am wrong and if one of these boards/committees is responsible for GoCoMo’s transit-related policies, it may also delegate the executive (the City Manager/Mayor) to sign off the things like the Title VI program—but we would need some proof that GoCoMo and this board have an arrangement like that in place.

Secondly, there is a requirement to include the racial makeup of any appointed boards: Chapter 3, Sec. 10 of the Title VI circular says, “Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.”

The Title VI program includes the overall makeup of the boards, but does not detail the racial makeup of these boards and of GoCoMo’s efforts to increase racial diversity on the board.

I would ask that you look into these components of your Title VI program and implement in your next program submission. Please reach out to me for any technical assistance or clarification on these points.

Also, please visit the FTA Civil Rights webpage for more information:

<https://www.transit.dot.gov/title6>