

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 9/9/2020

**Staff Report No.** 20-268

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**TO:** AC Transit Board of Directors  
**FROM:** Michael A. Hursh, General Manager  
**SUBJECT:** 2020 Title VI Program Update

### ACTION ITEM

#### **RECOMMENDED ACTION(S):**

Consider approving the 2020 update of the AC Transit Title VI Program.

#### **STRATEGIC IMPORTANCE:**

Goal - Strong Public and Policymaker Support  
Initiative - Financial Efficiency and Revenue Maximization

Adoption of an updated Title VI Program every three years ensures the District is considering equity in the planning and provision of all elements of its service, which results in increased support from stakeholders in the AC Transit community. It is also a necessary requirement to continue receiving funding from the Federal Transit Administration (FTA).

#### **BUDGETARY/FISCAL IMPACT:**

The Federal guidance driving this program update mandates a number of ongoing procedures, including data collection and analysis, monitoring of programs and activities, providing translation and interpretation, and training, to name a few. Funds have been allocated for these activities through individual project budgets for several years, so this should not result in a big increase in expenditures. Implementation of other specific recommendations included in the program will carry undetermined costs; proposals will be included in the District budgeting process as additional implementation steps are identified.

#### **BACKGROUND/RATIONALE:**

As a recipient of Federal funds, AC Transit must follow FTA directives to ensure that access to all transit services and the ability to participate in planning processes is equitable and provided in accordance with civil rights and environmental justice laws, orders, and regulations. Recipients of Federal funds must document their compliance with regulations by submitting an updated Title VI Program to the FTA every three years. The last Title VI Program was adopted by the Board in September 2017, and this year's program must be submitted to the FTA by October 1, 2020. Approval of the program now will ensure that AC Transit remains in full compliance with civil rights and environmental justice mandates.

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs

and activities receiving Federal financial assistance. Recognizing that low income neighborhoods and communities of color bear environmental burdens disproportionately, Executive Order 12898 mandates a commitment to address environmental justice for people of color and low income populations, and Executive Order 13166 requires recipients of Federal financial assistance to provide meaningful access to persons with limited proficiency in English.

In 2012 the FTA issued guidance to help transit agencies comply with these mandates. As a recipient of Federal funds, the District follows this guidance to ensure that all transit services, access to services, and the ability to participate in planning processes are equitably distributed and provided without regard to race, color, or national origin. Attachment 1 contains this year's proposed updated program.

The updated program contains a record of compliance efforts since the last update, identifies activities for the District's ongoing compliance, and describes efforts which will be undertaken to monitor the District's performance. Integrating awareness of Title VI and environmental justice into the general knowledge base and all activities of the agency continues to be the main goal of the program. Specific processes and activities to support this goal are included in all elements of the program.

The 2020 Title VI Program describes how District staff implemented elements of the 2017 program. It includes: a summary of public engagement efforts, equity analyses, and service monitoring conducted since the last program update; new data, in tables and maps, that describe the AC Transit service area population and ridership; and information about how the District handles complaints and notifies the public of their rights under the program. Staff from many departments provided information, data, and analyses to complete the program update; this will contribute to extensive buy-in across the District for the many activities, broad and detailed, to be undertaken next.

The Title VI Program must be submitted to the FTA by October 1, 2020. Board approval of the program will ensure that AC Transit remains in full compliance with civil rights and environmental justice mandates.

**ADVANTAGES/DISADVANTAGES:**

The District is required to update its Title VI Program every three years, and to follow FTA guidance when updating the program; failure to do so may result in FTA withholding access to pending District funding. Timely adoption of the proposed program will allow staff to meet the FTA mandated submittal date of October 1, 2020.

There are no disadvantages to approving the program.

**ALTERNATIVES ANALYSIS:**

Staff found no alternatives that would be in compliance with FTA regulations. Noncompliance may result in a loss of Federal funding.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

SR17-218a Approve 2017 update to AC Transit Title VI Program

**ATTACHMENTS:**

1. 2020 AC Transit Title VI Program

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