



City of Culver City

Staff Report

File #: 22-714, **Version:** 2

Item #: A-5.

CC- Approval and Authorization of the Transportation Department's Title VI and Limited English Proficiency Plan (LEP) Update for Filing with the Federal Transit Administration as Required for all Transit Operators with Bus Fleets in Excess of 50 Transit Vehicles in Service and Receiving Federal Assistance Awards.

Meeting Date: February 14, 2022

Contact Person/Dept: Nick Szamet, Sr. Management Analyst/Transportation
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Fiscal Impact: Yes ☐ No ☒ **General Fund:** Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☒ **Attachments:** ☒

Public Notification: (E-Mail) Meetings and Agendas - City Council (02/09/2022)

Department Approval: Rolando Cruz, Chief Transportation Officer (02/02/2022)

RECOMMENDATION

Staff recommends the City Council approve and authorize the Transportation Department's Title VI and Limited English Proficiency Plan (LEP) Update for filing with the Federal Transit Administration as required for all transit operators with bus fleets in excess of 50 transit vehicles in service and receiving federal assistance awards.

BACKGROUND/DISCUSSION

As required by the Federal Transit Administration (FTA), the Transportation Department is required to develop and implement a Title VI and Limited English Proficiency (LEP) plan every three years. This plan requires Governing Body approval prior to remittance and filing with the FTA's Office of Civil Rights. The Transportation Department previously prepared and received City Council's approval of a Title VI and LEP plan in 2017. A plan update was not prepared in 2020. In the Department's most recent Triennial Review conducted by the FTA, a finding was issued for non-compliance with Circular FTA C 4702.1B which outlines requirements for preparing and implementing matters related to Title VI and Limited English Proficiency.

The Transportation Department was given a corrective action date of June 30, 2021 for conformance

with the three-year plan update requirement. Subsequently, staff determined it was appropriate to seek an extension to provide for additional time to complete the plan updates through the end of February 2022.

The underlying objectives of Title VI and Limited English Proficiency requirements are:

- To ensure that the level of quality of public transportation is provided in a nondiscriminatory manner.
- To promote full and fair participation in public transportation decision-making without regard to race, color, or national origin.
- To ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

The Title VI and LEP plan (Attachment 1) presented for City Council approval was prepared under the Transportation Department's hired consultant SGN and Associates. The consultant reviewed Culver CityBus' existing Title VI and LEP plan. SGN and Associates consulted with staff to ensure all information within the report is factual and concurrent with updated data sources such as the 2020 Decennial Census. Additionally, the updated plan ensures conformance for matters related to investigations, complaints, and lawsuits. The LEP component has been reviewed to ensure accessibility for those with limited English proficiency to CityBus programs and services.

The Transportation Department finds the report to be fully compliant with FTA's requirements. Upon City Council's authorization, the report will be filed with FTA Region IX's Office of Civil Rights.

FISCAL ANALYSIS

All costs associated with this work were funded from Transportation Department's Fiscal Year 2022 Operating Budget. There are no resulting fiscal impacts related to filing the plan. However, failure to file the plan could result in non-compliance with FTA federal assistance requirements. The penalty for non-compliance can include the withholding of federal monies allocated to Culver CityBus annually which serve as a source of capital financing as well as limited support for operating reimbursements.

ATTACHMENTS

1. Culver CityBus Title VI and Limited English Proficiency Plan

MOTION

That the City Council:

Approve and Authorize the Transportation Department to file the Title VI and Limited English Proficiency Plan with FTA Region IX Office of Civil Rights.