



COMPASS EXECUTIVE COMMITTEE MEETING
MARCH 14, 2023 – 1:30 P.M.
COMPASS – 1ST FLOOR BOARD ROOM
700 NE 2ND STREET
MERIDIAN, IDAHO

ZOOM CONFERENCE CALL

Facebook Live Streaming - https://www.facebook.com/COMPASSIdaho
(Subject to availability and functionality of connection.)

Committee members can participate in the meeting in-person or via Zoom conference call. The Second Floor Large Conference Room is open for in-person attendance.

Please specify whether you plan to attend in-person or virtually when RSVPing to Teri Gregory at tgregory@compassidaho.org or 208-475-2225.

Written comments may be submitted by email to info@compassidaho.org. Comments can also be left by voicemail. Please call 208-475-2225 to record comments. Commenters must provide their name for the record. Comments identified by name that are received by 10:00 am on March 14, 2023, will be provided to the Committee members and read into the record during the meeting.

** AGENDA **

I. CALL TO ORDER/ROLL CALL (1:30)

II. OPEN DISCUSSION/ANNOUNCEMENTS

III. CONSENT AGENDA

Page 3 A.* Approve February 14, 2023, Executive Committee Meeting Minutes

IV. ACTION ITEMS

Page 6 A.* Establish April 17, 2023, COMPASS Board Meeting Agenda Matt Stoll
Staff proposed agenda items for the regular meeting of the COMPASS Board scheduled April 17, 2023, are attached.

Page 17 B.* Recommend Updated COMPASS Title VI Plan Meg Larsen
Meg Larsen will present COMPASS' Updated Title VI Plan and seek Executive Committee recommendation to the Board of Directors.

C. Review 2023 Idaho Legislative Session Activity
Jacob Miller will provide a status report on the 2023 Idaho legislative session and seek direction on issues outside of COMPASS' 2023 state legislative positions.

Jacob Miller

D. Approve Board Member Travel Request
Matt Stoll will request Executive Committee authorization for Mayor Chadwick to attend the National Association of Regional Councils' (NARC's) 2023 Annual Conference from June 4-7, 2023, in Detroit, Michigan

Matt Stoll

V. INFORMATION/DISCUSSION ITEMS

Page 52 **A. * Status Reports – Regional Transportation Advisory Committee February (Memo Only)**

VI. OTHER

Next Meeting: April 11, 2023

VII. ADJOURNMENT (2:30)

***Enclosures Agenda is subject to change.**

Those needing assistance with COMPASS events or materials, or needing materials in alternate formats, please call 208-855-2558 with 48 hours advance notice.

Si necesita asistencia con una junta de COMPASS, o necesita un documento en otro formato, por favor llame al 208-855-2558 con 48 horas de anticipación.

**EXECUTIVE COMMITTEE MEETING
FEBRUARY 14, 2023
COMPASS SECOND FLOOR LARGE CONFERENCE ROOM AND ZOOM
700 NE 2ND STREET
MERIDIAN, IDAHO**

****DRAFT MINUTES****

ATTENDEES: Tom Dayley for Rod Beck, Commissioner, **Secretary-Treasurer**, Ada County, via telephone
Trevor Chadwick, Mayor, **Chair Elect**, City of Star, in person
Jay Gibbons, Commissioner, Canyon Highway District #4, **Vice Chair**, via telephone
Jim Hansen, Commissioner, ACHD, via telephone
Brad Holton, Commissioner, Canyon County, in person
Debbie Kling, Mayor, City of Nampa, **Chair**, in person
Jason Pierce, Mayor, City of Eagle, in person
Steve Rule, Mayor, City of Middleton, in person
Robert Simison, Mayor, City of Meridian, in person
Joe Stear, Mayor, City of Kuna, **Immediate Past Chair**, via telephone

MEMBERS ABSENT: Lauren McLean, Mayor, City of Boise
Jarom Wagoner, Mayor, City of Caldwell

OTHERS PRESENT: Teri Gregory, COMPASS, in person
Megan Larsen, COMPASS, in person
Justin Lucas, Ada County Highway District, via telephone
Amy Luft, COMPASS, in person
Jacob Miller, COMPASS, in person
Matt Stoll, Executive Director, COMPASS, in person

CALL TO ORDER

Chair Debbie Kling called the meeting to order at 1:34 p.m.

OPEN DISCUSSION/ANNOUNCEMENTS

Matt Stoll introduced new COMPASS Board members Ada County Commissioner Tom Dayley, substituting today for Commissioner Rod Beck, and Canyon County Commissioner Brad Holton.

CONSENT AGENDA

A. Approve January 10, 2023, Executive Committee Meeting Minutes

Trevor Chadwick moved and Jason Pierce seconded approval of the Consent Agenda as presented. Motion passed unanimously.

ACTION ITEMS

A. Review 2023 Idaho Legislative Session Activity

Jacob Miller provided a status report on current legislative session activity and asked for Executive Committee direction on issues that are outside of COMPASS' 2023 state legislative positions.

After discussion, **Trevor Chadwick moved and Robert Simison seconded support of H132 (Strategic Initiatives Grant Program)/S1065 (Electric Vehicle Road Usage Fees)/H130 (Electric Vehicles: Electric Fuel Tax) and directed COMPASS staff to remain neutral on all other currently introduced items. Motion passed with one abstention.**

B. Recommend COMPASS Candidate for National Association of Regional Councils' (NARC) Board of Directors

Matt Stoll presented Trevor Chadwick as a candidate for the NARC Board of Directors and requested Executive Committee recommendation.

After discussion, **Joe Stear moved and Robert Simison seconded to recommend COMPASS Board of Directors' approval of Trevor Chadwick as COMPASS' candidate for the NARC Board of Directors. Motion passed unanimously.**

INFORMATION/DISCUSSION ITEMS

A. Executive Director's Report

Matt Stoll announced the following:

COMPASS received a Safe Streets and Roads for All grant to be used to create a regional safety action plan which will then allow member agencies the opportunity to apply for safety grants available through the Bipartisan Infrastructure Law.

A Grant Writer and a Bicycle/Pedestrian Counter Technician have both been hired and will start soon.

A subcommittee of the COMPASS Board of Directors will be convened to discuss interest in engaging in a planning and environmental linkages study (PEL) of the Three Cities River Crossing with the Idaho Transportation Department.

COMPASS will re-institute member agency presentations beginning at the April COMPASS Board meeting. Board members will be asked to present on issues important to their jurisdictions and how they may impact others in the region.

ADJOURNMENT

Chair Debbie Kling adjourned the meeting at 2:45 p.m.

Approved this 14th day of March 2023.

By: _____
Debbie Kling, Chair
Community Planning Association of
Southwest Idaho

Attest:

By: _____
Matthew J. Stoll, Executive Director
Community Planning Association of
Southwest Idaho

EXECUTIVE COMMITTEE WORKSHEET FOR COMPASS BOARD AGENDA

<i>Item</i>	<i>Title/Description</i>	<i>Mandatory</i>	<i>Additional Information</i>	<i>Agenda Type¹</i>	<i>Time</i>	<i>Presenter</i>	<i>Proposed Agenda</i>	<i>RTAC Agenda</i>	<i>Program No.</i>
1.	Approve Minutes from most recent Board Meeting	Yes	Meets Idaho Code and various grant requirements.	Consent Agenda	N/A	N/A	Bimonthly	N/A	820
2.	Receive Minutes from most recent Executive Committee Meeting	Yes	Meets Idaho Code and various grant requirements.	Consent Agenda	N/A	N/A	Bimonthly	N/A	820
3.	Receive Minutes from most recent Finance Committee Meeting	Yes	Meets Idaho Code and various grant requirements.	Consent Agenda	N/A	N/A	As Appropriate	N/A	820
4.	Status Report – Current Air Quality Issues	No	Mary Ann Waldinger will provide a monthly report on current air quality issues.	Ex. Dir. Report	N/A	N/A	Bimonthly	N/A	801
5.	Receive Project Milestone Report	No	Toni Tisdale will provide a Project Milestone Report.	Ex. Dir. Report	N/A	N/A	Every Other Meeting (Feb June, Oct)	N/A	685
6.	Status Report – Standing Committee Attendance	No	Per Board request of May 17, 2004.	Ex. Dir. Report	N/A	N/A	Bimonthly	N/A	820
7.	Receive Administrative Modifications to the Regional Transportation Improvement Program	Yes	Toni Tisdale will provide memorandums of approval for Administrative Modifications.	Ex. Dir. Report	N/A	N/A	As Appropriate	N/A	685

¹ Action; Consent Agenda; Executive Director's Report; Information; Special Item; Committee Reports; Open Discussion/Announcements

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8.	Approve List of Records for Destruction	No	Meg Larsen will seek COMPASS Board of Directors' approval of the list of records to destroy per the guidance in the Records Retention Policy.	Consent Agenda	N/A	N/A	As Appropriate	N/A	991
9.	Status Report – Staff Activity Reports	No	COMPASS staff will provide an overview of monthly activities.	Information	N/A	N/A	Bimonthly	N/A	
CURRENT AGENDA ITEMS									
10.	Adopt Updated COMPASS Title VI Plan	Yes	COMPASS Board of Directors' adoption of COMPASS' Updated Title VI plan	Consent			April (Exec March)	N/A	601
11.	Adopt ITD's 2023 Statewide Safety Performance Targets	No	Adopt ITD's 2023 federal statewide safety performance measures	Consent			April	March	661
12.	Adopt Resolution X-2023 Modifying the FY2023-2029 Regional Transportation Improvement Program (TIP)	Yes	Toni Tisdale will seek COMPASS Board of Directors' adoption of a resolution modifying the FY2023-2029 TIP at the request of Valley Regional Transit and COMPASS.	Consent			April	March	685

<i>Item</i>	<i>Title/Description</i>	<i>Mandatory</i>	<i>Additional Information</i>	<i>Agenda Type¹</i>	<i>Time</i>	<i>Presenter</i>	<i>Proposed Agenda</i>	<i>RTAC Agenda</i>	<i>Program No.</i>
13.	Special Item - Federal-Aid Funding	Yes	Toni Tisdale will provide a special report regarding implications of the Census Urbanized Area boundary changes, Infrastructure Investment and Job Act's new funding programs, and COMPASS' concerns about Idaho Transportation Department's distribution and programming of federal-aid funding.	Special Item	20	Toni Tisdale	April	N/A	685
14.	Special Item – Finance Committee	No	The Finance Committee Chair will provide a status report on the March 23, 2023, Finance Committee meeting.	Special Item	5	Finance Committee Chair	April	N/A	N/A
15.	Accept the Scope of Work for the High-Capacity Transit Planning and Environmental Linkages (PEL) Study to be used in a future Request for Proposal (RFP)	Yes	Lila Klopfenstein will summarize the activities of the Planning and Environmental Linkages Workgroup and seek COMPASS Board of Directors' acceptance of the scope of work for the high-capacity transit PEL study to be used in a future RFP.	Action	20	Lila Klopfenstein	April	March	661
16.	Adopt Resolution XX-2023 Approving Revision 2 of the FY2023 Unified Planning Work Program and Budget (UPWP)	Yes	Meg Larsen will seek COMPASS Board of Directors' approval of Revision 2 of the FY2023 UPWP.	Action	10	Meg Larsen	April	N/A	601

<i>Item</i>	<i>Title/Description</i>	<i>Mandatory</i>	<i>Additional Information</i>	<i>Agenda Type¹</i>	<i>Time</i>	<i>Presenter</i>	<i>Proposed Agenda</i>	<i>RTAC Agenda</i>	<i>Program No.</i>
17.	Accept 2023 Population Estimates	Yes	Austin Miller will seek COMPASS Board of Directors' acceptance of the 2023 Population Estimates.	Action	15	Austin Miller	April	Demographic Advisory Workgroup March	620
18.	Approve FY2024 Membership Dues	Yes	Meg Larsen will seek COMPASS Board of Directors' approval of the proposed membership dues for FY2024.	Action	10	Meg Larsen	April	N/A	601
19.	Status Report – I-84 Corridor Operations Plan HOV analysis	No	Hunter Mulhall will provide a status report on the results of the I-84 Corridor Operations plan HOV analysis and discuss next steps	Information /Discussion	10	Hunter Mulhall	April	March	842
20.	Review Draft CIM 2055 Workplan	No	Austin Miller will review draft CIM 2055 workplan and request member feedback on items and timeline.	Information /Discussion	15	Austin Miller	April	February	661
21.	Status Report - State and Federal Legislative Issues	No	COMPASS staff will provide an update on the latest legislative developments at the state and federal levels.	Information /Discussion	15	Jacob Miller	April	N/A	760

UPCOMING AGENDA ITEMS

<i>Item</i>	<i>Title/Description</i>	<i>Mandatory</i>	<i>Additional Information</i>	<i>Agenda Type¹</i>	<i>Time</i>	<i>Presenter</i>	<i>Proposed Agenda</i>	<i>RTAC Agenda</i>	<i>Program No.</i>
22.	Executive Session – Personnel Matter, Idaho Code [74-206 (b)]	Yes	The Board of Directors will go into executive session to receive the Executive Committee’s performance evaluation and recommendation regarding the Executive Director. No action will be taken in the session.	Action	15	N/A	June	Exec notf. April/disc May	
23.	Consider Executive Committee’s Recommendation Regarding Executive Director	Yes	The Board will consider the Executive Committee’s recommendation resulting from the Executive Director’s performance review.	Action	5	N/A	June	N/A	
24.	Adopt Resolution XX-2023 Approving Revision 3 of the FY2023 Unified Planning Work Program and Budget (UPWP)	Yes	Meg Larsen will seek COMPASS Board of Directors’ approval of Revision 3 of the FY2023 UPWP.	Action	10	Meg Larsen	June	N/A	601
25.	Approve Priorities for the End-of-Year and Redistribution Program	Yes	Toni Tisdale will seek Board of Directors’ approval of the End-of-Year and Redistribution Program.	Action or Consent	10	Toni Tisdale	June	May	685
26.	Approve Draft CIM 2055 Workplan	No	Austin Miller will seek COMPASS Board of Directors’ approval of the CIM 2055 workplan items and timeline.	Action	15	Austin Miller	June	May	661

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27.	Review Draft FY2024-2030 Regional Transportation Improvement Program	Yes	Toni Tisdale will seek Board of Directors' review of the Draft FY2024-2030 TIP project list, prior to the public comment period.	Information /Discussion	15	Toni Tisdale	June	May	685
28.	Status Report - State and Federal Legislative Issues	No	COMPASS staff will provide an update on the latest legislative developments at the state and federal levels.	Information	15	Jacob Miller	June	N/A	760
29.	Status Report – Finance Committee	No	The Finance Committee Chair will provide a status report on the June 15, 2023, Finance Committee meeting.	Information / Discussion	5	Finance Committee Chair	June	N/A	N/A
30.	Status Report - State and Federal Legislative Issues	No	COMPASS staff will provide an update on the latest legislative developments at the state and federal levels.	Information	15	Jacob Miller	August	N/A	760
31.	Approve COMPASS Workgroup Charters	No	Meg Larsen will seek COMPASS Board of Directors' approval of the COMPASS Workgroup Charters for FY2024.	Consent	N/A	Meg Larsen	August	N/A	601
32.	Adopt Resolution XX-2023 Approving the FY2024 Unified Planning Work Program and Budget (UPWP)	Yes	Meg Larsen will seek COMPASS Board of Directors' approval of the FY2024 UPWP.	Action	15	Meg Larsen	August	N/A	601

<i>Item</i>	<i>Title/Description</i>	<i>Mandatory</i>	<i>Additional Information</i>	<i>Agenda Type¹</i>	<i>Time</i>	<i>Presenter</i>	<i>Proposed Agenda</i>	<i>RTAC Agenda</i>	<i>Program No.</i>
33.	Approve Updates to the FY2025-2031 COMPASS Application Guide	Yes	Dane Hoskins and Toni Tisdale will seek COMPASS Board of Directors' approval of the FY2025-2031 COMPASS Application Guide.	Action	15	Dane Hoskins and Toni Tisdale	August	July	685
34.	Approve FY2024 Communities in Motion Implementation grants and Project Development Program projects and review FY2023 local projects	Yes	Toni Tisdale will seek COMPASS Board of Directors' approval of FY2024 Communities in Motion Implementation grants and Project Development Program projects and review current year local projects.	Action	20	Toni Tisdale	August	July	685
35.	Approve Updates to FY2024 COMPASS Application Guide	Yes	Toni Tisdale will seek RTAC recommendation for COMPASS Board of Directors' approval of FY2024 COMPASS Application Guide.	Action	15	Toni Tisdale	August	July	685
36.	Present findings and Approve Regional Housing Coordination Plan	Yes	Dane Hoskins and [consultant] will seek the COMPASS Board of Directors' approval of the Regional Housing Coordination Plan	Action	20	Dane Hoskins and/or [consultant]	October	July	661
37.	Status Report – Finance Committee	No	The Finance Committee Chair will provide a status report on the July 13, 2023, Finance Committee meeting.	Information / Discussion	5	Finance Committee Chair	August	N/A	N/A

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38.	Update on CIM 2055	No	PENDING	Information		Austin Miller?	October		
39.	Status Report - State and Federal Legislative Issues	No	COMPASS staff will provide an update on the latest legislative developments at the state and federal levels.	Information	15	Jacob Miller	October	N/A	760
40.	Establish 2024 COMPASS Board and Executive Committee Dates and Location. Provide 30 Day Notice of Annual Meeting	Yes	Confirm the 2024 COMPASS Board and Executive Committee Dates and Location.	Consent		Matt Stoll	October		
41.	Approve Priorities for Rural Projects	Yes	Toni Tisdale will seek COMPASS Board of Directors' adoption of a resolution approving priorities for applications in rural areas.	Action or Consent	10	Toni Tisdale	October	September	685
42.	Approve the Draft FY2024-2030 Regional Transportation Improvement Program and Associated Air Quality Conformity Demonstration	Yes	Toni Tisdale will seek COMPASS Board of Directors' approval of the FY2024-2030 TIP and associated air quality conformity demonstration.	Action	15	Toni Tisdale	October	September	685

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43.	Approve FY2024 COMPASS Resource Development Plan	Yes	Toni Tisdale will seek COMPASS Board of Directors' approval of the FY2024 Resource Development Plan, which outlines projects the Resource Development Team may work on to seek funding.	Action	15	Toni Tisdale	October	September	685
44.	Status Report – Finance Committee	No	The Finance Committee Chair will provide a status report on the August 17, 2023, Finance Committee meeting.	Information / Discussion	5	Finance Committee Chair	October	N/A	N/A
45.	Leadership in Motion Awards Presentation	No	Board Chair and Executive Director will present the 2023 COMPASS Leadership in Motion awards.	Pre-meeting	N/A	Chair	December	N/A	653
46.	Status Report - State and Federal Legislative Issues	No	COMPASS staff will provide an update on the latest legislative developments at the state and federal levels.	Information	15	Jacob Miller	December	N/A	760
47.	Confirm Regional Transportation Advisory Committee (RTAC) Membership	Yes	COMPASS Bylaws require the COMPASS Board of Directors' confirmation of RTAC membership.	Consent Agenda	N/A	N/A	December	N/A	N/A

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48.	Adopt Resolution XX-2024 Approving Revision 1 of the FY2024 Unified Planning Work Program and Budget (UPWP)	Yes	Meg Larsen will seek COMPASS Board of Directors' approval of Revision 1 of the FY2024 UPWP.	Action	10	Meg Larsen	December	N/A	601
49.	Approve 2024 Federal Transportation Position Statements	Yes	COMPASS staff will seek COMPASS Board of Directors' approval of 2024 federal transportation position statements.	Action	15	Jacob Miller	December	N/A	N/A
50.	Approve 2024 Idaho Legislative Session Positions Statements	Yes	COMPASS staff will seek COMPASS Board of Directors' approval of 2024 Idaho legislative position statements.	Action	15	Jacob Miller	December	N/A	N/A
51.	Confirm 2024 Board Officer Slate	Yes	COMPASS Bylaws require the Board of Directors confirm ascension of new Board officers and election of new Secretary-Treasurer.	Action	10	Matt Stoll	December	N/A	
52.	Status Report – Finance Committee	No	The Finance Committee Chair will provide a status report on the November 30 and December 14, 2023, Finance Committee meetings.	Information / Discussion	5	Finance Committee Chair	December		
53.	Confirm Finance Committee Membership	Yes	Confirm 2024 Finance Committee Membership	Consent Agenda		Matt Stoll	February 2024	N/A	

<i>Item</i>	<i>Title/Description</i>	<i>Mandatory</i>	<i>Additional Information</i>	<i>Agenda Type¹</i>	<i>Time</i>	<i>Presenter</i>	<i>Proposed Agenda</i>	<i>RTAC Agenda</i>	<i>Program No.</i>
54.	Status Report - State and Federal Legislative Issues	No	COMPASS staff will provide an update on the latest legislative developments at the state and federal levels.	Information	15	Jacob Miller	February	N/A	760

EXECUTIVE COMMITTEE AGENDA ITEM IV-B

DATE: March 14, 2023

Topic: Updated Title VI Plan

Request/Recommendation:

COMPASS staff seeks Executive Committee recommendation for COMPASS Board of Directors' approval of the updated Title VI Plan.

Background/Summary:

As a recipient of federal financial assistance, it is the policy of COMPASS to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related authorities and regulations in all COMPASS programs and activities.

The COMPASS Title VI Plan describes the roles, responsibilities, and procedures for assuring compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives.

The current COMPASS Title VI Plan was last updated on May 1, 2014. As part of the 2022 Transportation Management Area Planning Certification Review by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), FHWA and FTA provided the following recommendations:

COMPASS should update their current "Title VI Discrimination Complaint Form," by renaming the form as a general "Discrimination Complaint Form," (or a similar name) with references to all the applicable laws the complaint form addresses, including the Americans with Disabilities Act of 1990.

COMPASS should work with the Idaho Transportation Department (ITD) to develop a regular and recurring schedule to update their Title VI plan, more frequently than every 8 years, to adequately address changes to topics such as transit service routes' frequency and reliability; roadway infrastructure; demographics; complaint procedures, and other requirements set by existing and newly enacted laws, regulations, and executive orders.

The attached updated Title VI Plan reflects updated regulatory references, procedural updates, and an updated Discrimination Complaint Form.

The Idaho Transportation Department (ITD) Office of Civil Rights is currently in the process of updating its checklists and Title VI review process. COMPASS staff will continue to work with the Office of Civil Rights to make improvements to the Title VI Plan and keep it up to date. The Title VI Plan will come before the Executive Committee for review and recommendation as updates are proposed.

Note that the attached plan is presented for review in “redline” form. Upon approval of the plan, minor corrections to spacing and formatting may be necessary for the final document if these minor corrections were not apparent in the redline form.

Implication (policy and/or financial):

In the absence of Executive Committee review/recommendation, the existing Title VI Plan from May 1, 2014, will remain in effect.

More Information:

- 1) Attachments: COMPASS Title VI Plan
- 2) For detailed information contact: Meg Larsen at 208-475-2228 or mlarsen@compassidaho.org

ML:tg T:\FY23\900 Operations\Exec\2023 Packets\03-2023\IV_B_1 Title VI Memo

**COMMUNITY PLANNING ASSOCIATION
OF SOUTHWEST IDAHO**

TITLE VI PLAN

Effective ~~xxxx, 2022~~ May 1, 2014 April 17, 2023

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This document is available online at:

<http://www.compassidaho.org/people/publicinvolvement.htm>

SECTION 1 - OVERVIEW

The Community Planning Association of Southwest Idaho (COMPASS) is the forum for regional collaboration in southwest Idaho that helps maintain a healthy and economically vibrant region, offering people choices in how and where they live, work, play, and travel. COMPASS serves as the metropolitan planning organization (MPO) for Ada and Canyon Counties, Idaho.

As a recipient of federal financial assistance, [it is the policy of COMPASS to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related authorities and regulations in all COMPASS programs and activities.](#)

~~is required to comply with federal non-discrimination laws and regulations, including Title VI of the Civil Rights Act of 1964, which provides that:~~ [requires that "](#)

~~"No~~ person in the United States shall, on the grounds of **race**, **color**, or **national origin**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving **F**ederal assistance under this title or carried out under this title."

The Federal-Aid Highway Transportation Act of 1973 added **sex** to the list of prohibitive factors. **Disability** was added through Section 504 of the Rehabilitation Act of 1973. **Age** was ~~subsequently~~ added in 1975 under the Age Discrimination Act.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the term "programs or activities" to include **all programs** or activities of federal-aid recipients, subrecipients, and contractors, whether or not such programs and activities are federally assisted.

The Americans with Disabilities Act of 1990 Section 504 of the Rehabilitation Act protects the civil rights of **persons with disabilities**.

In 1994, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, directed federal agencies "*to identify and address the effects of all programs, policies, and activities on **minority** populations and **low-income** populations.*"

In 2000, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, was signed into effect requiring federal agencies to assess and address the needs of otherwise eligible **limited English proficient persons** seeking access to the programs and activities of recipients of federal financial assistance.

COMPASS' Director of Operations oversees COMPASS' Title VI plan and overall program compliance. COMPASS' Communication Coordinator oversees Title VI compliance as it relates to communication and public engagement opportunities and compiles and submits required Title VI reports.

PLAN OBJECTIVES

The primary objectives of COMPASS's Title VI plan are to:

- Assign and clarify roles, responsibilities, and procedures for assuring compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives.
- Assure that all people affected by COMPASS's ~~f~~Federal-aid programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, gender, disability, economic status or Limited English Proficiency.
- Proactively prevent discrimination and ensure nondiscrimination in all COMPASS programs and activities, whether those programs and activities are ~~F~~federally funded or not.
- Establish procedures for identifying and eliminating discrimination when found to exist.
- Establish procedures to review specific program areas annually within COMPASS to determine the effectiveness of the area's activities at all levels.
- Set forth procedures for the filing and processing of complaints by persons who believe they have been subjected to discrimination under ~~Title V~~any applicable law ~~+~~ in any COMPASS service, program, or activity.

PLAN DISSEMINATION

The COMPASS Title VI plan is available to all internal users and members of the public, interest groups and organizations via the COMPASS website:

<http://www.compassidaho.org/people/publicinvolvement.htm>

Hard copies or alternative formats of the COMPASS Title VI plan are available to all internal users and members of the public, interest groups and organizations upon request to the Director of Operations.

AUTHORITIES

COMPASS's ~~s~~Title VI plan was developed pursuant to the following authorities:

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibits discrimination in federally funded programs on the basis of race, color, and national origin.
- Federal-Aid Highway Act of 1973 (23 USC 324), amended Title VI to prohibit discrimination on the basis of sex in federal aid highway programs.
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601) prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with federal financial assistance.
- Age Discrimination Act of 1975, as amended (42 USC 6101) prohibits discrimination in federally funded programs on the basis of age.

- [Civil Rights Restoration Act of 1987 \(Public Law 100-259 March 1988\) amended Title VI of the 1964 Civil Rights Act to make clear that discrimination is prohibited throughout all the operations of an agency if any part of the agency receives federal assistance.](#)
- [Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations](#)
- [Executive Order 13166 \(Limited English Proficiency\): Improving Access to Services for Persons with Limited English Proficiency.](#)
- [23 CFR Part 200: FHWA Title VI Program and Related Statutes – Implementation and Review Process](#)
- [Section 504 of the Rehabilitation Act of 1973, \(29 USC 794\) as amended: prohibits discrimination on the basis of disability](#)
- [Americans with Disabilities Act of 1990, \(42 USC 12101\): prohibits discrimination on the basis of disability](#)
- [The National Environmental Policy Act of 1969 \(42 USC 4321\) prohibits disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.](#)
- [49 CFR Part 21: Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964.](#)
- [49 CFR Part 27: Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.](#)
- [49 CFR Part 28: Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.](#)
- [49 CFR Part 37: Transportation Services for Individuals with Disabilities – Americans with Disabilities Act.](#)
- [28 CFR Part 35: Discrimination on the Basis of Disability in State and Local Government Services](#)
- [28 CFR Part 50.3: Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.](#)
- [FTA Title VI Circular – FTA C 4702.1B](#)
- [FTA Americans with Disabilities Act Circular – FTA C 4710.1](#)

•

• 42 USC 2000d

- ~~FTA Circular 4702.1BA~~
- ~~Federal Transit Laws as amended (49 USC Chapter 53 et seq.)~~
- ~~49 CFR 21~~
 - ~~DOT Order 1050.2~~
 - ~~42 USC 4601 to 4655~~
 - ~~Title VIII of the Civil Rights Act of 1968, amended 1974~~
 - ~~23 USC 109(h)~~
 - ~~23 USC 324~~
 - ~~Federal aid Highway Transportation Act~~
 - ~~23 CFR 200~~
 - ~~E.O. 12250 — Leadership and Coordination of Non-Discrimination Laws~~
 - ~~E.O. 12898 — Environmental Justice~~
 - ~~E.O. 13166 — Limited English Proficiency~~

TITLE VI POLICY STATEMENT

COMPASS is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. COMPASS assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any COMPASS service, program, or activity.

COMPASS also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, COMPASS will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

Federal financial assistance is defined as **F**ederal dollars that are passed directly to COMPASS to support the operation of transportation-related programs.

COMPASS' Title VI Plan in its entirety applies to all of COMPASS's programs and services, regardless of funding source.

DISCRIMINATION UNDER TITLE VI

Title VI and its related statutes prohibit two types of discrimination: **intentional discrimination** or **disparate treatment** and **disparate impact** or **disparate effects**.

The first, **intentional discrimination**, is the result of inconsistent application of rules and/or policies to one group of people over another. This form of

discrimination may result when rules and policies are applied to intentionally treat a person(s) differently because of race, color, national origin, gender, disability, or age.

The second type of discrimination is **disparate impact** or **disparate effects**. A disparate impact results when rules and laws have a different and more inhibiting effect on women and minority groups than on the majority because of race, color, national origin, gender, disability or age. This type of discrimination occurs when a neutral procedure or practice results in fewer services or benefits, or inferior services or benefits, to members of a protected group such as minorities or low-income populations. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than on the intent.

Under Title VI, COMPASS's efforts to prevent such discrimination must address, but are not limited to:

- access to services, financial aid, or other benefits provided under its programs;
- distinctions in the quality, quantity, or manner in which the benefit is provided; segregation or separate treatment;
- restriction in the enjoyment of any advantages, privileges, or other benefits provided to others;
- different standards or requirements for participation;
- methods of administration which directly or through contractual relationships would defeat or substantially impair the accomplishment of effective nondiscrimination;
- discrimination in any activities related to highway and infrastructure or facility built or repaired in whole or in part with fFederal funds;
- discrimination in any contracting opportunities arising from programs or services of COMPASS
- discrimination in any training opportunities presented or made available by COMPASS
- resulting from a program, the primary purpose of which is to provide employment
- discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

COMPASS has developed this Title VI plan to help assure that all services, programs, and activities of COMPASS, whether fFederally assisted or not, are offered, conducted, and administered fairly, without regard to race, color,

national origin, gender, disability, age, economic status or ability to communicate in English of the participants or beneficiaries.

A handwritten signature in black ink that reads "Matt Stoll". The signature is written in a cursive style with a large, stylized "M" and "S".

Matthew J. Stoll
Executive Director

~~May 1, 2014~~ [April 17, 2023](#)

SECTION 2 - ORGANIZATION AND COMPLIANCE RESPONSIBILITIES

Executive Director – The Executive Director is the head of COMPASS and is responsible to the COMPASS Board of Directors. The Executive Director provides leadership, guidance, direction, and support for COMPASS's Title VI programs.

Director of Operations – The Director of Operations is responsible for supervising, reviewing, monitoring, and evaluating the effectiveness of equal employment opportunity programs. The Director of Operations is responsible for managing the Title VI, ADA/Section 504, Limited English Proficiency (LEP), and Disadvantaged Business Enterprises programs. The Director of Operations acts as a liaison between COMPASS and **F**ederal and state officials regarding EEO issues.

Supervisors – COMPASS supervisors are responsible for familiarizing themselves with the requirements of Title VI, E.O. 12898, and E.O. 13166, and for complying with COMPASS's Title VI Program. They are responsible to promptly report issues or complaints concerning Title VI and related statutes to the Director of Operations.

SECTION 3 - PROGRAM AREA MONITORING AND REVIEW

PROGRAM AREA MONITORING - METROPOLITAN PLANNING ORGANIZATIONS

The Metropolitan Planning Organizations (MPOs) are responsible for the transportation planning process within their urbanized areas. Each MPO develops a ~~3-year~~[short-range capital improvement budget known as Transportationthe Transportation](#) Improvement Program (TIP), a long-range transportation plan, and develops and implements an annual Unified Planning Work Program (UPWP).

COMPASS principal planners, the Director of Operations and the Communications Coordinator are responsible for [assuring](#) that all transportation planning processes are executed in accordance with Title VI requirements. This process entails deliberation of all possible social, economic, and environmental effects of a proposed plan or program on identified groups in order to avoid the unintended creation of inappropriate and biased programs.

Compliance Monitoring

- Monitor overall strategies and goals of the transportation planning process to ensure Title VI compliance;
- Monitor the utilization of demographic information to identify minority and low-income populations and examine the distributions of the benefits/burdens of the transportation plans and activities on these groups;
- Monitor the service equities of the planning data collection and analyses for impacts on different socio-economic groups;
- Monitor the public involvement processes to improve effectiveness and reduce participation barriers for minority and low-income populations;
- Monitor Environmental Justice (E.O. 12898) issues to identify and locate minority and low-income populations that may be impacted by transportation planning programs;
- Monitor compliance with E.O. 13166, Limited English Proficiency, to improve access and understanding of transportation planning processes for those in the population confronted with language barriers;
- Ensure that female and minority-owned firms have an equal opportunity to participate in the consultant selection phase of the transportation planning process;
- Monitor MPO accomplishments and problem areas.

Annual Review

The Director of Operations and the Communications Coordinator review the information listed below for compliance with Title VI and report it annually.

- Strategies used to ensure that all components of the transportation planning process comply with Title VI;
- Whether COMPASS has developed a demographic profile of its planning area that includes identification of minority and low-income populations;
- Whether COMPASS has developed a process to seek to identify the needs of minority and low-income populations and to use demographic information to assess the distribution of benefits across these groups;
- What process is in place to assess the benefits/burdens of transportation system investments on minority and low-income populations on an analytic basis and whether an appropriate data source and tools are used to support the analysis;
- Whether a public involvement strategy for engaging minority and low-income populations in transportation decision-making is in place and what steps are being taken to reduce any participation barriers that have been identified;
- Determine if the public involvement process is routinely evaluated and whether there have been efforts made to improve effectiveness, especially

with regard to minority and low-income populations and any other affected groups;

- What efforts have been made to engage minority and low-income populations in the public outreach effort and whether the public outreach effort utilizes media targeted to minority and low-income groups;
- What procedure COMPASS has established for using issues/concerns raised by minority and low-income populations as well as other affected individuals and groups in the decision-making process;
- Composition of COMPASS's workforce by position title, race and gender;
- The names, race and gender of the individuals on COMPASS's Board of Directors and what criteria has been established for their selection and retention;
- Number of consultant agreements awarded and the dollar amount; Number of female and minority firms and the dollar amount;
- Efforts made to ensure an equal opportunity for female and minority consulting firms to participate in the consultant selection process;
- Number of hearings, the location, and the times of day the hearings were held; ~~T~~the percentage of female and minority participation at the hearings;
- Number of public information meetings/open houses held; ~~P~~percentage of female and minority participation;
- Efforts made to take Environmental Justice concerns into consideration in the transportation planning process;
- Whether there was any training received regarding Title VI or Environmental Justice;
- Review of COMPASS internal complaint procedures and policies;
- Status of any Title VI complaints received regarding any of the transportation planning and public involvement processes;
- Any significant Title VI activities or accomplishments made during the review period.
- Any significant Title VI activities or actions planned for the ensuing year.

SECTION 4 - COMPLAINT PROCEDURES

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination [including but not limited to discrimination](#) prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the ~~Vocational~~ Rehabilitation Act of 1973, [Age Discrimination Act of 1975](#), and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with COMPASS. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to ~~the~~ COMPASS' Director of Operations for review and action.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a) The date of alleged act of discrimination; or
- b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the Director of Operations or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. If necessary, the Director of Operations will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the investigative procedures as outlined below.

Please Note This Exception to the Procedures Below:

All complaints regarding accessibility for the disabled must be forwarded directly to the Idaho Transportation Department (ITD) for investigation.

Within 10 days, the Director of Operations will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as ~~to~~[with](#) ITD and/or the US Department of Transportation (USDOT).

COMPASS will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD:

- a) Name, address, and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)

- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by the COMPASS.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions COMPASS has taken or proposed to resolve the issue raised in the complaint.

Within 60 days, the Director of Operations will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to COMPASS' authorized representative. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint COMPASS' authorized representative will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD, or USDOT, if they are dissatisfied with the final decision rendered by COMPASS. The Director of Operations will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

Contacts for the different Title VI administrative jurisdictions are as follows:

Megan Larsen

Director of Operations

COMPASS

700 NE 2nd Street, Suite 200

Meridian, ID 83642

208-475-2228

mlarsen@compassidaho.org

Idaho Transportation Department

~~Equal Employment Opportunity Office — External Programs~~Office of Civil Rights

~~Diane Steiger~~Jessika Phillips, Civil Rights Program Manager~~EEO/DBE Program Manager, Title VI & ADA Coordinator~~

PO Box 7149

Boise, ID 83707-1129

208-334-[8884266](tel:2083348884266)

diane.steigerjessika.phillips@itd.idaho.gov

Federal Highway Administration

Idaho Division Office

Peter Hartman, Division Administrator

3050 Lakeharbor Lane, Suite 126

Boise, ID 83703

208-334-[91801844](tel:20833491801844)

SECTION 5 - ~~STATE~~ PROCEDURES, MANUALS, AND DIRECTIVES APPLICABLE TO FEDERAL-AID HIGHWAY PROGRAMS AND TITLE VI

Manuals, plans, policies, programs, laws, regulations, executive orders and procedures establishing rules and guidelines for implementing Title VI are as follows:

- Employment Policies and Procedures
- Financial Policy and Procedure Manual
- Public Involvement Policy
- Public Involvement Plans
- FHWA Title VI Program Guidelines for Federal-aid Recipients
- Statewide Transportation Improvement Program (STIP)
- Standard Specifications for Highway Construction
- Required Contract Provisions/Federal-aid Contracts (FHWA-1273)
- [Limited English Proficiency EP-Plan](#)
- 49 CFR 21 (DOT Title VI Regulations)
- DOT Order 1050.2 (Standard Title VI Assurances)
- 23 CFR 200 (FHWA Implementation Regulations of Title VI)
- DFR 200 Part 420.121(h) (Funding Planning and Research Activities)
- 23 CFR 450 (FHWA & FTA MPO Planning Regulations)
- 23 USC 109(h) 28 CFR Part 50.3 (DOJ's Guidelines for enforcement for Title VI)
- 49 CFR Part 21 (DOT's Implementation regulations of Title VI)
- Executive Order 12250 (DOJ Leadership and Coordination of Nondiscrimination Laws)
- Executive Order 12898 (Environmental Justice)
- Executive Order 13166 (Limited English Proficiency)
- Title VI of the Civil Rights Act of 1964 (42 USC 2000)
- Title VIII of the Civil Rights Act of 1968
- The Federal-aid Highway Act of 1973 (23 USC 324)
- The Federal-aid Highway Act (23 USC 306)
- The Americans with Disabilities Act

- Section 504 of the Rehabilitation Act of 1973 (29 USC 790)
- The Age Discrimination Act of 1975
- The Civil Rights Restoration Act of 1987
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4601)
- The Relocation Act Amendments of 1987
- The Civil Rights Act of 1991

SECTION 6 - DEFINITION OF TERMS

Affirmative Action: A good faith effort to eliminate past and present discrimination which ensures that future discriminatory practices do not occur. Actions aimed at addressing the under-representation of minorities and females.

Beneficiary: An individual and or/entity that directly or indirectly receives an advantage through the operation of a ~~Federal~~[federal](#) program; however, they do not enter into any formal contract or agreement with the Federal government where compliance with Title VI is a condition of receiving such assistance.

Categorical Exclusion: A technical exclusion for projects that do not result in significant environmental impacts.

Disparate Impact: Discrimination which occurs because of a neutral procedure or practice, and such practice lacks a "substantial legitimate justification." The focus is on the consequences of a recipient's practices rather than the recipient's intent.

Discrimination/Disparate Treatment: Discrimination which occurs when similarly situated persons are treated differently because of their race, color, national origin, gender, disability, or age, and the decision maker was aware of the complainant's race, color, national origin, gender, disability, or age, and decisions were made (at least in part) because of one or more of those factors.

MPO: Metropolitan Planning Organization (considered a subrecipient).

Minority: A person who is a citizen or lawful permanent resident of the United States and who is:

- Black - a person having origins in any of the black racial groups of Africa
- Hispanic - a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race
- Asian or Pacific Islander - a person having origins in any of the original peoples of the Far East, Southeast Asia, Indian Subcontinent, or the Pacific Islands
- American Indian or Alaskan Native - a person having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition
- White - a female having origins in any of the original peoples of Europe, North Africa, or the Middle East
- Additional subcategories based on national origin or primary language spoken may be used, where appropriate on either a national or regional basis

Recipient: An individual and/or entity that receives Federal financial assistance and operates a program and/or activity.

SEE: Social, Economic, and Environmental – A process to analyze the SEE impacts and effects must be considered during the planning process. The goal of the SEE process is to develop a complete understanding of the existing and future environmental conditions and the possible effects of a proposed project in order to make the best project decision in terms of meeting the intended transportation needs and the goals of an area or community, and for protection and enhancement of the environment.

STIP: A [three-year short-range](#), Statewide Transportation Improvement Program that includes the Idaho Transportation Department's program as well as the Transportation Improvement Programs prepared by the Metropolitan Planning Organizations in Idaho.

Subrecipient: A non-Federal entity that expends Federal awards received from a pass-through entity to carry out a Federal program, but does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

TIP: A [three-year short-range](#), Transportation Improvement Program prepared by a Metropolitan Planning Organization.

SECTION 7 ~~=~~ EXHIBITS

EXHIBIT I - STANDARD TITLE VI/NON-DISCRIMINATION ASSURANCES

~~I. Standard DOT Title VI Assurances~~

~~Appendix A~~

~~49 CFR 21.7(a) (1) and (2)~~

EXHIBIT I STANDARD DOT TITLE VI ASSURANCES

COMPASS (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any ~~f~~Federal financial assistance from the Department of Transportation, it will comply with

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964); Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d - 42USC 2000d-7 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964

~~-(hereinafter referred to as the "Regulations"), Executive Order 12898 - Environmental Justice (hereinafter referred to as "EJ"), Executive Order 13166 - Limited English Proficiency (hereinafter referred to as "LEP") and other pertinent directives, to the end that in accordance with the Act, Regulations, Executive Orders and other pertinent directives, so that~~

~~no person in the United States shall, on the grounds of race, color, national origin, gender, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives ~~f~~Federal financial assistance from ~~COMPASS-Department~~ of Transportation, including the Federal Highway Administration, ~~and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations, a copy of which is attached.~~~~

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is federally assisted.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-aid Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will

~~be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.~~

- ~~The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source: That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal aid Highway Program and, in adapted form in all proposals for negotiated agreements:~~

~~COMPASS-, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-7 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to the advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, gender, age or disability in consideration for an award.~~

- That the Recipient shall insert the clauses of Exhibit I-A and Exhibit I-B Appendix A of this assurance in every contract subject to the Act and the Regulations.
- That where the Recipient receives fFederal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
- That where the Recipient receives Ffederal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
- That this assurance obligates the Recipient for the period during which fFederal financial assistance is extended to the program, except where the fFederal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements

thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the ~~f~~Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

7. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of ~~f~~Federal financial assistance under such program will comply with all requirements imposed by, or pursuant to, the Act, the Regulations, and this Assurance.
8. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance.

By signing this Assurance, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration access to records accounts THIS ASSURANCEThis Assurance is given in consideration of and for the purpose of obtaining any and all ~~f~~Federal grants, loans, contracts, property, discounts or other ~~f~~Federal financial assistance extended after the date hereof to the Recipient by ~~COMPASS-Department~~ of Transportation under the Federal-aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-aid Highway Program. The person ~~or persons whose signatures appear herein are authorized to sign this Assurance on behalf of the Recipient.~~ signing below is authorized to sign this Assurance on behalf of the recipient.



Matthew J. Stoll
Executive Director

~~May 1, 2014~~ APRIL 17, 2023

~~Attachments: Appendix A~~

~~-DOT Title VI Regulations~~

EXHIBIT I-A

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in federally assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA) as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration (FHWA) to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration (FHWA), as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration (FHWA) may determine to be appropriate, including, but not limited to: a. withholding payments to the contractor under the contract until the contractor complies; and/or b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration (FHWA) may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

~~During performance of work covered by this agreement, CONTRACTOR for itself, its assignees, agents, employees, subcontractors and successors agrees that it will comply with all regulations and requirements of the U.S. Department of Transportation relative to Title VI of the Civil Rights Act of 1964, as amended. CONTRACTOR shall not in any way discriminate against any employee or applicant for employment, subcontractor or solicitations for subcontract; or any other individual or firm providing or proposing to provide services based on race, color, sex, national origin, age or handicap/disability. In all solicitations for subcontracts, CONTRACTOR shall provide notice of the civil rights requirements of this agreement. CONTRACTOR shall provide all necessary or required information and reports as determined to be necessary by COMPASS and the appropriate federal agency.~~

EXHIBIT I-B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- Pertinent Non-Discrimination Authorities:
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Title VI Assurances

49 CFR 21.7(a) (1)

~~(a) General. (1) Every application for Federal financial assistance to which this part applies, except an application to which paragraph (b) of this section applies, and every application for Federal financial assistance to provide a facility shall, as a condition to its approval and the extension of any Federal financial assistance pursuant to the application, contain or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed by or pursuant to this part. Every award of Federal financial assistance shall require the submission of such an assurance. In the case where the Federal financial assistance is to provide or is in the form of personal property, or real property or interest therein or structures thereon, the assurance shall obligate the recipient, or, in the case of a subsequent transfer, the transferee, for the period during which the property is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits, or for as long as the recipient retains ownership or possession of the property, whichever is longer. In all other cases the assurance shall obligate the recipient for the period during which Federal financial assistance is extended to the program. The Secretary shall specify the form of the foregoing assurances, and the extent to which like assurances will be required of subgrantees, contractors and subcontractors, transferees, successors in interest, and other participants. Any such assurance shall include provisions which give the United States a right to seek its judicial enforcement.~~

~~(2) In the case where Federal financial assistance is provided in the form of a transfer of real property, structures, or improvements thereon, or interest therein, from the Federal Government, the instrument effecting or recording the transfer shall contain a covenant running with the land assuring nondiscrimination for the period during which the real property is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. Where no transfer of property or interest therein from the Federal Government is involved, but property is acquired or improved with Federal financial assistance, the recipient shall agree to include such covenant in any subsequent transfer of such property. When the property is obtained from the Federal Government, such covenant may also include a condition coupled with a right to be reserved by COMPASS to revert title to the property in the event of a breach of the covenant where, in the discretion of the Secretary, such a condition and right of Reverter is appropriate to the statute under which the real property is obtained and~~

~~to the nature of the grant and the grantee. In such event if a transferee of real property proposes to mortgage or otherwise encumber the real property as security for financing construction of new, or improvement of existing, facilities on such property for the purposes for which the property was transferred, the Secretary may agree, upon request of the transferee and if necessary to accomplish such financing, and upon such conditions as he deems~~

~~appropriate, to subordinate such right of reversion to the lien of such mortgage or other encumbrance.~~

~~(b) Continuing Federal financial assistance. Every application by a State or a State agency for continuing Federal financial assistance to which this part applies (including the types of Federal financial assistance listed in appendix A to this part) shall as a condition to its approval and the extension of any Federal financial assistance pursuant to the application: (1) Contain or be accompanied by a statement that the program is (or, in the case of a new program, will be) conducted in compliance with all requirements imposed by or pursuant to this part, and (2) provide or be accompanied by provision for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that the applicant and all recipients of~~

~~**Federal financial assistance under such program will comply with all requirements imposed by or pursuant to this part. [35 FR 10080, June 18, 1970, as amended at 68 FR 51389, Aug. 26, 2003]**~~

EXHIBIT II – COMPLAINT LOG

COMPASS

Title VI Complaint Log

Number	Complainant Name	Complainant Address	Date Filed	Basis	Status	Disposition

EXHIBIT III – DISCRIMINATION COMPLAINT FORM

Community Planning Association of Southwest Idaho

~~Title VI~~ Discrimination Complaint Form

Director of Operations, 700 NE 2nd Street, Suite 200, Meridian, ID 83642

Complainant Name		Complainant Address—Street (P.O. Box), City, State, Zip	
Complainant Phone Number			
Name of Discriminating Person(s) or Agency		Address of Person(s) or Agency (if known)	
Position of Person(s) (if known)			
Date of Discrimination	Discrimination Due To		
	<input type="checkbox"/> Age	<input type="checkbox"/> Limited English Proficiency	<input type="checkbox"/> _____ Race <input type="checkbox"/>
	<input type="checkbox"/> Sex	<input type="checkbox"/> Income Status	<input type="checkbox"/> Religion
	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Retaliation
	<input type="checkbox"/> Disability		

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved and the names of any witnesses. Describe the corrective action you are seeking. Also attach any written material pertaining to your case.

I certify to the best of my knowledge that the statements and information contained herein are true, accurate, and complete.

Signature	Date
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<p>Upon completion, mail <u>or drop off</u> your Discrimination Complaint Form to: COMPASS Director of Operations 700 NE 2nd Street, Suite 200</p>	
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EXECUTIVE COMMITTEE AGENDA ITEM V-A

Date: March 14, 2023

Topic: Status Report - Regional Transportation Advisory Committee (RTAC)

Request/Recommendation:

Information only.

Background/Summary:

RTAC Bylaws state that the RTAC Chair will submit a monthly status report on RTAC activities to the COMPASS Executive Committee. Below is an outline of agenda items and actions from the February 22, 2023, meeting.

SPECIAL ITEM

Status Report – State Highway 16 Corridor

Amy Schroeder from the Idaho Transportation Department (ITD) provided RTAC with a status report on the State Highway 16 Corridor project.

Status Report – National Electric Vehicle Infrastructure Program

Cecilia Arritola provided RTAC with a status report on the National Electric Vehicle Infrastructure (NEVI) program.

ACTION ITEM

Federal-aid rankings for COMPASS programs

RTAC recommended federal-aid rankings for all COMPASS federal-aid programs.

INFORMATION ITEMS

Safe Streets and Roads for All Action Plan award

Draft CIM 2055 workplan

2020 Census Urbanized Area Results and Implementation of Idaho Transportation Board Policy 4028.

This item was deferred to the March 15, 2023, meeting.

More Information:

- 1) Contact Meg Larsen, COMPASS Director of Operations, at mlarsen@compassidaho.org or Lee Belt, City Clerk, City of Greenleaf at clerk@greenleaf-idaho.us.

ML:tg T:\FY23\800 System Maintenance\820 Committee Support\RTAC\Monthly Executive Report\Feb 2023 Exec Committee Status Report.docx