Title VI Compliance Report

Adopted August 20, 2014
Per Resolution 14-03

Developed in Compliance with
FTA Circular 4701.1B Dated October 12, 2012
STANCOG POLICY BOARD MEMBERS

The Stanislaus Council of Governments (StanCOG) is the Metropolitan Planning Organization (MPO), and Regional Transportation Planning Agency (RTPA) for Stanislaus County. Governed by a board of 16 members representing the nine cities and county agencies in the Stanislaus region, and one ex-officio representative, StanCOG serves as the forum for regional decision-making. In this capacity, StanCOG builds consensus among local and regional agencies, develops long-term strategic plans, programs Federal and State funding for allocation to regional transportation infrastructure and transit projects, and provides information/data on a broad range of topics pertinent to the region’s economic and social conditions. The following members currently serve on StanCOG’s Policy Board:

Vito Chiesa— Board Chairman  Stanislaus County
Garrad Marsh—Vice Chairman  City of Modesto
Mike Kline  City of Ceres
Matthew Beekman  City of Hughson
Jenny Kenoyer  City of Modesto
David Lopez  City of Modesto
Garrad Marsh  City of Modesto
Ed Katen  City of Newman
Michael Brennan  City of Oakdale
Luis Molina  City of Patterson
Richard O’Brien  City of Riverbank
Jim DeMartini  Stanislaus County
Dick Monteith  Stanislaus County
William O’Brien  Stanislaus County
Terry Withrow  Stanislaus County
Forrest White  City of Turlock
Charles Goeken  City of Waterford
Dennis T. Agar  Caltrans Ex - Officio
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OVERVIEW

In accordance with Federal law, any agency receiving Federal financial assistance must establish and execute a program to ensure that all operations and activities do not discriminate against minority individuals or communities. Title VI of the Civil Rights Act of 1964 (Title VI) states,

“No person in the United States shall, on the ground 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 Federal financial assistance.”

As a Metropolitan Planning Organization (MPO) and recipient of Federal Transportation Administration (FTA) funds, the Stanislaus Council of Governments (StanCOG) is required to file a report to the FTA demonstrating adherence to Title VI of the 1964 Civil Rights Act. Pursuant to the reporting requirements established in FTA Circular 4702.1B, dated October 1, 2012, the following report describes how StanCOG’s activities, programs, and policies adhere to the provisions established in Title VI.

COMPLIANCE WITH TITLE VI PROGRAM REQUIREMENTS

Civil Rights Compliance and List of Active Lawsuits

StanCOG has neither been involved in any civil rights compliance review activities in the past three years, nor received any Title VI service complaints. Furthermore, StanCOG has not been named in any lawsuit or compliance issue alleging discrimination on the basis of race, color, or national origin.

Pending Federal Financial Assistance

StanCOG currently has four pending applications for Federal financial assistance. Table 6, below, identifies these grants.

Table 6: StanCOG’s Pending Applications for Federal Financial Assistance

<table>
<thead>
<tr>
<th>Grant Application Number</th>
<th>Grant Program</th>
<th>Requested Funding Amount from the FTA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA-37-X150-01</td>
<td>FTA Job Access Reverse Commute (Section 5316)</td>
<td>$276,733.00</td>
</tr>
<tr>
<td>CA-57-X067-01</td>
<td>FTA New Freedom (Section 5317)</td>
<td>$130,919.00</td>
</tr>
<tr>
<td>CA-37-X168-01</td>
<td>FTA FTA Job Access Reverse Commute (Section 5316)</td>
<td>$528,780.00</td>
</tr>
<tr>
<td>CA-57-X082-01</td>
<td>FTA New Freedom (Section 5317)</td>
<td>$257,643.00</td>
</tr>
</tbody>
</table>

Equal Employment Opportunities

StanCOG is required under the Equal Employment Opportunity (EEO) provision to provide equal employment to all people, without regard to race, color, religion, sex, or national origin. In addition to these efforts, StanCOG has an Equal Rights Plan that seeks to identify job applicants from underrepresented and minority population groups during staff employment recruitment procedures. StanCOG also subscribes to the Stanislaus County Equal Rights policies, and participates in the County’s Equal Rights Committee and other activities to ensure that equal employment opportunities exist in the
Signed FTA Civil Rights Assurance

The original FTA Civil Rights Assurance was submitted previously and is on file with the FTA.

Signed DOT Title VI Assurance

The original Department of Transportation Title VI Assurance was submitted previously and is on file with the FTA.

PROGRAM – SPECIFIC REQUIREMENTS

StanCOG as the Metropolitan Planning Organization adheres to the Title VI requirements outlined in Chapter IV of the FTA Circular 4702.1B, dated October 1, 2012.

Assessment of Planning Efforts

The following briefly identifies how public involvement is highly incorporated into the development of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP). StanCOG’s development of these documents includes methods/procedures to ensure that public participation opportunities exist for all members of the public.

Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS)

The 2014 RTP/SCS represents a new approach to regional transportation planning; one that goes beyond singularly addressing transportation needs. The RTP/SCS strengthens the link between land use and transportation planning, recognizing the significant connection between these two areas and its impact on the region’s quality of life. The Stanislaus Region’s 2014 RTP/SCS focuses on maintaining the region’s vitality and character by creating a more sustainable transportation system and land use development pattern. In the context of this long-range planning document, sustainability means a transportation system and pattern of development that complement each other to provide for current needs without compromising the needs of future generations. This can be achieved through the preservation of agricultural land, equitable access to a variety of healthy and safe transportation options for all users, the availability of a wide range of housing options, and protection of the region’s natural resources and open space. In order to assess the performance and success of the RTP/SCS, seven goals and corresponding objectives were adopted. Together, these goals and objectives are used by the Plan to measure how successful the integration of transportation and land use planning strategies are at achieving the vision in this document. Goals specifically identified in the RTP consist of the following:

Goal 1. Mobility & Accessibility Improve the ability of people and goods to move between desired locations; and provide a variety of transportation choices.

Goal 2. Social Equity Promote and provide equitable opportunities to access transportation services for all populations and ensure all populations share in the benefits of transportation improvements and provide a range of transportation and housing choices.
Goal 3. Economic and Community Vitality Foster job creation and business attraction, retention, and expansion by improving quality of life through new and revitalized communities.

Goal 4. Sustainable Development Pattern Provide a mix of land uses and compact development patterns; and direct development toward existing infrastructure, which will preserve agricultural land, open space, and natural resources.

Goal 5. Environmental Quality Consider the environmental impacts when making transportation investments and minimize direct and indirect impacts on clear air and the environment.

Goal 6. Health & Safety Operate and maintain the transportation system to ensure public safety and security; and improve the health of residents by improving air quality and providing more transportation options.

Goal 7. System Preservation Maintain the transportation system in a state of good repair, and protect the region’s transportation investments by maximizing the use of existing facilities.

Ultimately, the RTP’s goals and strategies serve to improve the region’s overall quality of life by investing in the improvement of all transportation modes within the regional transportation system.

Public involvement and outreach during the development of the 2014 RTP was critical to ensuring that all members of the region’s population, including low-income, elderly, minority, and disabled groups, had the opportunity to provide input regarding the future of the region’s transportation system. StanCOG, as part of the RTP planning effort, created a robust public engagement plan that provided opportunities for all segments of the population to participate in the process. The engagement plan further sought out the low-income and minority communities that are typically underrepresented in the region, particularly the Hispanic population; the region’s largest minority population. StanCOG continued its commitment to public engagement by developing a multi-level outreach program using conventional outreach methods, but supplemented these efforts with new methods as well. Historically, StanCOG has distributed fliers to stakeholders and other agencies, provided public notices, and identified information on our website as part of the public outreach process. The RTP/SCS public engagement plan sought to grow StanCOG’s network through partnerships with community and faith-based organizations. These partnerships allowed StanCOG to reach a broader segment of the population, which would have been unachievable in the past. This approach also allowed for a more focused message that would encourage specific hard-to-reach, and socio-economically disadvantaged population, to participate in the planning process. Furthermore, StanCOG used a mix of in-person presentations, workshops, causal meetings, and other electronic outreach methods to maximize engagement opportunities for all. While StanCOG will continue to extend and improve its outreach efforts, this approach proved successful in terms of the number of participants compared to previous RTPs’ planning efforts and public involvement input in the process. These outreach approaches helped address Title VI compliance issues and provided all interested citizens with ample opportunity to give meaningful input during the development of the 2014 RTP.
Federal Transportation Improvement Program (FTIP)

Pursuant to the current Federal transportation bill, Moving Ahead for Progress in the 21st Century (MAP-21), StanCOG developed the 2015 FTIP to identify the financial costs and development phases associated with all capital and non-capital transportation projects within the Stanislaus region. The document covers a four-year programming period from Fiscal Years 2014/15 through 2017/18, and must be updated every four years. The FTIP is a compilation of projects identified with their associate funding source(s), requested Federal/State/local funding amount(s), and project development phases (i.e. Preliminary Engineering, Right-of-Way purchase, Construction), which is determined in cooperation with StanCOG’s partner agencies: the Federal Highway Administration (FHWA), the FTA, and the California Department of Transportation (Caltrans). These projects are consistent with the 2014 RTP and their identification in the FTIP ensures that Federal and State transportation funding continues to flow into the Stanislaus region in accordance with Federal and State programming regulations.

Pursuant to Federal law, reasonable opportunity must be provided for public involvement during the development of the FTIP. The currently adopted Public Participation Plan (PPP) provided direction for StanCOG’s implementation of public participation and outreach practices during the 2015 FTIP’s development. Specifically, StanCOG followed the PPP’s established procedures to ensure compliance with Title VI provisions, Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations), Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency), and the Brown Act. Similar to the RTP/SCS, development of the FTIP involved multiple public hearings and extensive review by StanCOG’s various standing and ad hoc committees. Through these committees, members of the public had the opportunity to review and provide feedback on the document before its final approval.
MINORITY PARTICIPATION IN THE DECISION-MAKING PROCESS

The 2012 American Community Survey identifies the two major races in the county as White only and Hispanic, with approximately 47% of the population identified as being White only, and Hispanics making up approximately 43%. All other races combined equal approximately 10% of the population, with Black/African American alone constituting approximately 3%, and Asian alone totaling approximately 5%. Given these demographics, which highlight a large minority population in the region, it is important to StanCOG that public involvement during plan/program development workshops and hearings includes participation from citizens representing the Stanislaus region’s underserved and/or underrepresented minority populations.

Below are demographic maps representing the percent minority and non-minority populations identified by the 2012 American Community Survey.

Hispanics Population Percentage in Stanislaus County
In addition to Title VI compliance, StanCOG complies with other Federal laws that address inclusion of the underserved and underrepresented minority population in the overall planning and decision-making process. Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low Income Population) requires that each Federal agency shall, to the greatest extent allowed by law, administer and implement its programs, policies and activities that affect human health or the environment so as to identify and avoid “disproportionately high and adverse” effects on minority and low-income populations. Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency) requires that all Federal agencies identify any need for services to those with limited English proficiency and develop and implement a system to provide services so all persons can have meaningful access to services. Lastly, pursuant to the Brown Act, all of StanCOG’s standing committees
are made open to the public. A public comment period is programmed in the agenda for all Brown Act meetings to afford time to any member, social organization, or group who wishes to address the decision-makers or committee members.

**Representation on StanCOG’s Committees**

Diverse representation on StanCOG’s standing and ad hoc committees provides a forum for public involvement and opportunities to incorporate and comply with social equity and environmental justice issues in the regional planning processes. Combined, StanCOG’s committees include representatives from local government bodies, public transit agencies, public and private social service organizations, low-income population groups, minority populations, as well as individual members of the general public. Some agencies, such as the Citizen Advisory Committee and Social Services Transportation Advisory Council, are specifically structured to include a diverse representation from both cultural and socio-economic population groups. Diverse representation on StanCOG’s committees ensures that all of the region’s needs are effectively identified, assessed, and planned for. Efforts to include underrepresented groups in these committees have resulted in expanded community involvement. In addition, the agency’s computerized mail list is continually updated to include additional individuals and organizations.

The following provides a brief summary of all of StanCOG’s standing committees, including the estimated racial breakdown for all of StanCOG’s standing committees’ members.

**Executive Committee**

The Executive Committee is a standing committee established under StanCOG’s Joint Powers Authority Agreement and consists of two Stanislaus County supervisors, one representative from the City of Modesto, and two representatives from the other incorporated cities in Stanislaus County, who are jointly selected by these cities. It is responsible for appointing members of the Citizen Advisory Committee, the Social Services Transportation Advisory Council, and the Bicycle and Pedestrian Advisory Committee. Table 1, below, identifies the racial breakdown of the committee’s membership.

**Table 1: Executive Committee (5 members)**

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>4</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1</td>
</tr>
</tbody>
</table>
Management and Finance Committee (MFC)

The MFC is a standing committee comprised of one City Manager, or management staff representative, from each of the nine incorporated cities in Stanislaus County, and a representative from the County’s Chief Executive Office. The MFC reviews all technical and financial issues and makes policy recommendations directly to the Policy Board. Table 2, below, identifies the racial breakdown of the committee’s membership.

Table 2: Management and Finance Committee (10 members)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>9</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1</td>
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</tbody>
</table>

Citizens’ Advisory Committee (CAC)

The CAC is a standing committee comprised of up to 15 residents from Stanislaus County, which are appointed by the Executive Committee. The CAC reviews and makes direct recommendations on all standing committee agenda items to the Policy Board. The intent of the CAC is to provide the Policy Board with input on transportation related issues directly from the public’s perspective. Membership is open to all members of the public, including minority population groups who are underrepresented and/or underserved. Table 3, below, identifies the racial breakdown of the CAC’s membership.

Table 3: Citizen Advisory Committee (12 members, 3 Vacancies)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>12</td>
</tr>
</tbody>
</table>

Social Services Transportation Advisory Council (SSTAC)

In accordance with the Transportation Development Act (TDA), the SSTAC was established as a standing committee to identify and review any potential unmet transit needs within Stanislaus County. The SSTAC’s membership includes representatives from the region’s public transit and private social service agencies, as well as people representing populations that are typically dependent upon public transit: senior citizens, people with disabilities, and low-income residents. The SSTAC reviews transit issues, conducts the annual Unmet Transit Needs (UTN) Assessment process, and collaborates on the allocation and distribution of Transportation Development Act (TDA) funding required for public transit. Recommendations from SSTAC are provided directly to the Policy Board. Table 4, below, identifies the racial breakdown of the SSTAC’s membership.

Table 4: Social Services Transportation Advisory Council (6 members, 2 Vacancies)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>5</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1</td>
</tr>
</tbody>
</table>
Bicycle and Pedestrian Advisory Committee (BPAC)

The BPAC is a standing committee that was formed to provide advice on the update and development of the region’s Non-Motorized Transportation Plan. Membership is composed of a public citizen representative from each of StanCOG’s member agencies, and appointed by the Executive Committee. The BPAC reviews regional transportation projects and programs to identify ways in which the project/program will enhance non-motorized opportunities within the entire Stanislaus region. Table 5, below, identifies the racial breakdown of the BPAC’s membership.

Table 5: Bicycle and Pedestrian Advisory Committee (8 members, 2 Vacancies)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>6</td>
</tr>
<tr>
<td>Black/African American</td>
<td>1</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1</td>
</tr>
</tbody>
</table>

Valley Vision Stanislaus Steering Committee (VVSS)

The Valley Vision Stanislaus Steering Committee is one of the StanCOG standing committees. This committee was formed in 2011, to collaboratively address the requirements of Senate Bill 375 (SB 375), which calls on StanCOG to prepare an integrated land use and transportation document as part of all future Regional Transportation Plan (RTP) updates. The Valley Vision Stanislaus plan sets a development pattern for the region, which when combined with transportation policies, will reduce greenhouse gas (GHG) emissions from vehicles.

Table 6: Valley Vision Stanislaus Steering Committee (15 Members)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>15</td>
</tr>
</tbody>
</table>

Ad Hoc Committees

The formation and use of the Ad Hoc committees’ is based upon the objective of providing opportunities for involvement in regional transportation programs by citizens, elected officials, agency staff, and representatives of civic and community groups.

Technical Advisory Committee (TAC)

The TAC is comprised of one technical-level staff member from each jurisdiction’s planning or public works divisions, plus one member from each public transit operator within Stanislaus County. The TAC’s role is to review all of the region’s planning and transportation issues or programs from a technical and financial perspective, and make recommendations accordingly to the MFC.
Planning and Programming Working Group (PPWG)

The PPWG is an ad hoc committee, consisting of 25 members, that focuses on addressing critical regional issues at a more detailed level than the standing committees. The PPWG’s membership includes representatives from the Management and Finance Committee, Citizens’ Advisory Committee, and Technical Advisory Committee who work with StanCOG staff to address key regional issues through project planning, programing of project funds, establishing project/program delivery schedules, and evaluating performance criteria.

Sustainable Communities Strategy Steering Committee (SCS)

Recently formed as an ad hoc committee by the Policy Board, the SCS addresses the requirements of Senate Bill 375, which calls for StanCOG to prepare a Sustainable Communities Strategy as part of all future RTP updates. Membership on the SCS is continually growing and includes 31 representatives from various local government agencies, other StanCOG’s standing and ad hoc committees, and the public. The Sustainable Communities Strategy is intended to integrate land use and transportation planning in a manner that directly guides future development practices in order to reduce greenhouse gas emissions from vehicle miles traveled throughout the region. Since StanCOG does not have direct land use authority, the local agencies that are represented on the SCS must collaboratively address land use planning in relation to future regional transportation development. Development of this document will further implement the appropriate measures in compliance with Title VI, Executive Order 12898, and LEP provisions to ensure that future land use and transportation planning heavily involves all population groups within the Stanislaus region.

Mobility Advisory Committee (MAC)

The MAC was formed as an Ad Hoc support committee to StanCOG’s Consolidated Transportation Services Agency (CTSA). In coordination with the CTSA, the MAC is primarily focused on identifying and addressing the transit needs of Stanislaus County’s senior and disabled populations. Representatives from local private social service and transit agencies, public transit operators, and the elderly and disabled communities make up the MAC’s membership.
MONITOR TITLE VI ACTIVITIES

Identifying Impacts of Transportation Development on Minority Communities

Identification and planning for minority communities is integrated into all of StanCOG’s long-range planning documents, regional studies, and planning processes. As part of the development of the 2014 RTP, an assessment of the benefits and adverse impacts of new, major transportation projects to low-income and minority groups was developed. In addition, pursuant to the Transit Development Act (TDA), StanCOG conducts an annual Unmet Transit Needs (UTN) Assessment process to identify transit-dependent populations throughout the region and plan for their transit needs accordingly. This process involves multiple public hearings, collaboration among the region’s public transit and private social service agencies at regularly scheduled SSTAC meetings, and public outreach through the dissemination of a form made available for the public to identify potential unmet transit needs in the region. Furthermore, all of the region’s public transit operators continually review passenger transit needs within their systems and elicit public response to improve the effectiveness and efficiency of transit services within their jurisdictions. These agencies continually report back to StanCOG during regularly scheduled SSTAC meetings.

Providing Technical Assistance and Ensuring Title VI Compliance

StanCOG staff provides extensive data and technical assistance to the region’s four public transit operators, and to multiple social service agencies that provide transportation services for elderly and disabled populations within the Stanislaus region. As the MPO and RTPA, StanCOG maintains a record of census and other demographic data for Stanislaus County. This public information is made available to public transit operators and private social service agencies to support the updating and development of their Title VI compliance information. In addition, StanCOG’s SSTAC provides a forum for regional public and private social service transit agencies to collaborate on identifying and addressing the transportation needs of every population group within the region.

Information Dissemination

To ensure that plans, programs, and transportation services meet the diverse needs of Stanislaus County’s entire population, StanCOG’s 2011 Public Participation Plan (PPP) has identified the following goals and objectives:

- To strive for a balanced representation of all stakeholders in the planning process;
- To educate local officials and the citizens of Stanislaus County in the realm of transportation-related services and planning documents;
- To be proactive, with early and continuous public input; and
- To be responsive to the needs of the community.

The 2011 PPP establishes a means to advance public participation among various population groups: lower income households, minorities, persons with disabilities, tribal governments, representatives from community- and service-based organizations, and public agencies. The following list of activities identifies StanCOG’s current public information distribution methods:
• All agency reports and public information are posted online for public access through the agency’s website;
• Major project presentations and public hearings regarding new policies, long-range planning topics, or transportation funding matters are made throughout all development phases and circulated through StanCOG’s standing and ad hoc committees for review and public participation prior to the Policy Board’s approval;
• StanCOG publishes a quarterly electronic newsletter, which is available on the agency’s public website, that highlights information regarding regional project development updates, current transportation and planning issues, local achievements, and upcoming public meetings;
• The Policy Board agenda for all meetings is posted outside the StanCOG office at 1111 I Street, Suite 308, in Modesto, and on StanCOG’s website, at www.stancog.org, at least 72 hours prior to the meeting. Copies are available at StanCOG’s office during business hours or on the website;
• All agendas for meetings subject to the Brown Act requirements are posted online and outside of StanCOG’s office at least 72 hours in advance of that meeting;
• StanCOG staff continually maintains and updates a mailing list to include any public individual, organization, or social group that wishes to receive certain information directly before any public hearing, workshop, or presentation.

Public Involvement

Public participation is a key component in StanCOG’s entire regional planning process. The policies and procedures established in StanCOG’s currently adopted 2011 Public Participation Plan (PPP) enable all members of the public to actively participate in the planning and decision-making processes undergone during the development of the region’s long-range planning and funding documents. StanCOG’s adopted Fiscal Year 2014/15 Overall Work Plan (OWP) further promotes Title VI compliance.

As outlined in the PPP and OWP, opportunities for public involvement can be seen in a wide-range of activities currently undertaken by StanCOG:

• Participation of citizens in the Policy Board meeting, and all other standing, adhoc, and other technical committee meetings conducted by StanCOG;
• Direct participation of the Citizen’s Advisory Committee in StanCOG’s formal planning process;
• Placement of public hearing notices in both English and Spanish newspapers of general circulation;
• Presentations to and meetings with community groups, organizations, and traditionally underrepresented or underserved minority populations;
• Representation from the elderly, disabled, low-income, and minority (i.e. Black, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander) population groups on StanCOG’s Social Service Transportation Advisory Council;
• Dissemination of news releases and public service announcements (with translation available);
• Public outreach efforts and information provided through the local media sources;
• Preparation and distribution of the StanCOG informational brochure (provided in English and Spanish languages);
• Continual utilization of StanCOG’s web page to disseminate information to the public regarding draft planning documents, new policies, and upcoming public hearings;
• Providing for a regional public forum for plan implementation project teams to identify and address specific regional planning opportunities.

Subrecipient Monitoring

StanCOG requires all subrecipients to sign and agree to terms outlined in StanCOG’s Subrecipient Agreement Section 20.a.

20. Compliance with Non-Discrimination and Equal Employment Opportunity Laws. SUBRECIPIENT assures DESIGNATED RECIPIENT that it complies with, and that SUBRECIPIENT will require that its contractors, subcontractors and subgrantees comply with, the following non-discrimination and equal opportunity laws. Any failure by SUBRECIPIENT to comply with these provisions shall constitute a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as DESIGNATED RECIPIENT may deem appropriate.

a. In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d and Federal transit law at 49 U.S.C. § 5332, SUBRECIPIENT agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, SUBRECIPIENT agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue, including, but not limited to, U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 C.F.R. Part 21, and FTA Circular 4702.1A, “Title VI and Title VI – Dependent Guidelines for Federal Transit Administration Recipients.”

Compliance with Non-Discrimination and Equal Employment Opportunity Laws. Subrecipient activities and compliance with regulations are monitored through reports submitted to StanCOG on a quarterly basis.

Access to Services for Persons with Limited English Proficiency

As previously identified above, StanCOG must adhere to the provisions established in Executive Order 13166, which requires services to be provided for persons with limited English proficiency (LEP). StanCOG is in compliance with the “Safe Harbor” provision identified in the FTA C4702.1B Chapter III 9.c. for recipients regarding translation of written materials for LEP population. The following list identifies StanCOG’s LEP procedures:

• StanCOG Policy Board agendas are translated from English to Spanish. The agendas are made available through our website and through mailouts prior to policy board meetings. Subsequently, all committee agenda packets and report documents are advertised as being able to be translated upon written request (notification placed in the public hearing and directly on agenda packet);
• Major mailers and public information handouts are published in both English and Spanish languages, and can be further translated upon request;
• During some of StanCOG’s outreach to local social organizations, both verbal and visual presentations have been translated into Spanish;
Public information and hearing notices are posted in both English and Spanish language newspapers of general circulation, including the Modesto Bee and Vida en el Valle, which covers Stanislaus and San Joaquin Counties with a weekly circulation of approximately 30,000 papers;

- StanCOG’s planning processes and policy decisions are currently covered by English and Spanish news media sources, and are further open to other minority media sources;

- All public workshops and hearings are structured to involve citizen participation from all populations, with translation either provided directly by StanCOG staff (current staff includes two fluent Spanish language speakers) or allowed by a translator brought in to represent the person or group involved.

- StanCOG contracts with an on-call service provider to translate from English to Spanish for both written and oral presentations. Further, we offer prepaid services through an online personal interpreter: [http://www.1-800-translate.com/telephone-real-time-services](http://www.1-800-translate.com/telephone-real-time-services).

**Title VI Equity Analysis**

StanCOG is a Metropolitan Planning Organization and designated recipient. StanCOG has not changed locations in the past three years. At this time there are no plans for relocation or expansion of our current operations location. There are no other facilities managed or maintained by StanCOG.

**CONCLUSION**

In conclusion, StanCOG continues to actively encourage public participation to ensure that all members of the public have an equal opportunity in the planning and decision making process conducted by StanCOG and all of its member agencies. In developing the 2011 Public Participation Plan, 2014 Regional Transportation Plan, 2015 Federal Transportation Improvement Program, and FY 2014/15 Overall Work Program, StanCOG has ensured that all Title VI provisions have been followed. StanCOG has not been involved in any civil rights compliance review activities in the past three years or named in any lawsuits involving non-compliance with the Title VI provisions. StanCOG adheres to the Equal employment opportunities processes. StanCOG intends to take many more proactive steps to further improve the quality of transit service for all residents within the Stanislaus region. Furthermore, StanCOG will continue to explicitly assess the impact of proposed transit investments on low income and minority populations throughout all future transportation project/program development.
APPENDIX A: TITLE VI PROGRAM CHECKLIST
Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Subrecipients shall submit the information below to their primary recipient (the entity from whom the subrecipient receives funds directly), on a schedule to be determined by the primary recipient.

**General Requirements (Chapter III)**

All recipients must submit:

<table>
<thead>
<tr>
<th>Title VI Page</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Title VI Notice to the Public, including a list of locations where the notice is posted</td>
</tr>
<tr>
<td>20</td>
<td>Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)</td>
</tr>
<tr>
<td>20</td>
<td>Title VI Complaint Form</td>
</tr>
<tr>
<td>20</td>
<td>Title VI Complaint Form</td>
</tr>
<tr>
<td>22</td>
<td>List of transit-related Title VI investigations, complaints, and lawsuits</td>
</tr>
<tr>
<td>22</td>
<td>Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission</td>
</tr>
<tr>
<td>24</td>
<td>Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance</td>
</tr>
<tr>
<td>10-13</td>
<td>A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees</td>
</tr>
<tr>
<td>16</td>
<td>Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions</td>
</tr>
<tr>
<td>17</td>
<td>A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.</td>
</tr>
<tr>
<td>25</td>
<td>A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT’s, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.</td>
</tr>
<tr>
<td>See Below</td>
<td>Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)</td>
</tr>
</tbody>
</table>
Requirements of Transit Providers (Chapter IV)

MPO Not applicable

Requirements of MPOs (Chapter VI)

Metropolitan Planning Organizations and other planning entities must submit:

<table>
<thead>
<tr>
<th>Title VI Page</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Above</td>
<td>All requirements set out in Chapter III (General Requirements)</td>
</tr>
<tr>
<td>N/A</td>
<td>The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation</td>
</tr>
<tr>
<td>8</td>
<td>Demographic profile of the metropolitan area</td>
</tr>
<tr>
<td>5</td>
<td>A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process</td>
</tr>
<tr>
<td>8</td>
<td>Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects</td>
</tr>
<tr>
<td>14</td>
<td>Analysis of the MPO's transportation system investments that identifies and addresses any disparate impacts</td>
</tr>
<tr>
<td>14</td>
<td>Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)</td>
</tr>
<tr>
<td>16</td>
<td>Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)</td>
</tr>
</tbody>
</table>
1. Notice to the public
   a. Race, color and national origin (Sample notice in Appendix B)
   b. Translated into non-English languages and consistent with the agency’s Limited English Proficiency (LEP) Plan (Chapter III-4)

2. List of locations where notice is posted, at a minimum (Chapter III-4)
   a. Agency’s website
   b. Public areas of the agency’s office(s), including reception desk and meeting rooms
   c. Stations or stops
   d. Transit vehicles

3. How to file a title VI discrimination complaint and complaint form must be on agency’s website (Chapter III-5 and Appendix C and D)

4. List of any public transportation Title VI investigations, complaints or lawsuits filed since last submission (see Appendix E)

5. Public Participation Plan - Promoting Inclusive Public Participation (Chapter III-5)
   a. Summary of outreach efforts made
   b. Outreach plan to engage minority and limited English proficient populations (can be a component of a larger outreach for those that are traditionally underserved)

   a. Four Factor Analysis (Chapter III-7)
      i. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
      ii. The frequency with which LEP persons come into contact with the program.
      iii. The nature and importance of the program, activity, or service provided by the program to people’s lives.
      iv. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.
   b. Safe Harbor Provision – applies to the translation of written documents only (Chapter III-9)
   c. Describe how the agency provides language assistance services by language (Chapter III-8)
   d. Describe how the agency provides notice to LEP persons about the availability of language assistance
e. Describe how the agency monitors, evaluates and updates the language access plan

f. Describe how the agency trains employees to provide timely and reasonable language assistance to LEP populations

7. Table depicting racial breakdown of transit-related, non-elected planning boards, advisory councils or committees. Also a description of efforts made to encourage minority participation (Chapter III-9 and Appendix F)

8. If a facility has been constructed, a Title VI equity analysis must have been conducted during the planning stage regarding the location. A copy of the analysis must be provided. (Chapter III-11)

9. Board Resolution or similar approving the Title VI Plan (Chapter III-1)

Comments:
Board Resolution 14-03 submitted at Policy Board Meeting August 20, 2014 for approval.
1. Requirements are tiered – All fixed route transit providers must complete 2 and 3. Threshold: If an agency operates more than 50 fixed route vehicles in peak service and is located in an UZA of 200,000 or more, then all requirements of Chapter IV apply.

2. Requirement to set system-wide service standards (Chapter IV-4 and Appendix G)
   a. Vehicle load for each mode
   b. Vehicle headway for each mode
   c. On-time performance for each mode
   d. Service availability for each mode

3. Requirement to set service policies (Chapter IV-6 and Appendix H)
   a. Distribution of transit amenities for each mode
      i. Seating (i.e., benches, seats at stops/stations)
      ii. Bus and rail shelters
      iii. Rail platform canopies
      iv. Passenger information
         1. Printed signs, system maps, route maps and schedules
         2. Digital equipment such as next vehicle arrival time signs along bus routes and at fixed guideway stations
      v. Escalators
      vi. Elevators
      vii. Waste receptacles (including trash and recycling)
   b. Vehicle assignment for each mode

Comments:

Reviewer's Signature

Date

Compliance Branch Chief Signature

Date
APPENDIX B: TITLE VI NOTICE TO THE PUBLIC (GENERAL REQUIREMENT)
Public Notice
ADA Title II and Civil Rights Title VI

It is the policy of the Stanislaus Council of Governments that no person shall be denied the benefits of or be subjected to discrimination in any County program, service, or activity on the grounds of race, color, national origin, age, and disability. The Stanislaus Council of Governments also requires its contractors and grantees to comply with this policy.

Questions, concerns, complaints, request for reasonable accommodations, or other inquiries from the public with regard to the accessibility of County services or facilities for StanCOG shall be directed to:

Name: Regina Valentine
Address: 1111 I Street Suite 308, Modesto CA 95354
Phone Number: 209-525-4600
Email Address: rvalentine@stancog.org

Aviso Público
Ley de Estadounidenses con Discapacidad (ADA)
Título II y Derechos Civiles Título VI

La política del Consejo de Gobierno de Stanislaus dicta que a ninguna persona se le puede negar el beneficio o el acceso a programas, servicios o actividades del Condado basado en su raza, color, origen nacional, edad o incapacidad. El Consejo de Gobierno de Stanislaus también exige a sus contratistas y concesionarios cumplir con esta política.

Preguntas, inquietudes, quejas, acomodaciones especiales dentro de lo posible, u otras consultas del público respecto del acceso a servicios o instalaciones del Condado deben ser dirigidos a:

Nombre: Regina Valentine
Dirección: 1111 I Street Suite 308, Modesto CA
Número de Teléfono: 209-525-4600
Correo electrónico: rvalentine@stancog.org
Locations of the Title VI Notice to the Public Postings:

- StanCOG website: [http://www.stancog.org/title-vi.shtm](http://www.stancog.org/title-vi.shtm)
- Office receptionist area
- Policy Board public meeting room
APPENDIX C: TITLE VI COMPLAINT PROCEDURE & FORMS

(GENERAL REQUIREMENT)

STANISLAUS COUNCIL OF GOVERNMENTS
TITLE VI COMPLAINT PROCESS

Title VI Complaint Process

The Stanislaus Council of Governments (StanCOG) is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with STANCOG within 180 days from the date of the alleged discrimination.

Filing a Complaint with STANCOG

Complaints may be filed with STANCOG in writing and may be addressed to:

Stanislaus Council of Governments
Office of Compliance (Rosa Park)
1111 I Street, Suite 308
Modesto, CA 95354
Complaints may also be sent via e-mail to: rpark@stancog.org

Title VI Complaint Forms may be obtained on the StanCOG website at www.stancog.org or by calling 209.525.4600.

STANCOG will provide appropriate assistance to complainants who are limited in their ability to communicate in English.

What Happens to My Title VI Complaint to STANCOG?

Once a complaint is received, it will be assigned to an investigator. In instances where additional information is needed, the investigator will contact the complainant by phone or in writing.

Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint or a delay in complaint resolution.

Based upon receipt of all the information required, STANCOG will investigate a Title VI complaint within 90 days of receipt. STANCOG will use its best efforts to respond to a Title VI complaint within 90 calendar days of its receipt of such complaint. Receipt of additional relevant information and/or simultaneous filing of a complaint with STANCOG and an external entity may expand the timing of the complaint resolution.
Title VI Policy Statement

The Stanislaus Council of Governments is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, age, gender, or disability, pursuant to Title VI of the Civil Rights Act of 1964, as amended.

Toward this end, it is STANCOG’s objective to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, national origin, age, gender, or disability;

- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;

- Promote the full and fair participation of all affected populations in transportation decision making;

- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and

- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

The Executive Director, management, and all employees share the responsibility for carrying out STANCOG’s commitment to Title VI compliance. The Title VI staff is responsible for the day-to-day operation of the program and receives and investigates Title VI complaints that come through the complaint procedures process.
Title VI Complaint Form
Stanislaus Council of Governments (StanCOG)
Office of Compliance

StanCOG is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, age, gender, or disability pursuant to Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact Regina Valentine, Associate Planner, by calling (209) 525-4600. The completed form must be returned to StanCOG’s Office, Title VI Coordinator, 1111 “I” Street, Suite #308, Modesto, CA 95354.

<table>
<thead>
<tr>
<th>Your Name:</th>
<th>Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address:</td>
<td>Alt Phone:</td>
</tr>
<tr>
<td></td>
<td>City, State and Zip Code:</td>
</tr>
</tbody>
</table>

Person(s) Discriminated against (if someone other than complainant): Name(s):

Street Address, City, State and Zip Code:

Which of the following best describes the reason for the alleged discrimination? (Check one)

- [ ] RACE
- [ ] COLOR
- [ ] NATIONAL ORIGIN (LIMITED ENGLISH PROFICIENCY)
- [ ] AGE
- [ ] GENDER
- [ ] DISABILITY

Date of Incident: ____________________
Time of Incident: ____________________

Please describe the alleged discrimination incident. Provide the names and titles of all StanCOG employees responsible. Explain what happened, whom you believe was responsible, and other specific relevant information. Please use the next page of this form if additional space is required.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

(Complete next page of form)
Title VI Complaint Form
Stanislaus Council of Governments (StanCOG)
Office of Compliance

Please describe the alleged discrimination incident (continued)

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Have you filed a complaint with any other federal, state, or local agencies? (Check one)

☐ YES  ☐ NO

If so, list agency / agencies and contact information below:

Agency: ___________________________ Contact Name: ___________________________

Street Address, City, State & Zip Code: ___________________________ Phone: ___________________________

________________________________________________________________________

Agency: ___________________________ Contact Name: ___________________________

Street Address, City, State & Zip Code: ___________________________ Phone: ___________________________

________________________________________________________________________

I affirm that I have read the above charge and it is true to the best of my knowledge.

Complainant’s Signature: ___________________________ Date: ___________________________

Print or Type Name of Complainant

Date Received: ___________________________

Received By: ___________________________
Formulario de Quejas Title VI
Stanislaus Council of Governments (StanCOG)
Oficina de Cumplimiento

StanCOG centra sus esfuerzos en garantizar que nadie sea excluido de la participación en sus servicios ni que nieguen los beneficios de éstos, con base en raza, color, origen nacional, edad, sexo, y discapacidad, en conformidad con las disposiciones del Title VI de la Ley de Derechos Civiles de 1964. Las quejas bajo el Title VI deben presentarse en el transcurso de 180 días a partir de que ocurre la discriminación supuesta.

La información siguiente es necesaria para ayudarnos en el procesamiento de su queja. Si requiere ayuda para llenar este formulario, le agradeceremos que se dirija al Regina Valentine, Planificadora Asociada, al teléfono (209) 525-4600. El formulario completo debe devolverse al StanCOG’s Office, Coordinadora del Title VI, 1111 “I” Street, Suite #308, Modesto, CA 95354.

<table>
<thead>
<tr>
<th>Su nombre:</th>
<th>Teléfono:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirección:</td>
<td>Segundo Teléfono:</td>
</tr>
<tr>
<td></td>
<td>Ciudad, estado, y Código Postal:</td>
</tr>
<tr>
<td>Persona(s) que sufrieron discriminación (si es otra que el firmante): Nombre(s):</td>
<td></td>
</tr>
<tr>
<td>Dirección, Ciudad, estado, y Código Postal:</td>
<td></td>
</tr>
</tbody>
</table>

¿Cuál de los siguientes describe mejor la razón por la supuesta discriminación? (Marque uno)

☐ RAZA
☐ COLOR
☐ ORIGEN NACIONAL
☐ EDAD
☐ SEXO
☐ DISCAPACIDAD

Fecha del incidente:
Hora del incidente:

Por favor, describa el supuesto incidente de discriminación. Proporcione los nombres y títulos de todos los empleados de StanCOG involucrados, si cuenta con la información. Explique lo sucedido: quien considera que fue responsable; y otra información específica pertinente. Por favor, use el reverso de este formulario si requiere espacio adicional.

(Llene el reverso de este formulario)
Formulario de Quejas Title VI  
Stanislaus Council of Governments (StanCOG)  
Oficina de Cumplimiento

Pro favor, describa el supuesto incidente de discriminación (continuación).

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

¿Ha presentado alguna queja ante otra agencia federal, estatal, o local con respecto este incidente?  
(Marque Uno)  
☐ Si ☐ No

Si la respuesta es afirmativa, por favor, a continuación enumere la agencia or agencias y la información de contacto:

Agencia: ___________________________ Nombre de contacto: ___________________________
Dirección, Ciudad, estado, y Código Postal: ___________________________
Teléfono: ___________________________

________________________________________________________________________

Agencia: ___________________________ Nombre de contacto: ___________________________
Dirección, Ciudad, estado, y Código Postal: ___________________________
Teléfono: ___________________________

________________________________________________________________________

Confirmo que he leído el cargo que se indica arriba y que es verdadero hasta donde tengo conocimiento.

__________________________________________  Fecha:
Firma del declarante:

Escriba o escriba en letra de imprenta el nombre de declarante

Fecha de recepción: _______________________
Recibido por: ___________________________
APPENDIX D: FEDERAL TRANSIT ADMINISTRATION’S SIGNED CERTIFICATES AND ASSURANCES
FTA FISCAL YEAR 2014 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2014 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of Applicant: Stanislaus Council of Governments

Name and Relationship of Authorized Representative: Carlos P. Yamzon, Executive Director

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these Certifications and Assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its authorized representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2014, irrespective of whether the individual that acted on its Applicant's behalf continues to represent the Applicant.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply, as provided, to each Project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2014.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature ___________________________ Date: 3-19-2014

Name Carlos P. Yamzon, Executive Director

Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant): Stanislaus Council of Governments

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under: State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA Project or Projects.

Signature ___________________________ Date: 3-19-14

Name ______________________________

Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant’s Attorney pertaining to the Applicant’s legal capacity. The Applicant may enter its signature in lieu of the Attorney’s signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.
**FTA FISCAL YEAR 2014 CERTIFICATIONS AND ASSURANCES**

FEDERAL FISCAL YEAR 2014 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS  
(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: Stanislaus Council of Governments

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. **X**

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<table>
<thead>
<tr>
<th>Group</th>
<th>Description</th>
</tr>
</thead>
<tbody>
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<td>Required Certifications and Assurances for Each Applicant.</td>
</tr>
<tr>
<td>02.</td>
<td>Lobbying.</td>
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<tr>
<td>03.</td>
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</tr>
<tr>
<td>04.</td>
<td>Procurement and Procurement System.</td>
</tr>
<tr>
<td>05.</td>
<td>Rolling Stock Reviews and Bus Testing.</td>
</tr>
<tr>
<td>06.</td>
<td>Demand Responsive Service.</td>
</tr>
<tr>
<td>07.</td>
<td>Intelligent Transportation Systems.</td>
</tr>
<tr>
<td>08.</td>
<td>Interest and Finance Costs and Leasing Costs.</td>
</tr>
<tr>
<td>10.</td>
<td>Alcohol and Controlled Substances Testing.</td>
</tr>
<tr>
<td>11.</td>
<td>Fixed Guideway Capital Investment Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21.</td>
</tr>
<tr>
<td>12.</td>
<td>State of Good Repair Program.</td>
</tr>
<tr>
<td>13.</td>
<td>Fixed Guideway Modernization Grant Program.</td>
</tr>
<tr>
<td>15.</td>
<td>Urbanized Area Formula Programs and Job Access and Reverse Commute (JARC) Program.</td>
</tr>
<tr>
<td>16.</td>
<td>Seniors/Elderly/Individuals with Disabilities Programs and New Freedom Program.</td>
</tr>
<tr>
<td>17.</td>
<td>Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.</td>
</tr>
<tr>
<td>18.</td>
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</tr>
<tr>
<td>19.</td>
<td>Low or No Emission/Clean Fuels Grant Programs.</td>
</tr>
<tr>
<td>20.</td>
<td>Paul S. Sarbanes Transit in Parks Program.</td>
</tr>
<tr>
<td>22.</td>
<td>Public Transportation Emergency Relief Program.</td>
</tr>
<tr>
<td>23.</td>
<td>Expedited Project Delivery Pilot Program.</td>
</tr>
<tr>
<td>24.</td>
<td>Infrastructure Finance Programs.</td>
</tr>
</tbody>
</table>
APPENDIX E: STANCOG’S 2011 PUBLIC PARTICIPATION PLAN

Full Plan Available to View at http://www.stancog.org/public-participation-plan.shtm
2011/12
Public Participation Plan

Adopted September 28, 2011
Per Resolution # 11-15

Planning for Tomorrow’s Transportation Needs Today
Public Participation Plan
September 2011
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STANISLAUS COUNCIL OF GOVERNMENTS
POLICY BOARD

CHAIR
City of Modesto
William O’Brien

VICE CHAIR
City of Waterford
Charles Goeken

City of Ceres
Guillermo Ochoa

City of Hughson
Matthew Beekman

City of Modesto
Brad Hawn
Garrad Marsh
Jim Ridenour

City of Newman
Ed Katen

City of Oakdale
Pat Paul

City of Patterson
Luis Molina

City of Riverbank
Virginia Madueno

City of Turlock
Mary Jackson

Stanislaus County
Jim DeMartini
Vito Chiesa
Dick Monteith
Terry Withrow

STAFF

Executive Director
Vince Harris

Finance Director
Vince Canales

Senior Planner
Carlos Yamzon

Personnel/Administrative Manager and
Public Information Officer
Cindy Malekos

Transit/Programming Manager
Rosa De Leon Park

Associate Planners
Mike Costa
Jeanette Fabela
Jaylen French
Jim Schoeffling
Charles Turner

Budget & Grants Coordinator
Robin Whitehead

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“Never doubt that a small group of thoughtful, concerned citizens can change the world. Indeed, it is the only thing that ever has.”

- Margaret Mead
‘Everyday we rely on streets, highways, sidewalks and public transportation to get us where we need to go to work, shop, attend school, visit friends, and do all the other things we do in our daily lives. Safe, reliable, accessible transportation systems are important to each of us and to the well-being of our communities.

But good transportation does not just happen. It takes a lot of work by elected officials, state, [regional] and local transportation agencies, community groups and individuals to see that the roads, pedestrian ways, and public transportation modes are planned, financed, built and maintained in the best possible manner. By getting involved in planning for transportation projects, you can help ensure that your needs are fairly considered when transportation decisions are made in your community.’

- Caltrans, Community Primer on Environmental Justice and Transportation Planning, April 2010
Background

StanCOG is the federally-mandated Metropolitan Planning Organization (MPO) and state-recognized Regional Transportation Planning Agency (RTPA) for the Stanislaus County region, consisting of Stanislaus County and the nine incorporated cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford. StanCOG, which was originally named the Stanislaus Area Association of Governments (SAAG), was formed in 1971, through a Joint Powers Authority between the 10-members agencies listed above.

A MPO is a federally-mandated and federally-funded transportation policy-making organization that is made up of representatives from local governments. In 1962, the United States Congress passed legislation that led to the formation of a MPO for any urbanized area with a population greater than 50,000. The legislation ensures that designated federal funding for transportation projects and programs are channeled through the MPO regional planning process. MPOs were created to ensure that existing and future expenditures of governmental funds for transportation projects and programs are based on a continuing, cooperative, and comprehensive (“3-C”) planning process.

MPOs are primarily federally-funded; therefore federal policies serve as direction to the MPOs regarding intended functions and service improvements to the local agencies and the public. The following chart highlights key federal transportation policy milestones.

<table>
<thead>
<tr>
<th>Year</th>
<th>Action</th>
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<tr>
<td>1962</td>
<td>Federal Highway Act (FHWA) focused on the need for transportation planning in urbanized areas; and led to the creation of Metropolitan Planning Organizations (MPO) for any area over 50,000 persons.</td>
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<tr>
<td>1964</td>
<td>Urban Mass Transportation Act (UMTA), the first U.S. government public transportation program.</td>
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<td>1964</td>
<td>Civil Rights Act, Title VI prohibited discrimination in any program receiving federal funds.</td>
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<tr>
<td>1978</td>
<td>Surface Transportation Act was the first time Congress considered transit, highways, and safety in the same legislation.</td>
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<tr>
<td>1990</td>
<td>Americans with Disabilities Act (ADA) required virtually all public transportation service to be accessible to persons with disabilities.</td>
</tr>
<tr>
<td>1991</td>
<td>Intermodal Surface Transportation Efficiency Act (ISTEA), landmark transportation reform amended federal transportation law; created programs oriented toward community building, and strengthened public involvement and shared decision-making with localities.</td>
</tr>
<tr>
<td>1994</td>
<td>Executive Order 12898, Environmental Justice required that to the greatest extent practicable and permitted by law each agency receiving federal dollars should identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.</td>
</tr>
<tr>
<td>1998</td>
<td>Transportation Equity Act for the 21st Century (TEA-21) continued and extended reforms of ISTEA, added some new programs, and designated special projects.</td>
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<tr>
<td>2000</td>
<td>Executive Order 13166, Limited English Proficiency (LEP) required the improvement of access to services for persons with limited English proficiency.</td>
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<tr>
<td>2005</td>
<td>Safe, Accountable, Flexible, Efficient Transportation Efficiency Act—A Legacy for Users (SAFETEA-LU) continued most ISTEA reforms; emphasized transportation safety and security; added requirements to coordinate transportation plans with environmental and land use plans; and supported special projects.</td>
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The 1962 Federal Highway Act and subsequent 1970 update prescribe the five (5) core functions of an MPO: 1) Prepare a Regional Transportation Plan (RTP), 2) Prepare a Transportation Improvement Program (TIP), 3) Prepare an Overall Work Program (OWP), 4) establish a setting for regional decision-making, and 5) involve the public in all functions of the agency.

MPOs not only receive federal funding, but also receive state funding and therefore must also comply with State policies, for example Assembly Bill 32 (AB 32) and Senate Bill 375 (SB 375), which are further discussed in Chapter 2.

**Introduction**

The involvement of the public is critical to successful regional transportation planning and programming. When the public is engaged in the process, the feedback gathered helps assure projects address community needs. Likewise, the public gains a better understanding of the tradeoffs and constraints associated with transportation planning.

The transportation law is clear that the public is to have access to, and participate in, the development of the long-range transportation plans (RTP) and capital programs (FTIP/STIP), as well as the development of other planning studies. SAFETEA-LU requires the MPOs to develop a participation plan [this Plan] that spells out the methods by which the MPO will provide reasonable opportunities for the public to comment on the two core planning documents and all other efforts.

It is clearly in the best interest of the MPO to share information with the public, to make clear the technical aspects of issues and to listen to the thoughts and ideas of the citizens who use the transportation facilities and services, live and work in the communities in which projects are being considered, and are the neighbors of these facilities.

Good public participation rests on several basic premises—that there is open and timely sharing of information about choices before decisions are made, that the information is complete and clear, and that the agencies and the public are able to openly and honestly discuss the issues. The preparation and implementation of this Plan will ensure that StanCOG continues to improve on the way we provide information and to ensure that we provide a venue for the public to openly discuss transportation related issues.

One challenge to effective public participation is the complexity of transportation related information provided as technical data. However, MPOs are required, to the maximum extent possible, to use visualization techniques—drawings, computer models, visual simulation, geographic information system (GIS) maps, and other state-of-the-art techniques—to help the public understand complex problems and projects, and their impacts in developing transportation plans and capital programs. These techniques should help to demystify many of the issues in the plans and programs. Having more timely information with accompanying analysis will allow appropriate assessments of proposals or plan elements.

StanCOG is required to make information available pursuant to governing laws. But, it is incumbent on the public to provide feedback on what kind of information is most helpful and the types of analysis that would provide a better indication of impacts that a project will have on issues or areas of concern to the public. StanCOG will continue our goal to provide easily accessible information to as much of the public as possible. Most information is made available electronically, via our website. Other ways to acquire
information or to participate in the planning process are also available. These are further discussed in Chapter 2, Planning Process.

During the planning process, there are numerous instances in which information must be made available to the public for comment. Making information available and engaging the public in a meaningful discussion about the issues and choices may be two different exercises. The earlier the public is involved and the better the information, the more likely it is that there will be successful outcomes.

This Public Participation Plan (PPP) serves as a guide for the Stanislaus Council of Governments’ (StanCOG) public involvement process as well as the continuing, comprehensive and coordinated planning process among the stakeholders to ensure the ongoing opportunity for broad-based participation in the development and review of regional plans and programs managed and produced by StanCOG.

Good transportation options are essential for travel to everyday needs. Transportation affects the economic well-being of an area through access to work and through the transport needs of local businesses. Transportation also affects air quality, water, noise, and general quality of life. It affects where you live and work, how you spend your time and even how much you spend for housing. In short, transportation affects nearly every part of your life for better or for worse. The public has in-depth knowledge about the region and its transportation needs which is vital to making good transportation decisions. By working with StanCOG and the local agencies, the public can determine the best use of transportation resources to meet needs of all residents. The PPP outlines goals and procedures to ensure StanCOG is providing all interested parties with a reasonable opportunity to be involved in the planning process. The PPP also contains guidance to the public on how transportation decisions are made through the MPO process (Chapter 2).

Organization of the PPP

The Public Participation Plan is organized into 5 sections: Introduction, Planning Process, Goals and Procedures, Public Involvement Evaluation and Appendix. The following is a brief description of each section.

1| **Introduction** provides background into the function of a MPO; introduces the intent of the PPP; and outlines the remaining sections of the document.

2| **Planning Process** further describes StanCOG and its function; identifies federal and state requirements for public participation; and describes how to get involved.

3| **Goals and Procedures** outlines the specific goals of the PPP and the actions (procedures) used to accomplish these goals; and identifies the StanCOG outreach techniques and strategies.

4| **Public Involvement Evaluation** describes the evaluation techniques utilized by StanCOG to measure the effectiveness of the outreach program; and recommends improvements to the system.

5| **Appendix** provides detailed information on items referred to in the PPP.
APPENDIX F: STANCOG’S FY 2014-15 OVERALL WORK PLAN

Full Plan Available to View at http://www.stancog.org/owp.shtm
Overall Work Program
Fiscal Year 14/15
Adopted May 21, 2014 per Resolution 13-33
This report was prepared by the
Stanislaus Council of Governments (StanCOG)
With financial assistance from
The Federal Highway Administration,
The Federal Transit Administration and
The California Department of Transportation
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OVERALL WORK PROGRAM OVERVIEW

A. INTRODUCTION

As the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for the Stanislaus County Region, the Stanislaus Council of Governments (StanCOG), is designated by law, to have lead responsibility for the development of the area’s transportation plans and to coordinate the transportation planning process. All urban areas over 50,000 in population are required to have an MPO if the agencies spend Federal money on transportation improvements. The planning process includes making informed predictions about future transportation needs, investigating and assessing alternative actions for meeting those needs, and making recommendations about which course of action to pursue. The information generated by this process is used by decision-makers to select transportation policies and programs from the choice of alternatives.

The Overall Work Program (OWP) is a comprehensive inventory of proposed work activities and responsibilities, updated each fiscal year that guides and coordinates the regional transportation planning process of the agency. One purpose of the OWP is contractual, between the Stanislaus Council of Governments (StanCOG) and its funding agencies. However, the most important purpose is the scheduling and distribution of work, especially the allocation of resources needed to address the tasks required by the agency. In effect, this work program constitutes a set of instructions for the administration, project management and planning of work to be carried out by staff and/or supplemented by consultants if necessary. It serves as a guide for StanCOG, its member agencies, the public, Caltrans, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) in determining whether performance meets budget and schedule projections.

The OWP describes activities that will be performed during the current fiscal year 2014/2015. It assigns institutional responsibility for these tasks, and divides that responsibility among a number of agencies. The OWP identifies, within one document, the major activities of regional and interregional significance, which are planned and scheduled for the upcoming fiscal year.

The OWP is developed through an ongoing process undertaken by staff. During the course of the fiscal year, staff works with member jurisdictions, Caltrans, the San Joaquin Valley Unified Air Pollution Control District, FHWA, FTA, other transportation planning agencies, other public and private associations, and the general public, both independently and through the various StanCOG committees to develop an accurate work element list for inclusion in the OWP.

B. PURPOSE

Within StanCOG’s framework of an integrated, multi-modal metropolitan transportation planning process, a variety of funding is utilized to carry out the transportation planning for highways, regional transit, non-motorized travel (bikes and pedestrians), and improvement strategies leading to the development of a metropolitan transportation improvement program (TIP). StanCOG strives to ensure that work activities and products mandated by the metropolitan planning regulations in 23 CFR 450 are prioritized for FHWA and FTA combined planning grant funding for the region. By identifying the major tasks and responsibilities of StanCOG, the Overall Work Program demonstrates the coordination between transportation planning activities and the content of its work products, and serves four basic interrelated purposes:

1. **Review.** The OWP provides a basis for federal and state funding agencies to conduct a comprehensive and logical review of the planning program, regional administration, and project delivery. This is the primary reason that the federal government requires the OWP.
2. **Coordination.** By reviewing the OWP, a local, state, or federal agency that is contemplating an activity within Stanislaus County can determine whether or not the activity duplicates, or is complementary to, those activities described herein.

3. **Information.** The OWP provides information on important regional and interregional issues. Therefore, the OWP can be especially valuable for the public.

4. **Identification of Regional Issues.** As the Transportation Planning Agency for Stanislaus County, StanCOG’s role is to identify and help develop an integrated multi-modal transportation system for the movement of people and goods. As required by federal regulations, StanCOG prepares and adopts a Regional Transportation Plan (RTP)/Sustainable Communities Strategies (SCS), and Federal Transportation Improvement Program (FTIP) that identifies the actions to be taken and the funding needed to achieve these goals. The OWP documents the key work activities, schedules, outcomes, and funding sources for the current fiscal year that coordinates the relationship between these two work products.

**C. STANISLAUS COUNTY REGIONAL ISSUES**

The Stanislaus County Region faces its share of issues related to growth and the transportation challenges that are associated with rapid urbanization that comes upon a historically stable agricultural landscape. Concerns about the environment and quality of life, the challenges of a volatile economy and the desire to increase opportunities, the needs of a deteriorating infrastructure and the decline of stable funding, all contribute to the challenges StanCOG must undertake as the region’s transportation planning agency. The following presents these issues and examples of ongoing and potential strategies that StanCOG must embark on to meet the transportation challenges of the region.

1. **Paying for Needed Transportation Improvements.** Identifying and acquiring funds for the maintenance, rehabilitation, and expansion of Stanislaus County’s transportation infrastructure is a critical regional issue. The update of the Regional Transportation Plan (RTP) will continue to carry the region’s transportation goals and values for long-term transportation planning, identifying these issues, and presenting strategies that are grounded with realistic, financially constrained and second tier unconstrained transportation projects. The RTP also documents the shortfall of traditional funding sources, and potentially additional discretionary funding that can and will be pursued.

In 2008/09 StanCOG provided technical and informational assistance to agencies in support of a ½ cent Transportation Sales Tax Measure on the November 2008 ballot. The Measure was estimated to raise approximately $700 million over a 20 year term. It achieved 66.42% voter approval; however, failed to achieve the required two/thirds positive vote for passage. Recognizing the importance of this Measure, upon further direction from the Policy Board, StanCOG will continue to pursue a transportation proposal, which is acceptable to the public.

In FY 2012/13, StanCOG continued to support the planning and programming of transportation projects with local, state and federal funds. In an effort to achieve “shelf ready” projects, StanCOG committed a combination of funding sources for various current transportation studies being administered by StanCOG in support of the regional transportation planning process. StanCOG staff also began to work cooperatively with local agencies to coordinate a Regional Transportation Impact Fee (RTIF).

In FY 2013/14, StanCOG continued to coordinate on the RTIF with administration of a Nexus Study for the RTIF. Additionally, StanCOG continued to coordinate and support work towards Prop 1B funding for the SR 99 Kiernan and SR 99 Pelandale interchanges and achieved full allocation for the projects in October 2013.
2. **Timely Delivery of Programmed Transportation Projects.** Through a combination of new and enhanced activities in the areas of regional project planning and monitoring (see Work Element 332), delivery reporting, project delivery guidelines, and education and training, StanCOG is working with local agencies to get projects funded and delivered. StanCOG is also working in cooperation with Caltrans to streamline the regulatory and procedural requirements that local agencies must comply with to use federal funds. Quarterly progress report meetings have allowed StanCOG and Caltrans to better understand the status of project delivery, and have also highlighted the complexities of coordinating the delivery of federal aid projects. These meetings are used to identify immediate actions that can be taken to accelerate project delivery, underscoring the need to deliver these projects as quickly as possible.

One of StanCOG’s goals is to keep our local agencies aware of changing legal, regulatory, and administrative requirements so that they can avoid time-consuming delays in delivering these projects. Moreover, we continue to improve our project application and review processes to ensure that projects are programmed on realistic schedules that do not build expectations about project delivery that ultimately cannot be met. For the public, we communicate the region’s successes in delivering federal aid projects and convey the importance of these projects to the communities that they serve. We will continue to examine how we select projects to maximize the benefits delivered to the community and to ensure that projects are delivered on the planned schedule.

Federal and state agencies are required to monitor and report the use of available funding sources that come under their respective umbrellas. The “use it or lose it” provisions contained in Assembly Bill 1012, although not the first, was one of the forerunners of requirements that caused public agencies in California to sit up and take notice. The goal of the 1999 statute was “improving the delivery of transportation projects”. However, since the inception of AB 1012, new rules, regulations, and guidelines, all focusing on “timely project delivery” continues to affect the work of regional and local planning agencies. Lead agencies that are tasked with the actual delivery of the projects are faced with changing regulations at virtually every level. In fiscal year 2014/15, StanCOG will continue to assist our local agencies with state and federal requirements and update the agency’s policies on formal and administrative amendments to the Federal Transportation Improvement Program (FTIP).

3. **Air Quality.** Air Quality conformity continues to be a top ranking issue, and one that affects transportation planning and transportation choices. Stanislaus County is one of the eight counties in the San Joaquin Valley Air Basin, which is currently designated as a non-attainment area with respect to federal air quality conformity standards for ozone and particulate matter under 2.5 microns in diameter (PM 2.5); and has a maintenance plan for particulate matter under 10 microns in diameter (PM 10), as well as maintenance plan for carbon monoxide (CO) for the urbanized areas of Kern, Fresno, Stanislaus and San Joaquin counties.

In 1990, the Federal Clean Air Act amendments were passed. These amendments and the Environmental Protection Agency’s Final Rule on Transportation Conformity (as amended August 15, 1998, and July 1, 2004) contain strict requirements for transportation planning, and can severely limit the construction of new capacity-increasing projects which may increase mobile source emissions. Such impacts are expected to be mitigated through a system wide approach, utilizing computer modeling to project future impacts. It must be demonstrated that the net impact of implementing the transportation projects in the Regional Transportation Plan and Federal Transportation Improvement Program will be to clean the air. The traditional testing of various build/no build scenarios has more recently given way to the need to demonstrate that total mobile source emissions will conform to (fall below) various mandated emissions budgets. There are emissions budgets for different years and different pollutants, all of which must be met if the system-wide transportation plan and program are to move forward.
2004 the eight-county San Joaquin Valley Air Basin’s air quality designation was reclassified to Extreme for the 1-hour ozone standard. The impacts of this reclassification triggered immense air quality efforts by Stanford and its member agencies. In addition, the recently approved PM-10 Plan for the San Joaquin Valley contained a commitment to conduct a Mid-Course Review, which essentially equates to an update of the entire PM-10 Plan.

In 2010 the San Joaquin Valley was reclassified to Extreme for 8-hour ozone and still remains in non-attainment for PM2.5. For 2014/15, Stanford will continue to coordinate with the San Joaquin Valley Air Pollution Control District to monitor the PM2.5 State Implementation Plan (SIP). Stanford developed the air quality conformity determinations as needed for the 2011 and 2013 Federal Transportation Improvement Program (FTIP) and any amendments, and associated 2011 Regional Transportation Plan. Stanford will similarly develop air quality conformity determinations for the update of the 2014 RTP/SCS and subsequent FTIP.

Due to the common air basin, Stanford has in recent years coordinated air quality activities with the other seven counties in the basin and with the San Joaquin Valley Unified Air Pollution Control District. These efforts have resulted in Stanford obtaining joint conformity findings by FHWA and FTA for the updates of the FTIP. Several important transportation projects, including in particular any new travel lanes added to regional roadways, would not be able to proceed without these findings.

Additional requirements include the timely implementation of Transportation Control Measures (TCMs). Through the development of Reasonable and Available Control Measures (RACM), and Best Available Control Measures (BACM), TCMs were formulated for each local agency and coordinated through Stanford and the San Joaquin Valley Air Pollution Control District. It should be noted that although Stanford and our local governments are pursuing all reasonable TCMs, the net air quality impact is only marginal. In FY 1999/00, Stanford responded to the TCM issue by developing a project selection process for CMAQ funds. All CMAQ projects are evaluated using the California Air Resources Board (CARB) calculations.

Stanford’s air quality conformity finding must be revisited each time we update our RTP/SCS or FTIP. Stanford will not program CMAQ funds for any capacity increasing projects and will only use Surface Transportation Program (STP) funds if the project is indicated in the Congestion Management Plan.

On September 27, 2006, Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act. The act restricts California’s Greenhouse Gas (GHG) emissions at 1990 levels by 2020. The legislation represents the first enforceable state-wide program in the U.S. that includes penalties for non-compliance to cap all GHG emissions from major industries. This law requires the State Air Resource Board to establish a program for statewide GHG emissions reporting and to monitor and enforce compliance with this program.

Subsequently, the State of California legislature passed Senate Bill 375 (SB 375) in 2008, which provides a means for achieving AB 32 goals by addressing the single largest source of GHG emissions, automobiles. SB 375 requires the 18 Metropolitan Planning Organizations (MPOs) in the State to adopt a Sustainable Communities Strategy (SCS) as part of all future Regional Transportation Plans (RTPs). The legislation links planning efforts for transportation, land use, and housing in an attempt to create communities that are more sustainable, thus reducing emissions.

In FY 2013-14, Stanford continued a proactive approach to addressing challenges in air quality planning, particularly through the use of the transportation model in analyzing air quality. Stanford continues to improve on these processes and fully incorporates the new requirements of SB 375 and the Sustainable Communities Strategy (SCS) as part of the 2014 RTP update. Stanford staff kicked-off the process of preparing the SCS by forming a SCS Steering Committee, now called the Valley Vision Stanislaus Steering Committee, comprised of the local agencies, LAFCo, several alternative transportation advocates and a member of our Policy Board. During FY
2013/14, StanCOG held Valley Vision Stanislaus Steering Committee meetings and incorporated their direction into the development of the 2014 RTP/SCS. The anticipated adoption date for the 2014 RTP/SCS is June 2014, and the focus of this work element in FY 2014/15 will be implementation.

4. **Growth.** The impact of growth, both within and outside of Stanislaus County, is also a critical regional issue. The transportation system in this area has been affected by the rapid growth that has occurred. Though briefly slowed in the early 1990’s by a difficult economy, employment opportunities in the Bay Area have continued to grow, resulting in ongoing commuting from the San Joaquin Valley to communities such as San Francisco, Pleasanton, San Ramon, and San Jose. The responsibility for paying for these transportation improvements has fallen almost exclusively on the San Joaquin Valley communities, without any significant participation from the Bay Area employment centers. This has placed an added burden on the local infrastructure, in particular the transportation system. Traffic on local streets and roads has also increased, with a concurrent need for increased funds for the maintenance and rehabilitation of these facilities. Moreover, with increased traffic comes the problem of air quality, and mitigation of negative impacts. While the East Bay has been able to address some of its congestion problems through the East Bay BART extension, that service will not relieve congestion on San Joaquin Valley highways. However, the implementation of passenger rail over the Altamont Pass does offer some assistance in this regard, by supplementing programmed and/or completed state highway projects, including the widening of Routes 99, 120, and 205. It is anticipated that the Altamont Commuter Express (ACE) train will be extended into Stanislaus County (Modesto, 2018, and Turlock, 2022).

One mitigation measure for commute traffic would be to develop more industry and jobs within the Central Valley. Increased local jobs are also desperately needed to address other community goals and concerns, such as economic development and responding to the challenge of welfare reform. StanCOG’s past record on working to enhance economic development, as well as the Countywide Visioning process, firmly establishes the link between transportation improvements and a vital economy. The region’s air quality attainment problems provide an additional impediment to relocation or developing industry in this area. StanCOG and other valley transportation planning agencies continue to work cooperatively with groups such as the Stanislaus County Manufacturer’s Council to assure that neither transportation nor industry is given an unfair burden for cleaning the air. The timely work associated with the requirements of SB 375, the RTP/SCS process provides an opportunity to link transportation planning with land use planning, critical in the planning and development of infrastructure that can support and complement the needed industry and jobs for the Stanislaus Region.

In addition, StanCOG will continue to work inter-regionally to coordinate efforts associated with the implementation of the San Joaquin Valley Blueprint and SCS activities and renewed regional activities associated with the Regional Transportation Impact Fee (RTIF) and the Mayor’s Growth Management Strategies.

5. **Facilitating Freight Movement.** This issue is of increasing concern as the linkage to job creation and economic development is better understood. StanCOG has long been active in goods movement issues, and supports, in conjunction with San Joaquin and Merced counties, the North San Joaquin Valley Goods Movement Task Force. In 2013/14, StanCOG continued to participate in the Task Force, which represents a broad spectrum of public and private sector freight interests for promoting economic development in San Joaquin, Stanislaus and Merced counties. Representatives from private freight transportation companies, ports, shippers and receivers, public agencies, and others with freight concerns have come together for a common purpose. The mission of the task force is to build consensus among public and private sector goods movement interests for improving the safety and efficiency of goods while improving mobility, air quality, social justice, the economy, and protecting the environment.

In FY 2007/08 the eight San Joaquin Valley Regional Transportation Planning Agencies (SJV RTPA) initiated a San Joaquin Valley Goods Movement Action Plan (SJVGMAP) to provide a mechanism to bring forward goods
movement needs and priorities for state and federal officials from a Valley wide perspective. The Plan, which was recently updated in August 2013, reviews the current goods movement related network in the Valley and summarizes the effect that goods movement has on the overall transportation system. The Plan also identifies eligible projects for Proposition 1B Trade Corridor Improvement Program bond funds.

In 2014/15 StanCOG will continue collaborative efforts with the other SJV RTPAs on the San Joaquin Interregional Goods Movement Plan which will identify and implement a future goods movement system for the Valley through a comprehensive goods movement strategy.

Two other previously significant freight movement projects; the Route 132 Connectivity Feasibility Study and the North County Corridor Feasibility Study independently addressed freight movement issues along two highly traveled transportation corridors. The Route 132 Connectivity Feasibility Study developed a preliminary design for the entire Route 132 Connectivity Project, which encompasses both Route 132 East and West, and emphasizes the connection of Route 132 with Route 99. In FY 2014/15 StanCOG will continue to direct the activities of its consultant to complete the Environmental Phase for the Route 132 West Expressway from State Route 99 to Dakota Road. This environmental phase is scheduled to be completed in FY 2014/15 and is fully funded as a four lane expressway through the 2014 STIP.

6. **Provision of Transit Services** Because of increasing residential growth, difficulty of funding major roadway improvements, and the need to respond to the dynamic economic landscape of the Stanislaus region, there is an ever-increasing demand for transit services. This includes a demand for local services, services to adjacent counties, and services over the Altamont Pass to the Bay Area. These demands have stressed both the supply of transit services, and the institutional framework for providing them. Transit services are provided individually by the Cities of Modesto, Turlock, Ceres, and the County of Stanislaus. Based on extensive consultation among the transit managers, service provision has been reasonably well coordinated. This has led to a local agreement to pool the Transportation Development Act funds, pay transit off the top, and then allocate the remaining funds in accordance with a formula approved by StanCOG. Former Senator and current Stanislaus County Supervisor and StanCOG Policy Board Member Dick Monteith’s Senate Bill 344, which was passed in 1997, achieved the necessary changes in state law to allow this Transit Cost Sharing arrangement to be implemented. While an equitable approach to cost sharing, StanCOG was asked to evaluate this funding distribution in FY 2012/13 for the distribution of street and road funds. This has resulted in an updated Transit Cost Sharing Procedures, developed cooperatively under the guidance of a sub-committee made up of StanCOG staff and City Managers from the Management and Finance Committee.

An enhanced source of revenue for expansion of transit services is the Federal Transit Administration (FTA) Section 5307 funds, which are available for federally designated urbanized areas. With the expansion of the Modesto Urbanized Area, and the designation of the Turlock small-urbanized area (upon passing the 50,000-population threshold in 2000), additional Section 5307 funds are now available to the Stanislaus Region. For FY 2014/15, StanCOG will continue to work with the FTA and eligible applicants to ensure that Section 5307 are distributed to eligible projects/programs accordingly.

In FY 2007/08, StanCOG completed a Public Transit/Human Services Coordination Plan. The federally mandated plan was completed in order for the StanCOG region to be eligible to receive FTA Section 5310 (Elderly Persons and Persons with Disabilities), Section 5316 (Job Access/Reverse Commute) and Section 5317 (New Freedom Initiative) funds. Even though the State Department of Transportation Mass Transit Division and the Federal Transit Administration provided insufficient funds to complete the mandated Plan, StanCOG completed the Plan using local funds. For 2014/15 StanCOG will complete an update this plan.
In FY 2009/10, StanCOG revised its Unmet Transit Needs Reasonable to Meet definition based on information from the Stanislaus County Transit Needs Assessment Study. Based on this revised definition, StanCOG developed a new Specialized Transportation Service for seniors and disabled persons through the development of a Consolidated Transportation Services Agency (CTSA). For FY 2014/15, it is anticipated that the CTSA will continue to enhance its existing Travel Training and BRIDGES Volunteer Driver programs; and further provide coordinated assistance and support to the region’s human service agencies and public transit operators in order to address the needs of Stanislaus County’s elderly and disabled populations.

7. Economic Development. The need to stimulate local economic development is having an increasing impact on the choice of transportation investments. In particular, the movement of goods and services, and the creation of local jobs, are critical issues that public transportation dollars are being expected to help address.

Another aspect to economic development is the concern that the visual appearance of State Route 99 is discouraging new jobs and industries from locating in this area. Following up on active local efforts to raise private funds and increase public awareness of the need for visual and aesthetic improvements to the Route 99 corridor, government has responded with efforts with some innovative short-term cooperative projects. In 2003/04, StanCOG addressed that need through a joint funded study by StanCOG, Stanislaus County, and State Route 99 Corridor Cities of Ceres, Modesto, and Turlock. The Route 99 Enhancement Plan Implementation Project developed a Master Enhancement Plan for Route 99 through Stanislaus County, and established consensus on development standards for all projects located along the Route 99 corridor that are consistent with each community’s standards. More recently, Caltrans will also be completing a much needed rehabilitation of State Route 99, investing $91 million of State Highway Operation Protection Program (SHOPP) funding that has provided a noticeable surface improvement that is sure to enhance safety and mobility for the travelling public through Stanislaus County.

In 2005/06 Governor Schwarzenegger created the California Partnership for the San Joaquin Valley. The Partnership brings state agency secretaries and Central Valley representatives together to make recommendations to the Governor regarding changes that would improve the economic well-being of the Valley and the quality of life of its residents. For 2014/2015 StanCOG will continue to encourage the success of the Partnership through staff support wherever possible.

StanCOG’s interest in, and concerns about, regional needs (caused by these and other issues) are translated directly into proposed projects and activities contained in this Overall Work Program.

D. ORGANIZATION AND STRUCTURE

StanCOG is a Joint Powers Agency created originally as the Stanislaus Area Association of Governments (SAAG) on May 11, 1971 by the County of Stanislaus and the Cities of Ceres, Hughson, Modesto, Newman, Riverbank, Turlock, Oakdale, Patterson, and Waterford and operates in accordance with (1) the Joint Powers Agreement, which its member agencies have signed; (2) its Bylaws; and (3) the Appendix to the Bylaws. The Joint Powers Agreement was rewritten to update the language and confirm that StanCOG is an independent agency; final approval occurred on March 27, 2001. Moreover, the agency officially adopted the new name Stanislaus Council of Governments or StanCOG on June 1, 2001. In 2007/08 the Joint Powers Agreement was amended to clarify StanCOG’s authority of eminent domain. All member agencies gained approval of this amendment through their City Councils and the Board of Supervisors.

The Policy Board of StanCOG is composed of sixteen voting members (each with one vote), including five members of the Stanislaus County Board of Supervisors, three council representatives for the City of Modesto, and one council representative from each of the other cities in the County. A Caltrans District 10 representative
serves in an “ex-officio” capacity on the Policy Board and actively participates in the discussions. Caltrans is provided time on each Policy Board agenda for a report on transportation issues that could affect StanCOG. There are no separate transit districts or entities operating in Stanislaus County, however, transit operators are represented through their city and county elected officials.

The StanCOG Policy Board, including a representative of Caltrans District 10, serves as the Transportation Policy Committee, which is defined in the existing Memorandum of Understanding (MOU) between StanCOG and Caltrans.

Organizationally, StanCOG maintains five standing committees to assist the Policy Board in its decision making: the Executive Committee, the Management and Finance Committee, the Citizens Advisory Committee (all of which were created by the Bylaws), the Social Services Transportation Advisory Council (created statutorily), and the Bicycle and Pedestrian Advisory Committee. The composition and function of each of these is as follows:

1. **Executive Committee.** The Executive Committee was established by the Joint Powers Agreement, which created StanCOG. The Committee’s membership includes two county Supervisors, one representative from the City of Modesto, and two representatives from the other cities in the county, who are jointly selected by these cities. The StanCOG Policy Board Chair is automatically a member of the Executive Committee and serves as its Chair. The Executive Committee meets quarterly or as needed.

   The Executive Committee is responsible for appointing the members of the Citizens Advisory Committee, the Social Services Transportation Advisory Council, and the Bicycle Pedestrian Advisory Committee, and recommends the annual budget. In addition, the Committee makes recommendations on special matters that are referred to it for review by the StanCOG Policy Board, such as annual evaluations of the Executive Director.

2. **Management and Finance Committee.** The Management and Finance Committee is composed of the chief administrative official of each member agency, and non-voting representatives from Caltrans and the San Joaquin Valley Unified Air Pollution Control District. This represents all aspects of general-purpose local government. The Committee annually selects its own Chair.

   The Management and Finance Committee advises the StanCOG Policy Board on all matters in which StanCOG is involved.

In order to increase planning and programming coordination with local staff, the Management and Finance Committee authorized the formation of the Consolidated Planning Committee (CPC), now called the Technical Advisory Committee (TAC). This committee consists of planning, public works, and transit staffs from the jurisdictions, and a representative of Caltrans District 10. The TAC acts as the Transportation Technical Committee, which is advisory to the Management and Finance Committee and is defined in the MOU between StanCOG and Caltrans.

The TAC is involved in most of the planning issues that affect StanCOG. In this way, the ability to ensure internal consistency among the various products is maximized. The TAC also makes recommendations on projects to be funded from federal Regional Surface Transportation Program (RSTP) and Congestion Mitigation Air Quality (CMAQ) funds.

The ad hoc **Planning and Programming Working Group** was created to work directly with StanCOG staff to develop better recommendations to the regular committees on critical regional issues. This committee can be composed of representatives from the Management and Finance Committee, the Citizens Advisory Committee and the Technical Advisory Committee and meets as needed to address key issues in the agency’s work with regards to planning, project programming and delivery and performance criteria.
StanCOG also participates in the Northern San Joaquin Valley Goods Movement Task Force. The Task Force represents a broad spectrum of public and private sector freight interests for promoting economic development in San Joaquin, Stanislaus and Merced counties.

3. **Citizens Advisory Committee.** The Citizens Advisory Committee was established by the Joint Powers Agreement and operates in accordance with the Appendix to the Bylaws. The Committee membership is intended to represent a balance of views and a cross-section of county interest. Applicants are nominated by the individual jurisdictions, and applications from the public are solicited and accepted. The Executive Committee appoints the members for a term of four years.

The Citizens Committee advises the StanCOG Policy Board on most key policy matters that come before StanCOG. The Committee has been instrumental in initiating actions on issues, particularly with regard to transportation funding, bicycle planning, transit roadway safety improvements, and project delivery.

4. **Social Services Transportation Advisory Council.** In addition to its committees that were created by the Bylaws, StanCOG also maintains the Social Services Transportation Advisory Council (SSTAC). In 1988, SB 498 statutorily created the SSTAC, which meets monthly. The primary focus of the SSTAC is to review any potential unmet transit needs and to advise StanCOG on transit issues. Public comment is taken at the individual meetings. The SSTAC then makes an annual recommendation to the StanCOG Policy Board regarding unmet transit needs that it feels are reasonable to meet. This information is utilized by the Policy Board as one means for its annual unmet transit needs determination and finding. Through the efforts of the SSTAC, numerous transit improvements have been realized or are in the process of being implemented. The activities of the SSTAC are part of StanCOG’s formal public participation procedures.

5. **Bicycle and Pedestrian Advisory Committee.** The Bicycle/Pedestrian Advisory Committee (BPAC) was originally a steering committee formed to advise the update and development of the Non-Motorized Master Plan, and is composed of a member selected by each jurisdiction and appointed by the StanCOG Executive Committee. The BPAC is charged with reviewing transportation projects in Stanislaus County and recommending projects that will enhance non-motorized transportation opportunities in the region. Subsequent to the completion of the Plan, the BPAC was retained as a standing StanCOG Advisory Committee demonstrating a commitment to the advocacy efforts the agency takes towards inter-modal and non-motorized transportation planning and efforts, for the Stanislaus County Region.

6. **Valley Vision Stanislaus Steering Committee.** The Sustainable Communities Strategy Steering Committee, now called the Valley Vision Stanislaus Committee, was formed by the StanCOG Policy Board in February 2011, as a staff recommendation, to address the requirements of Senate Bill 375 (SB 375). SB 375, calls on StanCOG to prepare a Sustainable Communities Strategy (SCS) as part of all future RTP updates. The SCS is intended as an integrated land use and transportation plan that sets a development pattern for the region, which when combined with transportation policies, will reduce GHG emissions from vehicles. Since, StanCOG does not have land use authority--the local agencies maintain this authority--staff formed a Steering Committee including the local agencies to collaboratively address the requirements of the SCS. Over the next approximately 2-years, and then for subsequent updates to the RTP, the Committee is charged with assisting in the preparation of the SCS.

7. **Mobility Advisory Committee.** The Mobility Advisory Committee (MAC) was formed to provide ad hoc support to StanCOG’s Consolidated Transportation Services Agency (CTSA). In coordination with the CTSA, the MAC is primarily focused on identifying and addressing the transit needs of Stanislaus County’s senior and disabled populations. Representatives from local private social service and transit agencies, public transit operators, and the elderly and disabled communities make up the MAC. The MAC meets every other month.
E. AREAWIDE PLANNING

StanCOG’s planning jurisdiction includes all of Stanislaus County. The rationale for defining the planning region involves two basic factors:

1. **Location.** Stanislaus County is located in the San Joaquin Valley, which extends from San Joaquin County on the north to Kern County on the south, and from the foothills of the Sierra Nevada on the east to the Coastal Range on the west. The valley is agriculturally oriented, and the central cities of each county are separated by agricultural land. Commuting patterns have developed extensively between Stanislaus County and the Bay Area, the greater Sacramento area and, to a lesser degree, between other Valley and foothill counties.

2. **Existing Regional Agencies.** Several planning challenges, such as transportation, water, and especially air quality, transcend county boundaries and require a multi-county approach in dealing with them. Multi-county agencies have been created to handle these types of problems. Agencies, which have different planning boundaries, include Caltrans District 10 and the San Joaquin Valley Unified Air Pollution Control District, which is an eight county organization made up of each of the counties in the valley. In recognition of the need for a multi-county approach to air quality issues, and regional issues in general, StanCOG has joined with the other Valley counties to form the San Joaquin Valley Transportation Planning Agencies Directors Association. This was formalized through an MOU with the other seven Valley transportation planning agencies for a cooperative work program (part of the MOU with Caltrans). In FY 2008/09 this relationship was further enhanced when the 8 county MOU was amended to create the San Joaquin Valley Regional Transportation Planning Agencies Policy Council. The Council is composed of two Board Members plus an alternate from each of the 8 COG Governing Boards. The Council’s purpose is to further the relationship between the regions and to provide a forum for the Valley to work on issues of mutual concern and to develop a joint-valley perspective. The Council provides a mechanism and opportunity for the Valley to speak with one united voice; especially in Statewide and Federal settings.

StanCOG also participates with these agencies and with Caltrans, in varying degrees of involvement in transportation planning studies and activities, including the development and updates of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Plan (FTIP), the State Transportation Improvement Program (STIP), the Congestion Management Process (CMP), and other regional planning efforts. However, it has sometimes been difficult to address issues on an eight county basis, since different Caltrans Districts have jurisdiction within the valley. The reorganization of Caltrans into regions and tailored districts has helped with these issues, though additional challenges are created since fewer required functions are housed at Caltrans District 10 in Stockton.

StanCOG has also entered into agreements with the regional transportation planning agencies in the other two northern San Joaquin Valley counties — Merced and San Joaquin. These efforts have included a strengthened three county agreement, that resulted in the creation of a 3-County Transportation Model, enhancing further cooperation in regional and interregional planning.

The three-county agreements have created a framework for a broader regional approach to comprehensive planning. StanCOG, San Joaquin, and Merced Policy Board members have met in the past to discuss common problems. The Principles of Cooperation were previously approved where these agencies agreed to (a) submit appropriate clearinghouse notices to each other, (b) exchange information on a regular basis, (c) undertake joint projects when topics of mutual interest are identified, and (d) exchange personal resources when it is mutually beneficial to do so.
During the past several years, StanCOG has been involved in other various interregional planning efforts covering the entire San Joaquin Valley area with the eight Valley regional transportation planning agencies including the Valleywide Goods Movement Study, the San Joaquin ITS Early Deployment Plan, and most recently the San Joaquin Valley Express Transit Study, and the Northern San Joaquin Valley Regional High Occupancy Vehicle (HOV) Lane and Ramp Metering Master Plan (with San Joaquin and Merced counties). In FY 2003/04, StanCOG also entered into Memorandums of Understanding (MOU) with San Joaquin and Merced counties for the distribution of Federal Transit Administration Section 5307 funds.

F. STAFFING

StanCOG currently has an approved staff of 14. In FY 2014/15 the Executive Director is proposing total staff remains at 14.

The 14 staff list below reflects the proposed positions for FY 2014/15:

- 1 – Executive Director
- 1 – Deputy Executive Director
- 1 – Finance Director
- 1 – Manager of Administrative Services
- 1 – Senior Planner
- 4 – Associate Planners
- 1 – Assistant Planner
- 1 – Budget & Grants Coordinator
- 1 – Planning Technician
- 1 – Accounting Technician
- 1 – Administrative Assistant

With all of the tasks outlined in this Overall Work Program, StanCOG has another challenging year ahead in FY 2014/15. Per direction of the StanCOG Executive Committee and Policy Board, consultant/contract services will be employed to specifically include:

- Area wide Ridesharing Services
- Disadvantaged Business Enterprise Program Consultant
- Financial Audit and related services
- Translation Services
- Legal Counsel
- SJ Valley Policy Council Coordinator
- Temporary Help Interwest Consultant Services
- Temporary Help Services
- Traffic Modeling Support
- Valley wide Air Quality Coordinator
- Valley wide Air Quality Coordinator Oversight
- Human Services Coordination Plan
- Local Air Quality Assistance

In addition to StanCOG staff and necessary consultants, assistance in the past has been provided by agreement with outside agencies such as the City of Modesto, Caltrans, Fresno COG and San Joaquin COG. There are standing arrangements with these agencies to provide services as specified in the OWP. Administrative supervision of StanCOG is provided by the Executive Director, under the direction of the Policy Board through the Executive Committee.
G. COORDINATION STATEMENT

Intergovernmental coordination is a significant function of StanCOG. A major portion of StanCOG staff’s effort is devoted to this function. From StanCOG’s perspective, four levels of intergovernmental cooperation can be identified: (a) between StanCOG and local agencies, (b) between StanCOG and other regional agencies (c) between StanCOG and the state and (d) between StanCOG and the federal government.

1. Local Agencies. StanCOG’s membership, which includes participation from each local government agency within Stanislaus County (including County government), ensures coordination on local inter-governmental activities.

2. Regional Agencies. StanCOG and the neighboring COGs in Merced and San Joaquin Counties, as well as the other five San Joaquin Valley COGs have several MOUs among themselves, with Caltrans, and with the Air District that foster coordination among the agencies. The Air District is informed of local planning activities and issues, and is invited to comment on StanCOG documents. The Air District is also represented in the Advisory Committees, and on the ad hoc Planning and Programming Working Group, when appropriate.

3. State Agencies. StanCOG maintains a working relationship with Caltrans, particularly its District 10 office in Stockton. The two agencies have signed an MOU pertaining to transportation planning activities. Additional MOUs have been developed to define clearinghouse responsibilities, and most recently, project delivery activities consistent with StanCOG’s and Caltrans’ responsibilities under SB45. Caltrans is represented on the Management and Finance Committee, the Technical Advisory Committee, the Citizens Advisory Committee and on the Policy Board.

StanCOG also keeps state agencies updated and informed on the local planning activities. StanCOG’s major documents, such as the OWP, RTP, and TIP, are submitted to state agencies in addition to Caltrans, including the Air Resources Board (ARB) and the State Clearinghouse.

4. Federal Agencies. StanCOG meets with FHWA and FTA in the “Annual Meeting” to review the Overall Work Program and discuss upcoming transportation planning issues. With recent federal legislative, policy and technical requirements, there is a need for closer interaction directly with federal staff. In addition, there are also interregional forums for coordinated discussions through the Interagency Consultation (IAC) process, the Caltrans Federal Programming Group (CFPG), and the California Transportation Commissions (CTC) Regional Transportation Planning Agencies (RTPA) forum that deal with air quality, programming, and planning issues.

FHWA staff also participates in the San Joaquin Valley’s Executive Directors meetings and the various subcommittees, such as:

The San Joaquin Valley Model Coordinating Committee, consisting of representatives of all eight San Joaquin Valley TPAs, Caltrans, the San Joaquin Valley Unified Air Pollution Control District, the California Air Resources Board, EPA, FTA and the FHWA, teleconference monthly to discuss air quality / transportation related issues. The Model Coordinating Committee reports to the San Joaquin Valley COG Directors, and advises them on significant issues.

The San Joaquin Valley Programming Working Group, consisting of representatives of all eight San Joaquin Valley TPAs, Caltrans, the San Joaquin Valley Unified Air Pollution Control District, the California Air Resources Board, EPA, FTA and the FHWA, teleconference monthly to discuss transportation programming issues. The Programming Working Group reports to the San Joaquin Valley COG Directors, and advises them on significant issues.
H. PUBLIC PARTICIPATION PROCEDURES

The mechanism by which StanCOG ensures public participation in the planning process is multi-faceted. The process includes: (a) the participation of the Citizens Advisory Committee in StanCOG’s formal planning process; (b) public hearing notices in newspapers of general circulation (in English and Spanish); (c) presentations to and meetings with community groups, organizations, and traditionally underrepresented and underserved populations such as the elderly, disabled, low-income, and minority (i.e. Black, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander); (d) news releases and public service announcements; (e) contact with the local media; (f) preparation and distribution of the StanCOG informational brochure, (g) the StanCOG web page, (h) the Regional Transportation Forum, and Plan Implementation Project Teams to address specific opportunities.

The continued improvements made to StanCOG’s website (StanCOG.ORG) have greatly enhanced the information available from StanCOG to the public. The website includes all advisory committee and Policy Board schedules, agendas, and minutes, as well as census data and project delivery information. Links to member jurisdictions for instant transfer to their sites, and e-mail capabilities allow the public to inquire on a number of transportation related subjects. The 2011 RTP, EIR, and Air Quality Determination were posted on the website for public review and comment. In FY 2014/15 the StanCOG website will be extremely valuable in disseminating information to the public as well as other regional planning agencies and member jurisdictions.

The StanCOG Citizens Advisory Committee is structured to provide for the participation of geographical, cultural, and social segments of the community. Through this structure, citizens have the opportunity to influence the development and adoption of plans, priorities, policies and objectives.

Public input is an important part of the RTP and TIP processes. Early notification of impending plan and program updates is made through the local media, StanCOG website and at the Social Services Transportation Advisory Council, Citizens Advisory Committee, Technical Advisory Committee, Management and Finance Committee and the Policy Board meetings, all of which are open to the public. Agendas for each meeting are sent to the Modesto Bee and El Sol. Public hearings are held for each RTP and TIP adoption, as well as for major amendments. Notice of such hearings is always published in the local newspapers. In this manner, there exists the opportunity for early and frequent public input into the planning process. In addition, the Citizens Advisory Committee often sends one or more representative(s) to each Policy Board meeting, which provides for further interaction and continuity.

Citizen participation is also provided through the Social Services Transportation Advisory Council (SSTAC). The SSTAC affords an opportunity for the general public to present information on potential unmet transit needs. SSTAC members and meeting attendees are also kept abreast of any changes and improvements to local transit services, since the transit managers are usually in attendance. Information gathered at these meetings is incorporated into the annual unmet transit needs determination process. SSTAC members are also frequently in attendance at Policy Board meetings.

In the update of the 2014 RTP/SCS, enhanced public outreach included the use of a High Propensity Voter Database with over 20,000 Stanislaus County residents utilizing the internet for ongoing (real time) survey questionnaires and focused workshops with elected official and community stakeholder and advocacy groups. This has been an essential component of StanCOG’s Public Involvement and Environmental Justice outreach efforts.

The current Public Participation Plan is on file at the StanCOG office. The Plan reflects all current and planned activities, and ensures compliance with Federal Title VI (Civil Rights) and Environmental Justice Issues.
I. EQUAL OPPORTUNITY/EQUAL RIGHTS

Most of StanCOG’s efforts toward providing equal opportunity are directed towards informing the public of past, pending and future actions. The public participation procedures contain activities directed at the non-governmental public. StanCOG’s Equal Rights policy is contained in the StanCOG/Caltrans MOU.

Specific activities in the MOU are:

Transit – In response to Federal Transit Administration requirements that the transportation needs of the elderly, disabled, and minorities (i.e. Black, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander) be included in the planning process, StanCOG has prepared Title VI documentation to show that transit serves all elements of the community. The Title VI report was updated in FY 2010/11.

Social Services Transportation – In response to SB 498, the Social Services Transportation Advisory Council was established to review transit needs, including those of the elderly, disabled, low income, and minority (i.e. Black, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander) groups. The Council meets monthly or as needed. Public comment is taken on unmet transit needs that may be reasonable to meet.

Regional Housing Needs Assessment (RHNA) – California Government Code 65584 requires each COG to prepare a housing needs report. This is updated every eight years per SB 375 to coincide with the Regional Transportation Plan (RTP)/SCS process. StanCOG will have completed the last RTP/SCS and RHNA update in June 2014. The RHNA addresses the existing and projected regional housing needs. The report disaggregates projected housing needs into respective unit allocations for each city and the County. The RHNA also serves as the basis for General Plan Housing Elements.

Employment – StanCOG has an Equal Rights Plan and, in the recruitment of staff, seeks to identify applicants from under-represented groups. StanCOG also subscribes to the Stanislaus County Equal Rights policies, and participates in the County’s Equal Rights Committee and other activities.

Contracts – StanCOG has adopted a Disadvantaged Business Enterprises (DBE) program for contracts involving federal funds. Each year, the StanCOG Policy Board adopts the DBE Plan and updates the DBE goal. For the last fiscal year, StanCOG DBE goal was 0%. DBE-qualified firms are identified from the Caltrans DBE listing and specifically included in our mailing for contract opportunities.

Welfare Reform – In FY 1997/98, StanCOG began participating with Stanislaus County’s Welfare Reform efforts. Involvement continued in FY 1998/99, with the preparation, in conjunction with the Community Services Agency and Private Industry Council, of a federal Job Access/Reverse Commute grant application. Although the application was not approved, StanCOG has continued to work with these and other agencies to assist the mostly transit dependent population with their commute difficulties.

J. SUMMARY OF MAJOR WORK ACTIVITIES

This section provides a general summary describing the major work activities proposed for FY 2014/15. The OWP divides StanCOG’s major work activities into two categories: Metropolitan Transportation Planning and Consolidated Regional Planning. Each work activity performed by StanCOG staff or Work Element (WE) falls under one of these categories. The OWP is divided into two categories because StanCOG as an agency receives Federal, State and Local funding. Please refer to the referenced Work Elements (WE) for additional detail.
APPENDIX G: STANCOG’S LIMITED ENGLISH PROFICIENCY PLAN
Limited English Proficiency (LEP) Plan

Enhancing Access to Services

Adopted August 20, 2014
Per Resolution 14-04

Stanislaus Council of Governments
1111 I Street, Suite 308
Modesto, CA 95354
STANCOG POLICY BOARD MEMBERS

The Stanislaus Council of Governments (StanCOG) is the Metropolitan Planning Organization (MPO), and Regional Transportation Planning Agency (RTPA) for Stanislaus County. Governed by a board of sixteen elected members representing the nine cities and county agencies in the Stanislaus region, and one ex-officio representative, StanCOG serves as the forum for regional decision-making.

In this capacity, StanCOG builds consensus among local and regional agencies, develops long-term strategic plans, programs Federal and State funding for allocation to regional transportation infrastructure and transit projects, and provides information/data on a broad range of topics pertinent to the region’s economic and social conditions.

The following members currently serve on StanCOG’s Policy Board:

Vito Chiesa—Board Chairman
Garrad Marsh—Vice Chairman
Mike Kline
Matthew Beekman
Jenny Kenoyer
David Lopez
Ed Katen
Michael Brennan
Luis Molina
Richard O’Brien
Jim DeMartini
Dick Monteith
William O’Brien
Terry Withrow
Forrest White
Charles Goeken
Dennis T. Agar

Stanislaus County
City of Modesto
City of Ceres
City of Hughson
City of Modesto
City of Modesto
City of Newman
City of Oakdale
City of Patterson
City of Riverbank
Stanislaus County
Stanislaus County
Stanislaus County
Stanislaus County
Stanislaus County
City of Turlock
City of Waterford
Caltrans Ex - Officio
For the purposes of this document, the Stanislaus region's borders are concurrent with those borders established for the County of Stanislaus, which are illustrated in the figure below.
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OVERVIEW

The Stanislaus Council of Governments (StanCOG) is committed to facilitating a cooperative and effective understanding of federally conducted and federally assisted programs to all community members of the Stanislaus region, including limited English proficient individuals.

While most individuals in the United States read, write, speak and understand English, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language AND possess a limited ability to read, write, speak or understand English are considered by federal law to be limited English proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits, and they may be entitled to language assistance with respect to a particular type or service, benefit, or encounter.

In accordance with Federal law, any agency receiving Federal financial assistance must establish and execute a program to ensure that all operations and activities do not discriminate against minority individuals or communities.

As a Metropolitan Planning Organization (MPO) and recipient of Federal Transit Administration (FTA) funds, the Stanislaus Council of Governments (StanCOG) is required to file a report to the FTA demonstrating adherence to Title VI of the 1964 Civil Rights Act. Pursuant to the reporting requirements established in FTA Circular 4702.1B, dated October 1, 2012, the following report describes how StanCOG’s activities, programs, and policies adhere to the provisions established in Title VI.

The LEP Plan describes how to identify individuals who may need language assistance, methods to provide such assistance, staff training, and how to provide notification to LEP individuals impacted or encountered during the planning and development process.

The main objective of this LEP Plan is to ensure that community members throughout the Stanislaus region have the opportunity to participate in the transportation planning and decision-making process.

WHO IS A LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUAL?

As defined in the 2000 United States Census, a LEP individual is any person who speaks a language at home other than English as their primary language, and who speaks or understands English “not well” or “not at all”.

In 2000, more than ten million persons reported to the United States Census Bureau that they were LEP. According to the 2000 Census, the number of LEP persons living in the United States had increased by more than 65 percent since the 1990 Census.
TITLE VI AND EXECUTIVE ORDER 13166

Two federal documents provide the foundation for the development of the LEP plan: Title VI of the Civil Rights Act of 1964, and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," signed in 2000.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations state,

“No person in the United States shall, on the ground 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 Federal financial assistance.”

The Supreme Court, in Lau v. Nichols, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on LEP individuals because such conduct constitutes national origin discrimination.

In August 2000, President Bill Clinton issued Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” which directs Federal agencies to examine the services they provide to ultimately develop and implement a system by which LEP individuals can meaningfully access those services (see Appendix A: Executive Order 13166).

This Executive Order states,

“Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

On October 25, 2001, President George W. Bush affirmed his commitment to Executive Order 13166 through a memorandum issued by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. Federal agencies were directed to provide guidance and technical assistance to recipients of Federal funds as to how they can provide meaningful access to limited English proficient individuals of Federal programs.

POLICY GUIDANCE FROM U.S. DEPARTMENT OF TRANSPORTATION

On December 14, 2005, in accordance with Executive Order 13166, the United States Department of Transportation (DOT) issued its Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons. This document states,

“Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for
individuals who are Limited English Proficient (LEP) and that recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.”

Adopting the framework established by the Department of Justice in its August 11, 2000 Guidance, the DOT identifies four factors that should be considered by a recipient of federal funds in assessing the needs of LEP persons and for implementing a plan to address those needs. These four factors are:

- **FACTOR 1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
- **FACTOR 2:** The frequency with which LEP individuals come in contact with the program;
- **FACTOR 3:** The nature and importance of the program, activity, or service provided by the program to the people’s lives; and
- **FACTOR 4:** The resources available to the grantee/recipient and the costs associated therewith.

**FOUR FACTOR LEP ASSESSMENT FOR STANCOG**

As a recipient of federal funding, StanCOG must take reasonable steps to ensure meaningful access to the information and services it provides. As such, StanCOG references the same four factor framework recommended by the DOT. The DOT policy guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of these factors.

The following is an assessment of needs in the Stanislaus region in relation to the four factors and the transportation planning process.

**FACTOR 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee**

In order to gain a comprehensive understanding of the profile of individuals that may be participating in the transportation planning process, StanCOG examines the 2012 American Community Survey demographic data for the Stanislaus region. For the purposes of this LEP Plan, individuals that identified themselves during the survey as speaking English “not well” or “not at all” are considered LEP individuals. This LEP plan addresses only LEP individuals and identifies specifically the three most common languages spoken in the Stanislaus planning region.
Table 1 and 2 below illustrate the demographic information extrapolated from the 2012 American Survey. Table 1 depicts the number and the proportion of individuals over five (5) years of age and who are identified as being LEP. In examining the Stanislaus region by city, the greatest majority of LEP individuals are found in Hughson (23.5%), Ceres (23.3%), and Newman (22.8%). With the exception of the City of Oakdale (region low at 7.1% LEP individuals), in examining the Stanislaus region as a whole, the data set describes similar concentrations of LEP individuals across the region. In fact, approximately 16% of Stanislaus County’s total population indicate themselves as speaking English “less than very well”.

**TABLE 1: IDENTIFYING LIMITED ENGLISH PROFICIENCY INDIVIDUALS**

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Total Population: Age 5+ Years</th>
<th>Population Identified as Speaking English Less than Very Well</th>
<th>Total Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Ceres</td>
<td>41,266</td>
<td>9,601</td>
<td>23.3%</td>
</tr>
<tr>
<td>City of Hughson</td>
<td>5,935</td>
<td>1,396</td>
<td>23.5%</td>
</tr>
<tr>
<td>City of Modesto</td>
<td>186,792</td>
<td>24,802</td>
<td>13.3%</td>
</tr>
<tr>
<td>City of Newman</td>
<td>9,326</td>
<td>2,122</td>
<td>22.8%</td>
</tr>
<tr>
<td>City of Oakdale</td>
<td>19,091</td>
<td>1,354</td>
<td>7.1%</td>
</tr>
<tr>
<td>City of Patterson</td>
<td>18,109</td>
<td>3,892</td>
<td>21.5%</td>
</tr>
<tr>
<td>City of Riverbank</td>
<td>20,625</td>
<td>4,121</td>
<td>20.0%</td>
</tr>
<tr>
<td>City of Turlock</td>
<td>63,529</td>
<td>11,398</td>
<td>17.9%</td>
</tr>
<tr>
<td>City of Waterford</td>
<td>7,698</td>
<td>1,118</td>
<td>14.5%</td>
</tr>
<tr>
<td>Stanislaus County</td>
<td>482,310</td>
<td>78,022</td>
<td>16.2%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012 American Community Survey
Note: The unincorporated areas of Stanislaus County are not included separately due to limited data available.
Table 2 illustrates the total population over five (5) years of age who indicated that they speak English “less than very well,” by the three most common language groups. In Stanislaus County, the Spanish language is the dominate language spoken by LEP individuals with over 12.3%. The second most common language within the Stanislaus region is Asian and Pacific languages at 1.6%, followed by Other Indo-European languages at 1.3%. This hierarchy of language frequency is prevalent through each of the local jurisdictions with Spanish serving as the most common language used among identified LEP individuals.

### TABLE 2: Language Spoken by LEP Individuals

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th># of LEP Individuals</th>
<th>Spanish</th>
<th>%</th>
<th>Other Indo-European languages</th>
<th>%</th>
<th>Asian and Pacific Island languages</th>
<th>%</th>
<th>Other Languages</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Ceres</td>
<td>9,601</td>
<td>7,941</td>
<td>19.2%</td>
<td>837</td>
<td>2.0%</td>
<td>569</td>
<td>1.4%</td>
<td>254</td>
<td>0.6%</td>
</tr>
<tr>
<td>City of Hughson</td>
<td>1,396</td>
<td>1,317</td>
<td>22.2%</td>
<td>58</td>
<td>1.0%</td>
<td>12</td>
<td>0.2%</td>
<td>9</td>
<td>0.2%</td>
</tr>
<tr>
<td>City of Modesto</td>
<td>24,802</td>
<td>16,951</td>
<td>9.1%</td>
<td>2,537</td>
<td>1.4%</td>
<td>3,671</td>
<td>2.0%</td>
<td>1,643</td>
<td>0.9%</td>
</tr>
<tr>
<td>City of Newman</td>
<td>2,122</td>
<td>1,998</td>
<td>21.4%</td>
<td>116</td>
<td>1.2%</td>
<td>0</td>
<td>0.0%</td>
<td>8</td>
<td>0.1%</td>
</tr>
<tr>
<td>City of Oakdale</td>
<td>1,354</td>
<td>1,212</td>
<td>6.3%</td>
<td>34</td>
<td>0.2%</td>
<td>108</td>
<td>0.6%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>City of Patterson</td>
<td>3,892</td>
<td>3,403</td>
<td>18.8%</td>
<td>276</td>
<td>1.5%</td>
<td>213</td>
<td>1.2%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>City of Riverbank</td>
<td>4,121</td>
<td>3,644</td>
<td>17.7%</td>
<td>144</td>
<td>0.7%</td>
<td>165</td>
<td>0.8%</td>
<td>168</td>
<td>0.8%</td>
</tr>
<tr>
<td>City of Turlock</td>
<td>11,398</td>
<td>5,816</td>
<td>9.2%</td>
<td>2,450</td>
<td>3.9%</td>
<td>802</td>
<td>1.3%</td>
<td>2,330</td>
<td>3.7%</td>
</tr>
<tr>
<td>City of Waterford</td>
<td>1,118</td>
<td>1,065</td>
<td>13.8%</td>
<td>0</td>
<td>0%</td>
<td>53</td>
<td>0.7%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Stanislaus County</td>
<td>78,022</td>
<td>59,406</td>
<td>12.3%</td>
<td>6,273</td>
<td>1.3%</td>
<td>7682</td>
<td>1.6%</td>
<td>4,661</td>
<td>1.0%</td>
</tr>
</tbody>
</table>

*Source: U.S. Census Bureau, 2012 American Community Survey*

*Note: The unincorporated areas of Stanislaus County are not included separately due to limited data available.*
The 2010 census identifies the two major races in Stanislaus County as White only and Hispanic, with approximately 47% of the population identified as being White only, and Hispanics making up approximately 43%. All other races combined equal approximately 10% of the population, with Black/African American alone constituting approximately 3%, and Asian alone totaling approximately 5%.

Given these demographics, which highlight a large minority population in the region, it is important to StanCOG that public involvement during plan/program development workshops and hearings includes participation from citizens representing the Stanislaus region’s underserved and/or underrepresented minority populations.

**FACTOR 2: The frequency with which LEP individuals come in contact with the program.**

The LEP population in the Stanislaus transportation planning area is diverse; however, StanCOG’s prior experience with LEP individuals has been primarily with Spanish speakers. This is consistent with the identified majority of LEP individuals as Spanish language speakers above. In developing long range transportation plans and other transportation planning activities, StanCOG gathers public input from a range of minority and low-income residents from community-based organizations. StanCOG staff has attended the region’s Hispanic Leadership Council and conducted community outreach meetings to provide an overview of the unmet transit needs assessment process and to announce transportation planning developments with LEP populations. Planning material is often translated into Spanish to actively engage and involve residents who often do not participate in regional government planning activities.

**FACTOR 3: The nature and importance of the program, activity, or service provided by the program to the people’s lives.**

StanCOG participates in a wide range of regional and project level planning activities. In conjunction with other Regional Transportation Planning Agencies, Caltrans, and the local jurisdictions, StanCOG participates as a member of regional development teams and steering committees that work towards improving transportation and mobility in the region.

As the primary agency responsible for coordinating the regional transportation planning process for the Stanislaus region, StanCOG must ensure that all segments of the population, including LEP persons, have the opportunity to be involved in the planning process. Evaluating the impact of proposed transportation investments on the underserved and underrepresented community groups is a significant step in developing a comprehensive transportation investment plan. As such, StanCOG provides oversight and helps ensure that LEP individuals and other underrepresented persons/groups are not overlooked in the transportation planning process.

StanCOG develops several transportation planning documents including:

- The 25-year Regional Transportation Plan (RTP);
- Federal Transportation Improvement Program (FTIP);
- Sustainable Community Strategy (SCS);
- Non-Motorized Transportation Plan;
- Unmet Transit Needs Identification and Analysis Report;
• Public Transit - Human Services Coordination Plan; and
• Other technical planning studies, as needed.

These planning documents work in tandem to each other to serve as a program or schedule of short and long range transportation improvements and activities intended to be implemented through a combination of federal, state, and local funding. StanCOG is committed to ensuring that our planning projects and activities are accessible to all citizens within the Stanislaus region. The forecasted plans and development of transportation projects and programs can have a significant impact on the Stanislaus community. As a result, StanCOG staff takes appropriate steps during the planning and public outreach processes of these studies to invite all members of the community in the public participation process, including reaching out to the LEP community. This ensures a variety of input from all stakeholders and community members, and that every effort is taken to make the planning process as inclusive as possible.

**FACTOR 4: The resources available to the grantee/recipient and the costs associated therewith.**

In the Stanislaus region, while the large majority of identified LEP individuals and their subsequent need include members from the Spanish speaking community, StanCOG is committed to involving the participation of all residents in the transportation planning and decision-making process. As such, a variety of resources and strategies are currently employed to cater to the immediate LEP needs, and to include others who represent LEP interests at regional decision-making tables, on advisory groups, and citizen panels from across the region.

**Access to LEP and Title VI Complaint Process**

This LEP plan and the Title VI complaint process will be clearly posted on StanCOG’s website ([www.stancog.org](http://www.stancog.org)) to ensure its widespread availability to community members. A statement of the availability of language assistance upon request will be made clearly visible on the website. The website information can be translated into several languages utilizing Google’s Translation tool ensuring that members of various language backgrounds have access to the materials. StanCOG recognizes there may be limitations found in utilizing Google’s translation tool; however, it serves as the most cost effective and widely accessible tool to provide basic translation for our website. StanCOG can provide more accurate translation on a case by case basis, as needed.

In addition, StanCOG is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with StanCOG. The Title VI Complaint form is available in both English and Spanish (*see Appendix C: Title VI Compliance Process*).

**Language Translation Assistance**

Currently, StanCOG has the staff capability to provide direct Spanish interpretation of documents and Spanish interpretive services during meetings. However, StanCOG can provide
upon request an interpreter for Committee/Policy Board agendas with 72 hour advance notice to the subject meeting for other languages.

Additionally, survey forms for StanCOG’s transportation planning process such as the Sustainable Community Strategies (SCS) and Unmet Transit Needs (UTN) Assessment processes are already available in Spanish to provide direct service to the large Spanish speaking population of LEP individuals in the Stanislaus region.

Given the small size of the LEP population of other languages, there is not an immediate need to produce translated materials in other languages on a regular basis. However, these forms and other similar planning materials can be translated into other languages on an as needed and/or fee based process. StanCOG will continue to monitor and reevaluate populations of LEP individuals and their needs in future LEP updates.

Translated outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible and applicable during public outreach workshops and other meetings to maximize efficient use of available resources.

Local Media Outreach

Meetings, agendas, and hearing notices are regularly published on the StanCOG website and in local newspapers (including one in Spanish). For large regional planning projects, StanCOG utilizes an array of English and non-English media outlets to announce public meetings and participation opportunities. This ensures that community members have proper notice and opportunity to participate in StanCOG’s regional planning and development activities.

Dedication of Budgetary Funds for Translation Services

StanCOG staff has an annual budget that identifies the work items for its planning responsibilities including, but not limited to, the Regional Transportation Plan, Federal Transportation Improvement Program, and other planning documents. The budget establishes provisions for outreach activities required for each of these work items and serves as the primary funding source to deliver the LEP efforts identified in this report. StanCOG will continue efforts to monitor language assistance needs, and will work with state and local agencies to provide language translation and interpretation services, as needed, and within available funds.

SAFE HARBOR PROVISION

As a recipient of Federal funding, StanCOG is required by the Federal law’s “Safe Harbor” provision to undertake reasonable efforts to provide translation of vital written documents, as needed. The written translation need is based on each eligible LEP language group that constitutes 5 percent or 1,000 individuals, whichever is less, of the population eligible to be served or likely to be affected or encountered.

The safe harbor provision does not affect the requirement to provide meaningful access to LEP individuals through oral interpreters, when oral language services are needed and are reasonable. Translation of documents, if needed, can be provided orally.
The failure to provide written translations under the circumstances outlined above does not mean there is noncompliance. Instead, the safe harbor provisions provide a guide to enhance compliance requirements than can be provided by a fact-intensive, four factor analysis.

**LEP IMPLEMENTATION PLAN**

**Providing Language Assistance to LEP Individuals**

StanCOG is dedicated to providing LEP individuals with meaningful access to materials by ensuring that effective communication exists between the project, activity, or service and the LEP individuals.

The essential key to accomplish effective communication lies in the following ability to:

1. Identify LEP individuals
2. Notify LEP individuals of the availability of language assistance services
3. Provide Language Assistance Measures to translate vital documents
4. Train staff in how to identify and assist LEP individuals
5. Monitor and evaluate access to language assistance

In order to achieve these critical elements and provide meaningful access and communication to LEP individuals, StanCOG will coordinate with its staff, Policy Board, Advisory Committees, and community stakeholders to identify and pursue efforts to address the needs of the LEP population throughout the Stanislaus region. These efforts are described in the following sections below.

1. **Identify LEP Individuals**

   StanCOG will continue its efforts to identify LEP individuals and address their language assistance needs.

   - In this process, StanCOG will examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.

   - Also, at StanCOG events, staff will informally engage participants to establish each attendee’s ability to speak and understand English.

   - StanCOG will use Census Bureau Language Identification Flashcards at public meetings to assist in identifying language assistance needs for future events and meetings *(see Appendix F: I-Speak Identification Flash Cards).*

2. **Notify LEP Individuals of the Availability of Language Assistance Services**

   When possible, StanCOG will notify LEP individuals of the availability of language assistance services in advance of meetings and with publication of vital documents that may encounter
or affect LEP individuals. When a target audience is expected to include a large number of LEP individuals, StanCOG will prepare documents, meeting notices, flyers and agendas in the alternative language based on the known LEP population. Interpreters will be available as needed.

Public participation is a key component in StanCOG’s entire regional planning process. The policies and procedures established in StanCOG’s currently adopted 2009 Public Participation Plan (PPP) enable all members of the public to actively participate in the planning and decision-making processes undergone during the development of the region’s long-range planning and funding documents.

Opportunities for public involvement can be seen in a wide-range of activities currently undertaken by StanCOG:

- Participation of citizens in the Policy Board meeting, and all other standing, adhoc, and other technical committee meetings conducted by StanCOG;
- Direct participation of the Citizens Advisory Committee in StanCOG’s formal planning process;
- Placement of public hearing notices in both English and Spanish newspapers of general circulation;
- Presentations to and meetings with community groups, organizations, and traditionally underrepresented or underserved minority populations;
- Representation from the elderly, disabled, low-income, and minority (i.e. Black/African American, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander) population groups on StanCOG’s Social Services Transportation Advisory Council;
- Dissemination of news releases and public service announcements (with translation available);
- Public outreach efforts and information provided through the local media sources;
- Preparation and distribution of the StanCOG informational brochure (provided in English and Spanish languages);
- Continual utilization of StanCOG’s web page to disseminate information to the public regarding draft planning documents, new policies, and upcoming public hearings;
- Providing for a regional public forum for plan implementation project teams to identify and address specific regional planning opportunities.

StanCOG will continue to work with community-based organizations throughout the Stanislaus region to inform LEP individuals of available language assistance opportunities and translation services. Through collaborating with the community and stakeholder groups, StanCOG can better determine what information regarding community development programs and projects are most important to those who speak languages other than English.

Publications in local newspapers, online, and through other media will be available in the pertinent LEP language of the target area to spread up-to-date information regarding meeting schedules, project status, and language assistance opportunities.
3. Provide Language Assistance Measures to Translate Vital Documents

To serve LEP individuals, StanCOG provides numerous language assistance measures including both oral and written language services. StanCOG will provide interpretive services, within reason, for public meetings, if advance notice is provided to StanCOG and such services are readily available. Upon request, StanCOG will also make translated versions (or provide interpretation of relevant sections) of documents/publications available within a reasonable timeframe and if resources permit.

StanCOG will identify those documents deemed vital and provide translated services, as needed and as described above. A list of forms and documents commonly used by LEP individuals will be maintained and reviewed regularly. These documents may include applications, consent forms, letters containing information regarding program participation, meeting and event notices, notification to LEP persons informing them of free language assistance, and general outreach materials.

StanCOG will attempt to access language assistance services from a professional translation service or qualified community volunteers, when an interpreter is needed in person or on the telephone. A list of volunteers will need to be developed.

The following list identifies StanCOG’s LEP procedures:

- All committee agenda packets and report documents are advertised as being able to be translated upon written request (notification is placed in the public hearing and directly on the agenda packet);
- Major mailers and public information handouts are published in both English and Spanish languages, and can be further translated upon request;
- During StanCOG’s outreach to local social organizations, both verbal and visual presentations have been translated into Spanish, as needed;
- Public information and hearing notices are posted in both English and Spanish language newspapers of general circulation, including the Modesto Bee and Vida en el Valle, which covers Stanislaus and San Joaquin Counties with a weekly circulation of approximately 30,000 papers;
- StanCOG’s planning processes and policy decisions are currently covered by English and Spanish news media sources, and are further open to other minority media sources;
- All public workshops and hearings are structured to involve citizen participation from all populations, with translation either provided directly by StanCOG staff (current staff includes two fluent Spanish language speakers) or allowed by a translator brought in to represent the person or group involved.

4. Train Staff on How to Identify and Assist LEP Individuals

Awareness training and LEP informational meetings will be provided to StanCOG staff to educate its members about the Title VI LEP requirements and how to provide meaningful access to services for LEP individuals.
StanCOG staff will have knowledge of current areas of LEP groups throughout the Stanislaus region and their language assistance needs. To address potential LEP individuals' needs, informational materials regarding language assistance services will be readily available to StanCOG staff. Staff will also be instructed on how to use the Census Bureau’s language identification flashcards to further help identify and document the language assistance needs of LEP individuals.

In addition, StanCOG staff provides extensive data and technical assistance to the region’s four public transit operators, and to multiple social service agencies that provide transportation services for elderly and disabled populations within the Stanislaus region. As the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA), StanCOG maintains a record of census and other demographic data for Stanislaus County. This public information is made available to public transit operators and private social service agencies to support the updating and development of their Title VI compliance information. In addition, StanCOG’s Social Services Transportation Advisory Council (SSTAC) provides a forum for regional public and private social service transit agencies to collaborate on identifying and addressing the transportation needs of every population group within the region.

StanCOG will annually review the Title VI complaint procedures and LEP plan with its staff members to ensure efficient management and assistance to LEP individuals. This review will include how StanCOG handles LEP complaints using the documented Title VI procedures, and potential methods to improve meeting the needs of LEP individuals. Staff will be trained regularly on how to assist LEP groups utilizing the LEP plan and Title VI complaint process, and will have resources available to assure effective language assistance to LEP individuals through telephone and in-person contact.

5. **Monitor and Evaluate Access to Language Assistance**

StanCOG will review this LEP Plan annually to ensure reasonable efforts are made to identify and address the needs of LEP individuals in the Stanislaus region.

Further updates of the LEP plan will include:

- Updates on demographic information concerning LEP populations.
- Analysis of LEP individuals encountered.
- How the needs of LEP persons have been addressed.
- Determination on the effectiveness of language assistance measures.
- Determination if the needs of language services have changed.
- Evaluation of the Title VI Complaint process and addressing past complaints.
- Evaluation of StanCOG’s performance in adhering to the objectives of the LEP plan.

StanCOG continues to actively encourage public participation to ensure that all members of the public have an equal opportunity in the planning and decision making process conducted by StanCOG and all of its member agencies.
In developing the 2011 Public Participation Plan, 2014 Regional Transportation Plan, 2014 Federal Transportation Improvement Program, and FY 2014/15 Overall Work Program, StanCOG has ensured that all Title VI provisions have been followed.

StanCOG has not been involved in any civil rights compliance review activities in the past three years or named in any lawsuits involving non-compliance with the Title VI provisions. StanCOG adheres to the equal employment opportunities processes. StanCOG intends to take many more proactive steps to further improve the quality of transit service for all residents within the Stanislaus region. Furthermore, StanCOG will continue to explicitly assess the impact of proposed transit investments on low income and minority populations throughout all future transportation project/program development.

DESSIMINATION OF STANCOG’S LEP PLAN

StanCOG’s LEP Plan and Title VI Civil Rights Complaint Procedures are available on StanCOG’s website at www.stancog.org. Any person or agency with internet access will be able to access and download the plan from the StanCOG website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan. LEP individuals may request translated copies of the plan, which StanCOG will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to:

Stanislaus Council of Governments
ATTN: Rosa De León Park, Deputy Executive Director
1111 I Street, Suite 308
Modesto, CA 95354
Phone: (209) 525-4642
Fax: (209) 558-7833
Email: rpark@stancog.org
APPENDIX H: POLICY BOARD RESOLUTION
STANISLAUS COUNCIL OF GOVERNMENTS
RESOLUTION 14-03
RESOLUTION ADOPTING THE STANCOG TITLE VI COMPLIANCE REPORT

WHEREAS, the Stanislaus Council of Governments (StanCOG) is a Regional Transportation Planning Agency, a Metropolitan Planning Organization, and the designated Council of Governments for Stanislaus County; and

WHEREAS, Title VI of the Civil Rights Act of 1964 states, no person in the United States shall, on the ground 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 Federal financial assistance; and

WHEREAS, as a recipient of Federal Transportation Administration (FTA) funds, StanCOG is required to adhere to all provisions established in Title VI of the 1964 Civil Rights Act; and

WHEREAS, StanCOG is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services;

WHEREAS, any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with StanCOG within 180 days from the date of the alleged discrimination; and

WHEREAS, StanCOG is required to update the Title IV Policy every three years; and

NOW, THEREFORE BE IT RESOLVED that the StanCOG Policy Board adopts the Title VI Compliance Report for StanCOG dated August 8, 2014 and attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Executive Director is authorized to execute administrative modifications and file all certification of assurances, contracts or agreements, and any other documents required by the Federal Transit Administration in the execution and implementation of the Title VI Compliance Report.

The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments, on the 20th day of August 2014. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and the Resolution was adopted.

MEETING DATE: August 20, 2014

VITO CHIESA, CHAIRMAN

ATTEST:

CARLOS P. YAMZON, EXECUTIVE DIRECTOR