

Title VI Plan  
Annual Review Report  
(August 1, 2009 to July 31, 2010)  
Skagit Council of Governments (SCOG)

October 6, 2010

## **POLICY STATEMENT**

The Skagit Council of Governments (SCOG), hereinafter referred to as the "Recipient," assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. SCOG further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether or not those programs and activities are federally funded.

In the event SCOG distributes federal aid funds to another entity or contractor, SCOG will include Title VI language in all written agreements and will monitor for compliance.

SCOG's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other SCOG responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 Code of Federal Regulation 21.

This policy statement is the same as the policy statement included in the SCOG's Title VI Plan that was submitted to the Washington State Department of Transportation in October 2003. The only change since that time has been an amendment to change the annual reporting month from November to August.

### **Organization and Staffing**

SCOG is an MPO (October 2003) with a current staff of four full time employees and one part time employee. These positions are primarily technical and professional individuals that work on transportation and energy saving plans and studies to support the regional planning process. The Executive Director of SCOG as the responsible official prescribed by the inter-local agreement establishing the agency is responsible for the compliance with Federal and State laws, and regulations governing the activities of the agency. The Executive Director is responsible for ensuring the implementation of SCOG's Title VI program.

The day-to-day responsibilities for the Title VI Plan's implementation, has been assigned to the Title VI Coordinator James Mastin, Transportation Director who in turn reports to the Executive Director.

Staffing responsibility areas are as follows:

Executive Director: Kelley Moldstad, a caucasian male, ultimately responsible for SCOG's compliance with Title VI regulations. (FTE)

Transportation Director, James Mastin, a caucasian male, the lead representative of SCOG regarding the RTPO, MPO, various transportation plans and studies, and other transportation issues. (FTE)

Senior Transportation Planner/Modeler, John Everett, a caucasian male, updating and maintaining the Regional Modeler and works with the Transportation director on transportation plans. (FTE)

Resource Conservation Manger (RCM), Ric Boge, a caucasian male, responsible for the implementation of a coordinated effort to audit nine jurisdictions energy uses

Administrative assistant, Shawntil Odegard, a caucasian female.

James Mastin as the Title VI Coordinator ensures that all transportation planning program notices, meetings, and documents are sent to the individuals, agencies and organizations representing various groups and boards throughout the Skagit Metropolitan Area. These notifications are distributed by U.S. mail service, e-mail and posted to the SCOG web site at [www.scog.net](http://www.scog.net) and or local newspapers. The list of names and organizations is updated and maintained throughout the year.

### **Changes to the Title VI Plan**

1. The reporting month for annual reports has been changed from November to August. The SCOG Title VI plan has been amended (August 18, 2006) by the Policy Board to reflect this change.

### **Title VI Monitoring Review Process**

In accordance with the SCOG's Title VI Plan, an internal review of SCOG's Title VI program was conducted and also an external review of SCOG's consultant contracts to ensure the maximum opportunity for participation and input in SCOG's activities and programs. The internal review considered internal policy, public notification process and complaints. External review of consultants examined the use of Disadvantaged Business Enterprise (DBE) sub-contractors and the inclusion of Title VI requirements in consultant contracts.

Internal review found, neither the transportation planning process or transportation planning studies program have any significant Title VI weaknesses. Improvement is always possible and to this idea, SCOG is continuing to seek out opportunities that encourage minority participation. SCOG continues to offer the SCOG web site for information regarding meetings, open houses and projects in English and Spanish so that SCOG can address language barriers that exist in the community and encourage participation in transportation related issues.

Skagit County has a high population of Hispanic speaking citizens that speak little to no English. The percentage of the Latino/Hispanic population in the county is about 11% and higher yet in the two largest cities Mount Vernon and Burlington each having about 25%. This is a challenge to any organization that is seeking public involvement. Another tool that SCOG uses to encourage participation and in keeping an open dialog policy is the use of Title VI information forms that are used for public meetings, open houses and projects. These forms are available in English and Spanish at the RTPO/MPO/SCOG Board meetings, open houses, projects and on the SCOG web site. The use of the web site alternative provides opportunities to comment in a private setting. The information that is collected will assist the SCOG in its efforts to collect demographic information that is needed to provide open communication and public participation opportunities to a diverse population and also provides an avenue for communication between the SCOG and the communities it serves.

The external review was done and found the following Contracts/Agreements are still open. The consultants have not contracted with any DBE's and the external review showed that no DBE's were used in any capacity. Being a small MPO our requirements for consulting work is minimal. The consultants and any sub-consultants that they have with another entity are listed below:

- John Everett (consultant) – Professional Service Agreement – The lead for the Skagit/Island RTP/MTP update. Term of said agreement June 1, 2010 to October 31, 2010.
- Pondry (Consultant) – Consultant contract for Website redesign. Term of said contract January 20, 2010 to February 20, 2010.
- Transpo Group (consultant) – Consultant contract for doing work on the Skagit/Island RTP/MTP update. Term of said contract August 3, 2009 to September 30, 2010.
- PTV America (Consultant) – Subcontract agreement for Transportation Modeling assistance and training. Term of said agreement August 1, 2009 to December 31 2010.
- Cascadia Project of the Discovery Institute (consultant) - Professional Service Agreement, working on behalf of the North Sound Communities Project (NSCCP) AKA The Farmhouse Gang, Project: Regional Rail and Ferry issues. Term of said agreement is from May 15, 2007 to October 1, 2009. Sub-consultants are Marty Minkhoff (Eagle Harbor Group) and Tom Jones (TMJ Group, LLC)
- Skagit Transit – an Interagency Agreement for Purchase of Services, February 9, 2007 until the North Sound Communities Project (NSCCP) High Priority Grant is exhausted.
- Whatcom Council of Governments – An interlocal Cooperative Agreement September 20, 2006 until the North Sound Communities Project (NSCCP) High Priority Grant is exhausted.

## **Complaints**

Since the last reporting period July 2009, SCOG received no complaints from individuals or organizations that are directly or indirectly related to Title VI.

## **Accomplishment Report for each Program Area**

### **A. Planning**

Narrative:

SCOG became an official MPO in October 2003 since that time SCOG has initiated opportunities for public participation when ever possible. The SCOG website [www.scog.net](http://www.scog.net) came online in May 2004. This site has been used to list meetings and open houses up to a month in advance of said event. The Title VI coordinator has been working with the Latino Business Assistance Counselor Diana Morelli, Ph.D. through the Economic Development Association of Skagit County (EDASC). She has been involved in the translation of the SCOG website information regarding meetings and open houses into Spanish. The site has been and continues to be available in English and portions in Spanish in order to serve the diverse population of Skagit County.

Starting in August 2004 SCOG initiated the use of Title VI Information forms used at all public meetings, open houses and for projects. The use of these forms is for the collection of Title VI information regarding public participation.

The Title VI coordinator has been working with Alex von Cube, M.P.H., PhD. the Population and Health Information Manager for Skagit County through Skagit County Health Department (no longer with the County), Economic Development Association of Skagit County (EDASC) and the Washington State Office of Financial Management (OFM) in the collection of demographic data for Skagit County. This data is used to create future reports, which allows SCOG to be more effective in its implementation of its Title VI Plan.

SCOG has evaluated all of its contracts to make sure that the appropriate Title VI language is included so that SCOG is in compliance. This includes existing contracts, future contracts as well as projects that go out for bid.

All public meetings and any other public events (open houses) that SCOG is involved in, are announced at least 10 business days prior to said meetings and events, unless circumstances dictate otherwise. The announcements are through mailings, newsprint announcements and the SCOG web site. In the case of open houses there has been a concerted effort to announce these at least one month in advance of the event. These event announcements are available in Spanish on the SCOG web site. The SCOG also sends theses announcements to El Mundo the locally distributed Latino newspaper.

SCOG has diligently implemented the Title VI Plan relating to both internal and external notification to individuals, agencies and groups of opportunities and actions being taken as a part of the regional transportation planning process pursuant to Title 23 U.S.C. Section 134 and the companion Federal Transit Administration rules and regulations. The result of this effort has provided an opportunity for the SCOG to seek out more public participation with regards to regional transportation planning programs.

### **Education and Training**

SCOG's Title VI coordinator provides training to SCOG staff. The coordinator periodically reviews SCOG's Public Participation Plan regarding procedures and policies with the SCOG staff to ensure that the current practice provides notification to individuals, agencies, and groups, of SCOG's planning activities. The coordinator will review this report with the SCOG staff.

### **Environmental Justice Guidelines**

SCOG has implemented a satisfactory policy regarding Executive Order 12898 (see exhibit A)

### **Limited English Proficiency (LPE)**

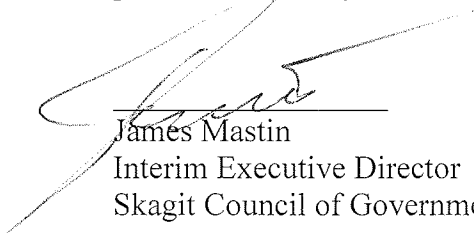
SCOG has implemented a satisfactory policy regarding Executive Order 13166 (see exhibit A)

### **Environmental Studies**

SCOG was not involved in any environmental studies during the reporting period of this report.

### **Goals and Objectives**

While the SCOG has both materially and philosophically implemented the Title VI Plan over the past years, SCOG's expectation is to continually improve on what has already been accomplished. To that end SCOG will continue to find new avenues to increase participation in the regional transportation planning process. SCOG will also conduct onsite reviews of its contracts to ensure that the contracted parties are in compliance with the Title VI nondiscrimination provisions and any other related provisions to Title VI Policy.

  
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James Mastin  
Interim Executive Director  
Skagit Council of Governments

10-6-2010  
Date

## **Exhibit A**

### **Environmental Justice Guidelines**

The SCOG is seeking to identify low-income, minority and Limited English Proficiency (LEP) concentrations within the metropolitan area in the development of the Metropolitan Plan (MTP). SCOG will use this information collected from Census Bureau data and from the Skagit County Health Department, etc. to encourage participation in public venues such as meetings, open houses and projects that meet Environmental Justice guidelines under Executive Order 12898 and Limited English Proficiency (LEP) guidelines under Executive Order 13166.

Whenever SCOG is the lead agency, SCOG will provide opportunities and encourage participation by all potentially affected communities in the transportation decision-making process by:

- Sending out and/or posting notices for public meetings, open houses and projects through mail, media (local papers including papers that are specific to certain communities when available) and the SCOG web site, at least 10 business days prior to said event.
- Encouraging affected communities through solicitation of ideas, suggestions, and concerns. Using various forums such as meetings and open houses where forms are available for comments. The SCOG web site is also available for comments.

### **Limited English Proficiency (LEP)**

The overall regional transportation planning efforts of SCOG does not affect citizens in a way that directly influences their enjoyment of benefits and fair access to services. For this reason regular planning program materials will not be provided in non-English languages except when necessary.

SCOG is trying to ensure that minority, disabled and low-income communities have equal opportunities. SCOG will maintain the following protocols and use the following techniques to reach out to LEP communities regarding public meetings, open houses and projects.

- Ensure that minority, low-income and handicap communities are included and have access to public meetings, open houses and projects whenever possible. Events will be held at facilities that will allow for and accommodate the needs of those physically challenged and will be accessible by public transportation whenever possible.
- Send out mailings and/or post notices to the SCOG web site and in specific local print media, regarding LEP affected communities utilizing languages other than English when necessary, at least 10 business days prior to said event.

- Print and disseminate materials for a specific project translated into alternate languages when necessary.
- Seek out and work with community-based organizations that will reach LEP communities, to include Civic representative's specific to LEP communities, Economic development associations, Chamber of Commerce, etc.
- Maintain records of attendance of minority and low-income populations at public involvement forums and records of direct comments and information request, by the use of Title VI information forms available at public meetings and open houses. These forms are also available on the SCOG web site in languages other than English to provide an opportunity for expressing concerns, ideas and alternate choices.