

**NOACA**

**Technical Report**

**Federal Transit Administration  
Title VI Report**



The Northeast Ohio Areawide Coordinating Agency (NOACA) is a public Organization serving the counties of and municipalities & townships within Cuyahoga, Geauga, Lake, Lorain and Medina (covering an area with 2.1 million people). NOACA is the agency designated or recognized to perform the following functions:

- **Serve as the Metropolitan Planning Organization (MPO), with responsibility for comprehensive cooperative and continuous planning for highways, public transit, and bikeways, as defined in the Transportation Equity Act for the 21st Century.**
- **Perform continuous water quality, transportation-related air quality and other environmental planning functions.**
- **Administer the area clearinghouse function, which includes providing local government with the opportunity to review a wide variety of local or state applications for federal funds.**
- **Conduct transportation and environmental planning and related demographic, economic and land use research.**
- **Serve as an information center for transportation and environmental and related planning.**
- **At NOACA Governing Board direction, provide transportation and environmental planning assistance to the 172 units of local, general purpose government.**

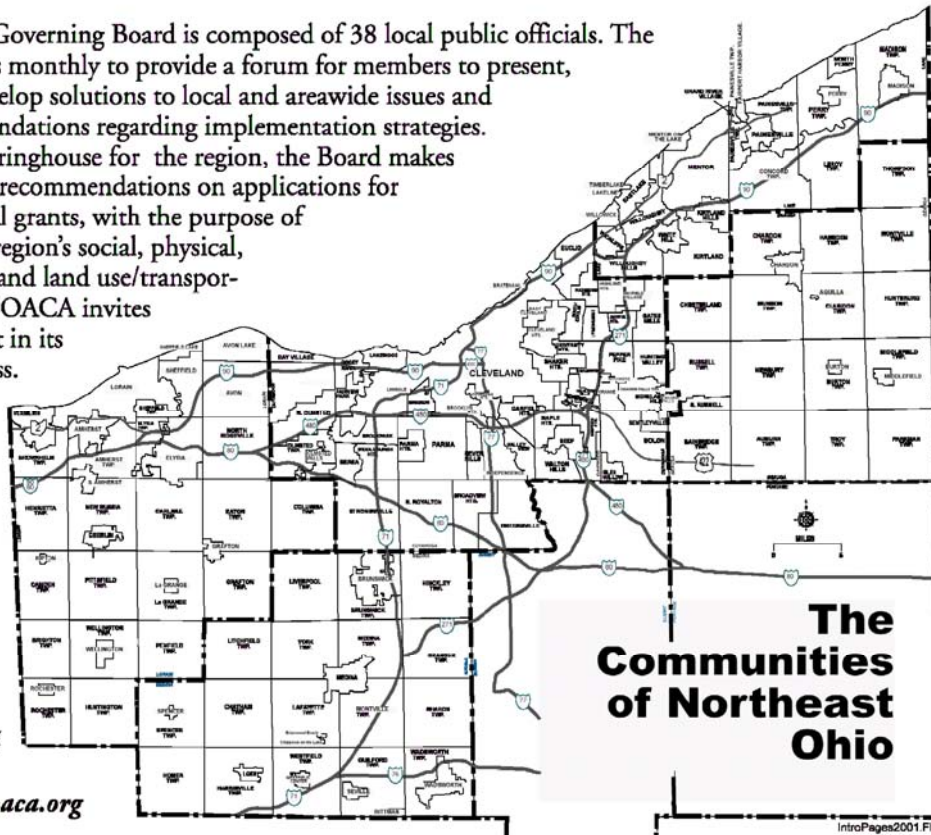
The NOACA Governing Board is composed of 38 local public officials. The Board convenes monthly to provide a forum for members to present, discuss and develop solutions to local and areawide issues and make recommendations regarding implementation strategies. As the area clearinghouse for the region, the Board makes comments and recommendations on applications for state and federal grants, with the purpose of enhancing the region's social, physical, environmental and land use/transportation fabric. NOACA invites you to take part in its planning process.

Feel free to participate, to ask questions and to learn more about areawide planning. For more information, call:

**(216) 241-2414**

or log on at:

**<http://www.noaca.org>**



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<p>1) Title &amp; Subtitle</p> <p><b>Federal Transit Administration (FTA) Title VI Report</b></p>	<p>2) NOACA Report No.</p> <p><b>TR-08-01</b></p>
<p>3) Author(s)</p> <p><b>John Hosek</b></p> <p>Contributors: Sara Byrnes, Sharon Hosek, Steve Jones, Cheryl Kurkowski</p>	<p>4) Report Date</p> <p><b>October 2007</b></p>
<p>5) Performing Organization Name &amp; Address</p> <p><b>Northeast Ohio Areawide Coordinating Agency</b>  <b>1299 Superior Avenue, Cleveland, OH 44114-3204</b>  <b>Phone: (216) 241-2414 FAX: (216) 621-3024 Web site: www.noaca.org</b></p>	<p>6) Project Task No.</p> <p><b>(FY 2008) 6950</b></p>
	<p>7) NOACA Contract/Grant No.</p> <p><b>ODOT/FHWA</b></p>
<p>8) Sponsoring Agency Name &amp; Address</p> <p><b>Ohio Department of Transportation</b>  <b>1980 W. Broad St., Box 899</b>  <b>Columbus, OH 43216-0899</b></p>	<p>9) Type of Report &amp; Period Covered (July 1 2007 – June 30 2008)</p>
	<p>10) Sponsoring Agency Code</p>
<p>11) Supplementary Notes</p> <p><b>Federal funding for this project was provided by the Federal Highway Administration and administered by the Ohio Department of Transportation.</b></p>	
<p>12) Abstracts</p> <p><b>Every four years, as an MPO and federal funding recipient, NOACA is required to complete Title VI documentation related to compliance of Title VI of the Civil Rights Act of 1964. The report contains documentation of NOACA's administrative and technical compliance. NOACA's last FTA Title VI report was completed in May 2003. ODOT Title VI report was submitted in May 2007.</b></p>	
<p>13) Key Words &amp; Document Analysis</p> <p><b>A. Descriptors</b></p> <p><b>B. Identifiers/Open Ended Terms</b></p>	
<p>14) Availability Statement</p> <p><b>NOACA</b></p>	<p>15) No. Pages</p> <p><b>11</b></p>
	<p>16) Price</p>

Federal Transit Administration

Title VI Report

October 2007

Prepared by

**NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

Principal Author:

John Hosek

ROBERT N. BROWN  
BOARD PRESIDENT

HOWARD R. MAIER  
EXECUTIVE DIRECTOR

The preparation of this publication was financed through grants received from the Federal Highway Administration and the Ohio Department of Transportation and appropriations from the counties of and municipalities within Cuyahoga, Geauga, Lake, Lorain and Medina. The contents do not necessarily reflect official views or policies of the U.S. Department of Transportation or the Ohio Department of Transportation. This report does not constitute a standard or regulation.

## **Abstract**

NOACA, as a federal funding recipient from the Federal Transit Administration (FTA) and Department of Transportation, is required by federal law (FTA Circular 4702.1A) to complete Title VI documentation related to compliance of Title VI of the Civil Rights Act of 1964.

The following documentation includes Part A pertaining to FTA Title VI information related to transit planning and Part B containing compliance as the metropolitan planning agency and the transportation technical planning process. FTA and ODOT Title VI Certifications and Assurances will be submitted through FTA's TEAM-Web system.

**Ohio Department of Transportation  
Office of Transit  
Federal Transit Administration Title VI Report  
For Metropolitan Planning Organizations  
October 2007**

**PART A:**

1. **Active Lawsuits or Complaints** - List any active lawsuits or complaints against or naming the organization, which allege discrimination on the basis of race, color or national origin with respect to transit service or other transit benefits. For each complaint or lawsuit, include the following: date filed; summary of allegation; and current status, including whether the parties have entered into a consent decree.

*Response:*

None. No lawsuits or complaints alleging discrimination have been filed against the applicant since the last Title VI submission.

2. **Pending Applications** - Describe all pending applications submitted by the organization for financial assistance, and all financial assistance currently provided by other federal agencies.

*Response:*

A request for the Overall Work Program (OWP), to be funded primarily by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), has been submitted. NOACA is also a designated recipient for the Cleveland Urbanized Area for FTA's Job Access Reverse Commute (JARC) and New Freedom programs.

**Current federal assistance**

<b>Federal Grant</b>	<b>Amount</b>
Ohio Consolidated Planning Grant	\$3,271,436
Environmental Protection Agency (604b)	\$40,574
JARC/New Freedom	\$261,241

3. **Summary of Civil Rights Compliance Reviews** - Provide a summary of all civil rights compliance review activities conducted for the organization within the past three (3) years. The summary should include: the purpose or reason for the review(s); name of the agency(ies) that performed the review(s); summary of the findings and recommendations of the review(s); and a status report on the disposition of the findings and recommendations.

*Response:*

No Civil Rights Compliance Reviews were conducted within the past three years.

4. ***Assessment of Planning Efforts*** - Provide a written description of continuing planning efforts which are responsive to the requirements of Title VI to assure that transit planning and programming are nondiscriminatory. Specifically, discuss how activities or projects programmed in the UPWP and TIP will be implemented on a nondiscriminatory basis.

*Response:*

It is the mission of the NOACA Governing Board to be guided by its Statement of Principles. Principle 11 of the Board states: "It is the intent of the NOACA Board to ensure that transportation system investments enhance racial and cultural harmony."

To this end, NOACA is responsive to Title VI requirements in the development and management of the Overall Work Program (OWP), Transportation Improvement Program (TIP) and the Transportation Plan (Connections 2030).

Every project in the OWP is assigned a specific level of public involvement and information dissemination. Projects such as the OWP, Participation Plan, TIP and Connections 2030 are assigned full public involvement status. This means that their products, and the process to develop the products, must include significant public involvement that could include activities such as public meetings, open houses, focus groups, legal notices, press releases, news releases to community groups and full public involvement review. A specific public involvement plan may be developed for programs calling for full public involvement.

NOACA strongly encourages the participation of all population groups in its transportation planning process. NOACA's public involvement policies ensure that people have the opportunity to participate at the committee and Board levels, as well as at the information and action stages of the decision making process. Public meetings are held in central, physically accessible locations specific to the affected jurisdiction and population. If requested, services to involve the hearing impaired and/or people with limited English proficiency is to be provided.

NOACA has detailed policies regarding the selection of projects for the OWP, TIP and the Connections 2030. These policies include the review of projects by staff and committees regarding the assessment of potential impacts (positive and negative) on affected populations. This project planning assessment is presented to the committees and Board to help ensure the dissemination of all relevant information in the decision making process.

For additional information and to view agency procedures for tracking and investigating Title VI complaints, please access the NOACA Public Interaction Policy (PIP) through the following link: <http://www.noaca.org/pip2006.pdf>

5. ***Monitor Title VI Activities*** - Describe efforts to monitor the Title VI activities and/or programs of local transit systems. Specifically, provide documentation describing efforts to:

- A. Identify minority communities that will be affected by proposed service changes such as route modifications, additions, deletions or extensions under consideration by local transit providers; and

*Response:*

Proposed service changes being considered by local transit providers that are subject to the Project Planning Review process, will include public, governmental, staff, committee and Board review. In performing this review, staff develops technical and non-technical publications in order to provide for a wide circulation and understanding of the project.

- B. Provide technical assistance or guidance to local transportation providers in updating and developing Title VI information.

*Response:*

NOACA provides technical assistance to local providers in updating and developing Title VI information through its Overall Work Program coordination.

- 6. Information Dissemination - Provide a description of the methods used to inform minority communities of planning efforts related to transit service and improvements. Examples include public notices, public hearings, other formal and informal public discussions and presentations, or meetings.

*Response:*

NOACA's public information process to inform all communities includes the purchase of legal notices, advertising, press releases, web site postings, email notification and newsletter distribution. NOACA maintains several mailing lists (print, fax and e-mail) to help facilitate the information distribution. NOACA conducts public meetings, open houses, and providing speakers when requested.

- 7. ***Minority Participation in the Decision Making Process*** - Provide a written statement describing how minority groups or persons are afforded an opportunity to participate in the local decision-making process. Specifically, describe the liaison activities with minority community groups and other efforts to obtain minority views on transportation issues.

*Response:*

The public has the opportunity to participate at any NOACA committee or Board meeting. Specific time is set aside on the agenda at meetings for this occurrence. Meetings are accessible to the disabled. Public notices for the TIP and Plan review state the availability for interpreters for the hearing impaired and/or those with limited English proficiency, provided that NOACA is given adequate notice.

NOACA administers a proactive Public Outreach Program (POP) to engage the region's diverse populations in public involvement. The POP includes working with county/community partners and holding county/community outreach meetings.

People and/or organizations that are willing to assist NOACA in obtaining information about community and county issues are sought by the Agency for partnering opportunities. NOACA works to identify partnering opportunities with assistance from locally elected and appointed officials, neighborhood organizations, civic and community organizations as well as business and professional groups. The list of individuals, groups and organizations agreeing to partner with NOACA for public outreach and public involvement activities continues to grow and is recorded and maintained for future reference.

NOACA's policy is to hold at least one public outreach/public involvement event in each of its five counties each fiscal year. The goal of these events is to provide the public with opportunities to view and discuss current and proposed plans, programs and projects. NOACA's annual Transportation Summit (in June) also provides an opportunity for the public to participate in a regional forum. (Note: Staff tries to assure that whenever possible, off-site meeting locations meet Americans with Disabilities Act (ADA) requirements.

NOACA participates in the Breakfast Break program, as a major outreach effort to promote education and understanding about NOACA's programs and projects. Conducted at major employment locations throughout the region, Breakfast Breaks are an opportunity to distribute informational materials and collect public comment on draft documents from a large audience of Northeast Ohio residents. Last year, Breakfast Break attendance exceeded over 16,000, many of whom represented minorities and traditionally underserved populations.

NOACA also interacts with minority groups via its Work Access Program. Specifically, NOACA has worked with the county-level Human Service Agencies and affected transit agencies in the counties to help obtain minority views on transportation issues and develop workable solutions. NOACA staff also served as a resource in the County Human Service outreach efforts, participating in presentations and focus group sessions.

8. **Minority Representation on Decision Making Bodies** - Provide a racial breakdown for transit related non-elected boards, advisory councils or committees, and describe the efforts made to encourage minority participation on such boards or communities.

*Response:*

The decision making body for NOACA is the Governing Board. The Governing Board consists of representatives from the counties of Cuyahoga, Geauga, Lake, Lorain and Medina and the City of Cleveland. The total current membership is 38, made up primarily of elected officials whose position on the NOACA Board is specified in the Code of Regulations. As stated in NOACA's *Code of Regulations*, the goal for representation is to bring to the Board's discussions and decision-making the principal elected officials and regional administrators of the NOACA area concerned with transportation and

environmental planning. The NOACA Board's make-up provides the region's citizens an approximation of equal representation by population. (A copy of the Code of Regulations is available at [www.noaca.org/cor.pdf](http://www.noaca.org/cor.pdf).)

<b>Race</b>	<b>Membership</b>	<b>% of Membership</b>
White	34	89.5%
Black	4	10.5%
Asian	0	0%
Hispanic	0	0%

**GUIDELINES FOR CONDUCTING TITLE VI PROGRAM COMPLIANCE REVIEWS  
OF METROPOLITAN PLANNING ORGANIZATIONS—RESPONSE OF THE  
NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA),  
CLEVELAND, OHIO  
October 2007**

**PART B:**

I. Metropolitan Planning Organization Handling Agency Compliance

- A. To what extent does the MPO Handling Agency employ minority staff personnel in the program area under review?

***Response:***

NOACA's most recent employment data included in the Agency's FY 2008 Overall Work Program (OWP) indicates a minority staff level of ten (10) among the total forty-two (42) staff members, for a rate of 24 percent. Female staff number twenty-one (21), or 50 percent of total. Based on available census data (2000 Census), the total available non-white labor force in the NOACA area numbers 216,536 out of a total labor force of 1,067,958 or a rate of 20 percent. The area's female labor force numbers 512,677, or 48 percent.

- B. Has the Agency adopted a formal Title VI complaint process?

Yes. See Section II K of the NOACA Public Interaction Policy update adopted March, 2006.

- C. Has the Agency received any specific Title VI complaints in the program area under review? If so, what corrective action has been taken?

No.

II. Consultant Contracts

- A. What considerations are given to minority contractors in the selection of consultants for transportation planning work?

1. Does the Agency establish and monitor annual Title VI contracting goals?
2. Does the consultant selection process include maintenance of records of qualified minority consultants.

***Response:***

NOACA's DBE/WBE Program contains an agency DBE/WBE participation goal of (12%) for DOT contracts and 7% for FTA assisted contracts awarded through the RFP process. This goal is considered in review of all bids and RFP's, and assures the agency and funding sources of proper consideration of DBE's/WBE's.

3. What other methods or procedures are utilized to encourage use of qualified minority consultants?

***Response:***

For purchases not requiring a bid or RFP process, staff seek quotes from recognized DBE's and MBE's using available DBE/MBE vendor lists.

4. Are Title VI assurances and provisions included on consultant contracts?

***Response:***

Yes.

- B. Have consultants made positive efforts to employ qualified minority subcontractors? If so, to what extent?

***Response:***

NOACA has met its MBE/DBE goal each year for major procurements.

- C. What are the MPO Handling Agency's procedures for monitoring consultant compliance with Title VI contract provisions?

***Response:***

Additionally, Agency procurement procedures provide for contractor and subcontractor compliance with Title VI of the Civil Rights Act of 1964. DBE/WBE goals are made part of requests-for-proposals concerning various projects for which the Agency requires professional services. Appropriate staff, as designated by the Executive Director, are responsible for monitoring consultant contracts for DBE/MBE participation, when appropriate.

III. Urban Transportation Planning Process

- A. What techniques and procedures are employed to provide data relative to minority populations, neighborhoods, income levels, physical environment, travel habits, etc?

***Response:***

NOACA obtains much of the above data from the U.S. Census. For example, Summary File 3 (SF3) and the Census Transportation Planning Package (CTPP) contain extensive census tract and zone level data on such variables as minority composition, income level, auto ownership, employment, and travel mode to work. In most cases we are currently using 2000 data, but 1990 data may be used for a few processes due to availability. We are

also exploring the use of ES202 data to increase the depth of our knowledge regarding employment in the region.

NOACA also collects data on land use development and school enrollment along with other socio-economic and demographic data used to show change in travel patterns. This information is used in conjunction with observed data on transit usage characteristics and highway travel volumes to analyze existing and projected future travel needs.

NOACA has identified Title VI/Environmental Justice target area populations in the five-county area based upon U.S. Census and Department of Health and Human Services (HHS) definitions of the “protected groups” and thresholds that are referenced to regional averages for minority and/or low-income populations. The “protected group” definitions are as follows:

- Black: a person having origins in any of the black racial groups of Africa;
- Hispanic: a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- Asian American: a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
- American Indian and Alaskan Native: a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition; and
- Low-income: a person whose household income (or in the case of a community group, whose median income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

- B. To what extent is the data considered in determining that a proposed transportation system will be capable of responding favorably to minority group requirements? What techniques are used?

***Response:***

After the above data are collected, they are input into various databases and used for analysis, using accepted state of the practice techniques. Once the draft analyses are created, a report is written and presented to the public and NOACA committees and Governing Board for review and comment.

NOACA employs Graphic Information Systems (GIS) and transportation modeling techniques that allow it to creatively respond to its metropolitan planning requirements, including Title VI and Environmental Justice (E.J). When combined with its other analytical software, policies and procedures, NOACA can evaluate Title VI and E.J. issues on a transportation system, corridor and project level. NOACA will continue to utilize these tools to better define the many challenges to the populations that it serves, and devise strategies to respond to these challenges.

- C. Do the MPO Transportation Plan and TIP include assessments of the impacts that planned transportation system investments will have on both minority and non-minority areas? Discuss the assessment methodology and resulting documentation.

***Response:***

Yes. As noted above, using GIS and transportation modeling NOACA assessed the impact of proposed improvements on various populations. In general, NOACA follows the following outline, as practical.

- Economic Assessment
  - Near Term
    - Construction Jobs in and Available to Target Area Population
    - Contracts and Subcontracts
    - Multiplier Effect
  - Far Term
    - Business and Employment Impacts
    - Tax Base
      - Property
      - Income
- Access and Mobility
  - Vehicular Access
    - Distance
    - Travel Time/LOS
  - Public Transportation Access
    - Fixed Route
    - Demand Responsive
  - Pedestrian, Bicycle, et al.
- Community Cohesion
  - Public Facility
  - Improvement
  - Displacement/Isolation
    - Residential
    - Business
- Aesthetics
  - Natural Environment
  - Built environment
- Land Use
  - Land Use Patterns
  - Farm Land Consumption
  - Open Space Consumption
  - Brownfield Redevelopment
- Safety
  - Security
  - Traffic Accidents
  - Emergency Response Time
- Natural Environment

- Energy
- Air Quality
- Watershed Impact
- Land Quality
- Habitat
- Noise et al.
- Impact Summary
  - Benefits
  - Burdens
- Addressing Impacts
  - Enhancement
  - Avoidance
  - Minimization
  - Mitigation
  - Corrections

As noted above the resulting documentation is the *Planning for All People* document.

- D. To what extent has the MPO developed a formalized procedure (organization, responsibilities, etc.) to provide for citizen participation in the transportation planning process?

***Response:***

The Governing Board approved an update to its Public Interaction Policy in March 2006 in response to SAFETEA-LU regulations. The document states that it is the Board’s policy to be proactive in reaching out to the regional community, informing the public and encouraging its participation. NOACA works to foster a program that is informative and easily understood and that involves all citizens, interested parties, agencies and other groups provided for in law and regulation. (A copy of the policy is available at [www.noaca.org/PIPfinal.pdf](http://www.noaca.org/PIPfinal.pdf).)

- E. Are minorities, both individually and through their organizations, represented in the citizen participation effort? If so, how many and in what capacities?

***Response:***

NOACA administers a proactive Public Outreach Program (POP) to engage the region’s diverse populations in public involvement. The POP includes NOACA working alone and in partnership with state, county and community organizations to hold outreach meetings throughout the region.

Many groups and organizations are willing to assist NOACA in obtaining information about community and county issues. NOACA is constantly working to identify these opportunities with assistance from locally elected and appointed officials, neighborhood organizations, civic and community organizations as well as business and professional groups.

- F. What techniques or procedures are employed to address limited English proficiency?

The main source of information about NOACA, the agency Web site, includes a Google language translator to make information available in dozens of languages. NOACA will also make arrangements for translators at open house/public meetings if given advance notification.

G. Are there any further affirmative actions taken by the MPO to enlist the involvement and support of minority populations in the transportation planning process?

***Response:***

The FY 2008 OWP continues an ongoing research program to assist the Governing Board in its efforts to engage the traditionally underserved. The goal of the ongoing research is to continually improve the agency's interactions with the public.

Activities include the following:

- NOACA will continue to build and maintain a public outreach mailing/email list that includes neighborhood organizations, civic and community organizations, business and professional groups, environmental and special interest groups, locally elected and appointed officials and other public agencies. This list is used in various outreach efforts
- Identifying community interests regarding NOACA activities and programs
- Identifying barriers to participation (language, transportation, notice, accessibility)
- Identifying barriers to understanding (language, communication products).

NOACA endeavors to administer a regional transportation planning process that meets all federal laws and requirements, including but not limited to Title VI and Executive Order 12898 (Environmental Justice). NOACA will work to resolve all issues/complaints relative to Title VI and Environmental Justice through the above detailed public involvement process. Complainants that desire issues/complaints to be handled formally can submit them in writing to NOACA.