

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination

Assurances

DOT Order No. 1050.2A

The ***City of Oak Harbor*** (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through ***Washington State Department of Transportation***, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation.

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted transportation programs:

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

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all transportation programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Oak Harbor, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

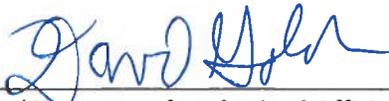
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, City of Oak Harbor also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Washington State Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Washington State Department of Transportation. You must keep records, reports, and submit the material for review upon request to the Washington State Department of Transportation, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

City of Oak Harbor gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the transportation programs. This ASSURANCE is binding on Washington State, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the transportation programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

City of Oak Harbor
(Name of Recipient)

by 

(Signature of Authorized Official)
David Goldman, Finance Director

DATED 7/15/24

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Washington State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Washington State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Washington State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the City of Oak Harbor will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of the transportation programs, and the policies and procedures prescribed by the Washington State Department of Transportation of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Oak Harbor all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto City of Oak Harbor and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the City of Oak Harbor, its successors and assigns.

The City of Oak Harbor, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the City of Oak Harbor will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Oak Harbor pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, City of Oak Harbor will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the City of Oak Harbor will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the City of Oak Harbor and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by City of Oak Harbor pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, City of Oak Harbor will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, City of Oak Harbor will there upon revert to and vest in and become the absolute property of City of Oak Harbor and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

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

3. Community Demographics – Using a map of the LPA’s boundaries, describe the demographics of the LPA’s service area (e.g., race, color, national origin, low-income). List, by individual languages, the percent of the population(s) that is limited English proficient.

Attachment 2 shows the City of Oak Harbor LPA boundaries.

According to the 2020 US Census, the City of Oak Harbor demographics are as follows:

Total Population	24,622
Hispanic or Latino any race	3,366 (13.7%)
White	15,704 (63.78%)
Black or African American	1,530 (6.21%)
American Indian & Alaska Native	256 (1.0%)
Asian	2,524 (10.25%)
Native Hawaiian/Pacific Islander	225 (.91%)
Other race alone	995 (4.04%)
Two or more races	3,388 (13.76%)
Low Income (185% of poverty)	6653 (27%)

The American Community Survey states that the number of residents who speak a language other than English at home is 15.4% or 3,792 in 2023. Of those, who list ‘speak English less than very well’ are:

Asian /Pacific Islander	1,724 (7.0%)
Spanish	1,699 (6.9%)
Other Indo-European	345 (1.4%)

Washington State school districts all complete annual assessments of their student population. The most recent data available is the 2023-2024 school year. Oak Harbor School District reported that 5.2% (310) students are considered to be English Language Learners out of a total student population of 5,972.

4. Complaints – Provide a copy of the LPA’s Title VI complaint log, including new Title VI complaints received during this reporting period and any still pending. Include the basis of the complaint (race, color, national origin) and describe the disposition (status/outcome).

The City of Oak Harbor did not receive any Title VI complaints during the reporting period.

5. Planning – Describe the transportation planning activities performed this reporting period. Describe the actions taken to promote Title VI compliance regarding transportation planning, including monitoring and review processes, community involvement, their outcome or status. Include examples of community outreach.

The City of Oak Harbor engaged in four transportation planning activities during the study period:

The City of Oak Harbor is a member of the Island County Regional Transportation Planning Organization (IRTPO). Other members of this organization include Island County, City of Langley, Town of Coupeville, Island Transit, WSDOT NW Region Mt. Baker Area, Naval Air Station Whidbey Island, Island County Economic Development Council and the City of Stanwood. City staff participated in the IRTPO process which allocates transportation funds throughout the county.

While the City of Oak Harbor is a participant, Island County, as the lead agency, is responsible for IRTPO Title VI compliance. The City of Oak Harbor Mayor or City Administrator designates a staff member from the Planning Department and the Public Works Department to be a voting member of the IRTPO Transportation Advisory Committee (TAC). The meetings are not public, but they do have three citizen representative positions.

The City updates its Capital Improvement Plan (CIP) annually. The CIP is a 6-year project list and funding plan for all of the City's capital facilities, including streets, parks, fire protection, law enforcement, water, sewer, stormwater, solid waste, marina and city administration. The CIP is updated each year to reflect current funding sources and project priorities and is considered to be part of the City's Comprehensive Plan by state law. The CIP is presented to the City Council at a public council meeting and members of the public have the opportunity to comment. The 2023-2028 CIP can be found here: [Capital Facilities Planning \(oakharbor.gov\)](#).

The City continued to work on an Active Transportation Plan during this reporting period. The Active Transportation Plan will identify multimodal projects to improve the safety and mobility of Oak Harbor's streets. There were two presentations to the City Council on the project during the last reporting period. The final presentation, public comment and adoption by the City Council occurred at the April 16, 2024 Oak Harbor City Council regularly scheduled meeting. It is now posted on the City's website: [2024-03-19-Oak-Harbor-ATP_Final-Adopted-41624 \(oakharbor.gov\)](#).

The City took the lead on the Safe Streets 4 All grant (Federal DOT) that will develop a county-wide Comprehensive Safety Action Plan (CSAP). The plan's focus is to identify projects that would aim to reduce fatal and serious injury and deaths on the county's roadways. The development of the CSAP is an important step towards improving safety on Island County roads for all users. Posters were printed in English, Spanish and Tagalog to reach the most residents as possible. Examples of the posters can be found in Attachment 3. More information about the CSAP can be found here: [Comprehensive Safety Action Plan | Island County, WA \(islandcountywa.gov\)](#).

The City has made a concerted effort to provide information relevant to WSDOT-related programs, services, activities or that are required by law to ELL and non-English speakers through various mechanisms. Civil Rights notifications are posted in English and Spanish at City Hall on public bulletin boards. Public meetings are streamed live, recorded and posted on YouTube with closed captioning available in all languages. Translation services are available upon request for all City documents. The City has a Professional Services Agreement with Prisma Interpretation Services, a language service company that provides on-demand translation.

Demographic data and analysis are incorporated into all City projects, including transportation-related projects. As an example, the Active Transportation Plan consultant Toole Design, LLC conducted focus groups, table events, surveys and open houses and collected and analyzed the demographics of each participant that informed and guided the development of the Active Transportation Plan.

The City is required to post public meetings with agendas and packet materials. Each meeting and associated material is posted on the City's website and is advertised in the City's paper of record, Whidbey News Times, on a monthly basis. Notices are also posted at City Hall.

Attachment 3 shows examples of posters, meeting advertisements and related notices. A link to the

City's website with meeting notices is located here: [Agenda Center • Oak Harbor, WA • CivicEngage](#). The City also posts notices on its public social media outlets including Facebook, X and Instagram.

6. Right-of-way actions – Describe activities during this reporting period associated with the purchase, sale, lease/use, or transfer of real property (related to highway transportation/public right-of-way use). Include demographic information of affected populations. For example, the race, color, national origin of affected property/business owners(s)/tenant(s).

The City of Oak Harbor did not purchase, sell, lease or transfer real property related to highway transportation/public right-of-way during the reporting period.

7. Identify right-of-way appraisers and acquisition staff (used during this reporting period) by race, color, national origin.

The City of Oak Harbor did not contract with any right-of-way appraisers or acquisition staff during the reporting period.

8. Studies and Plans – Were any transportation studies (including environmental reviews) conducted or transportation plans completed during this reporting period? Identify the data source(s) and provide data summary (Title VI/Environmental Justice Analysis) relative to ethnicity, race, languages spoken, neighborhoods, income levels, physical environments, and/or travel habits. Explain how data was used in these studies/reviews/plans.

The City of Oak Harbor continued working on an Active Transportation Plan. The City continued to work with its consultant to collect data through public surveys, an online survey, focus groups and in-person events. The consultant was also tasked with review and analysis of current patterns and road conditions utilizing demographic data and other factors in order to make recommendations to improve safety and mobility for all types of street users. The Active Transportation Plan final development was prioritized based on 1. Mobility; 2. Equity (socioeconomic characteristics of neighborhoods); and 3. Safety. The plan was adopted by the City Council on April 16, 2024. The demographics of public involvement of the overall project are located on page 69 of the final adopted plan and are included in this report as attachment 7.

The development of a county-wide Comprehensive Safety Action Plan (CSAP) began in late spring 2024. The plan aims to reduce fatal and serious injury deaths on the county's roadways. Posters seeking community input and collaboration on the project were printed in English, Spanish and Tagalog to reach the most residents as possible. Demographic data will be collected at public meetings and workshops. Demographic data is collected as part of the online survey here: [Island Regional Transportation Planning Organization \(IRTPO\) | DKS Engage \(dks-engage.com\)](#). See Attachment 3 for print examples.

9. Project Location and Design – Provide a list of construction projects that began during this reporting period. Using a map of the LPAs service area, identify project locations, and a brief description of the projects' benefits/burdens to affected populations. If possible, provide a map that overlays projects with the racial composition of affected neighborhoods.

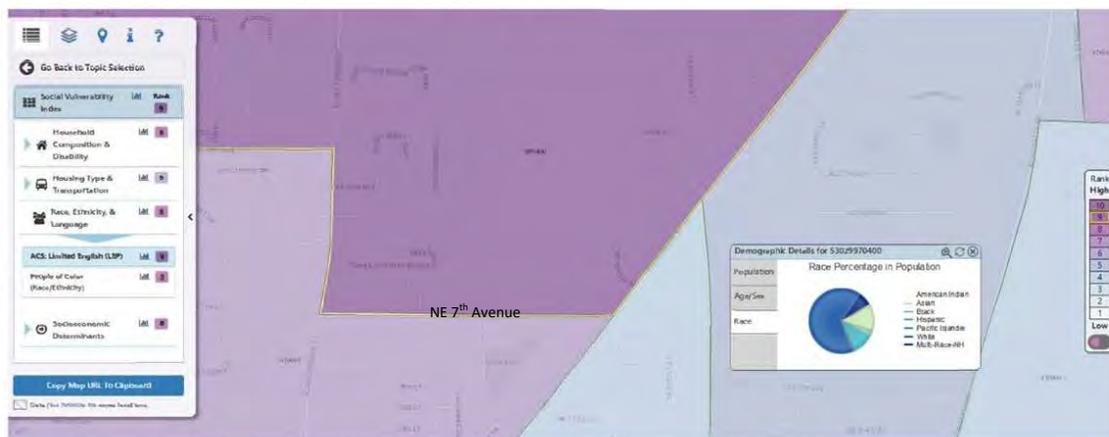
Attachment 4 shows the location of construction projects during the reporting period July 1, 2023 – June 30, 2024. NE 7th Avenue Reconstruction Project started several years ago. It is impacting a low-income, disadvantaged neighborhood between State Route 20 and Oak Harbor Street with a socioeconomic factor of nine according to the Washington State Health Disparities Map and a high population with limited English (see map below). The purpose of this project is to improve the

safety to this neighborhood. The current road has no sidewalks, bike paths and is highly trafficked. The benefits of this project include improving overall safety by adding sidewalks and a biking/walking lane, adding street lighting, adding two new crosswalks with flashing lights and new overlay pavement with prominent striping.

NE 7th Avenue Reconstruction Project—Socioeconomic Factors rating— 9 North of 7th; 7 South of 7th



NE 7th Avenue Reconstruction Project—Limited English rating— 9 North of 7th; 6 South of 7th



Attachment 4 also includes the research conducted by Toole Design for the Comprehensive Safety Action Plan currently being worked on by Island County and which Oak Harbor is a direct partner in the effort. Maps depicting disadvantaged areas under the Equitable Transportation Community Explorer tool, High Equity Needs Map and the Transportation Expense Indicator Map will be included in the draft safety action plan.

Attachment 5 lists the projects, gives a project description and its impacts to affected populations.

10. Other Public Meetings – List other public meetings held during this reporting period. Identify efforts used to encourage citizen participation at those meetings. Detail dates, times, locations, attendance, and provide examples of outreach materials.

Attachment 6 lists all the public meetings held during the reporting period that relate to transportation projects. It includes dates, times, location, attendance, contract amount (if any) and other project details.

Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin

Attachment 8 lists the members of the Island County Transportation Planning Organization.

Specify methods used to collect demographic information from the transportation-related public meetings. (Self-identification surveys, notes by staff, etc.) Include summaries of Public Involvement Forms collected at each meeting, listing the demographics of those who attended by meeting.

Before the start of each City Council meeting, members of the public who wish to speak sign the public comment sign in form. The form includes information on demographics if they wish to complete it. Public comments collected regarding transportation projects at meetings can be found in meeting minutes available on the City of Oak Harbor website. When making public comment, individuals had to state their name and address and can add any other details they choose. There were no public comments made regarding NE 7th Avenue Reconstruction nor the Active Transportation Plan. Attachment 7 includes demographic information from tabling events and focus groups for the Active Transportation Plan.

For outside meetings and events like open houses and tabling events, the public is asked to complete the public involvement form which also captures demographic information voluntarily.

Attachment 3 shows an example of meeting advertisements and related notices. A link to the City's website with meeting notices is located here: [Agenda Center • Oak Harbor, WA • CivicEngage](#)

List any language assistance services requested. For which languages? Who provided the service? In addition, list vital documents translated during the reporting period and identify the languages.

No language assistance services were requested during this reporting period.

11. Transportation-related Construction and Consultant Contracts (if applicable) – Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants).

The City of Oak Harbor uses procurement practices as required by RCW, municipal code, federal regulations and/or interlocal agreements to procure consultant and contractor contracts.

During this reporting period, the City continued its contract with TranTech, LLC for design work on the NE 7th Avenue Reconstruction Project. It also continued its contract with Toole Design, Inc for work on the Active Transportation Plan.

In May 2024, The City awarded a contract to SRV Construction Inc for the construction portion of the NE 7th Avenue Reconstruction Project. Using City of Oak Harbor's procurement procedures for sealed bids, the City received three competitive bids and SRV Construction Inc was awarded the contract as low bidder. This project is funded, in part, by Washington State Transportation Improvement Board funds and WSDOT Surface Transportation Block Grant funds.

12. Describe the actions taken to promote construction contractor/consultant compliance with Title VI by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g. what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

All solicitations for consultant or contractor services contain the updated WSDOT Local Area Guidelines Manual language, published June 22, 2022:

The City of Oak Harbor, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

All contracts for consultant services contain the following language:

Discrimination Prohibited and Compliance with Equal Opportunity Legislation. The Consultant agrees to comply with equal opportunity employment and not to discriminate against client, employee or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age or handicap except for a bona fide occupational qualification with regard, but not limited to , the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training; rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination provision, the Agreement may be terminated by the City and further the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

All construction contracts are executed utilizing the State of Washington Standard Specifications (December 2022). Section 1-07.11 of the Standard Specifications contains the non-discrimination language for construction projects.

The City uses the WSDOT/FHWA-1273 contract for all contracts involving Federal DOT funding, this includes Appendix A and Appendix E of the Assurances.

The City reviews prevailing wage reports and activities for construction contracts. In the event the City receives a discrimination complaint or the Department of Labor and Industries receives a complaint, the City will use its policies and procedures to address the complaint.

13. List construction, right-of-way, and consultant contracts with your LPA/MPO/entity for this report period with dollar value of each. Identify funding sources (federal, state, local, other), and how many were awarded to certified disadvantaged contractors (as a prime contractor/consultant).

Attachment 5 lists the contracts for the current reporting period. TranTech Engineering is a certified DBE Consultant. For the NE 7th Avenue Reconstruction project, WSDOT has given the City a DBE reporting goal of 15 percent. The prime contractor SRV Construction is not a certified DBE contractor, but the company has hired three certified DBE sub-contractors for portions of the project. The Project Manager for the project will be monitoring and reporting on this quarterly.

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status.

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training.

When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

List other civil rights training conducted locally. Provide dates and a list of participants by job title and Title VI role, if applicable.

The City of Oak Harbor purchased a Human Resources enterprise resource portal, Neogov.com, several years ago which has built-in training modules on a wide variety of topics. Title VI of the 1964 Civil Rights Act for Municipalities is one of the courses. Eight individuals in Engineering, Purchasing and Administration were assigned Title VI training. Seven completed the course and one is still in process.

The City Archeologist and the Grants Administrator attended the May 30, 2024 Title VI Training for Local Public Agencies sponsored by WSDOT.

Title VI Goals for Upcoming Year

What area(s) of Title VI does your agency plan to focus on in the upcoming year? Describe by particular program area what your agency hopes to accomplish. Include any significant problem areas to focus on and plans to address those.

The City of Oak Harbor will continue to routinely translate notices in multiple languages to improve access to WSDOT programs, services and activities for all residents of Oak Harbor, especially those who speak English less than very well.

The City will strive to increase its public engagement with underserved populations and affected populations in construction zones.

The City will continue to identify areas of improvement for Title VI compliance and conduct or attend annual Title VI training.

ATTACHMENT 1 - Title VI Reporting Structure

Administrative

<u>Name</u>	<u>Title</u>	<u>Responsibility</u>	<u>Race</u>	<u>Color</u>	<u>National Origin</u>
David Goldman	Finance Director	Title VI Compliance Officer	Caucasian	White	US Citizen
Emma House	Human Resources Director	Title VI Complaints Officer	Caucasian	White	US Citizen

Transportation

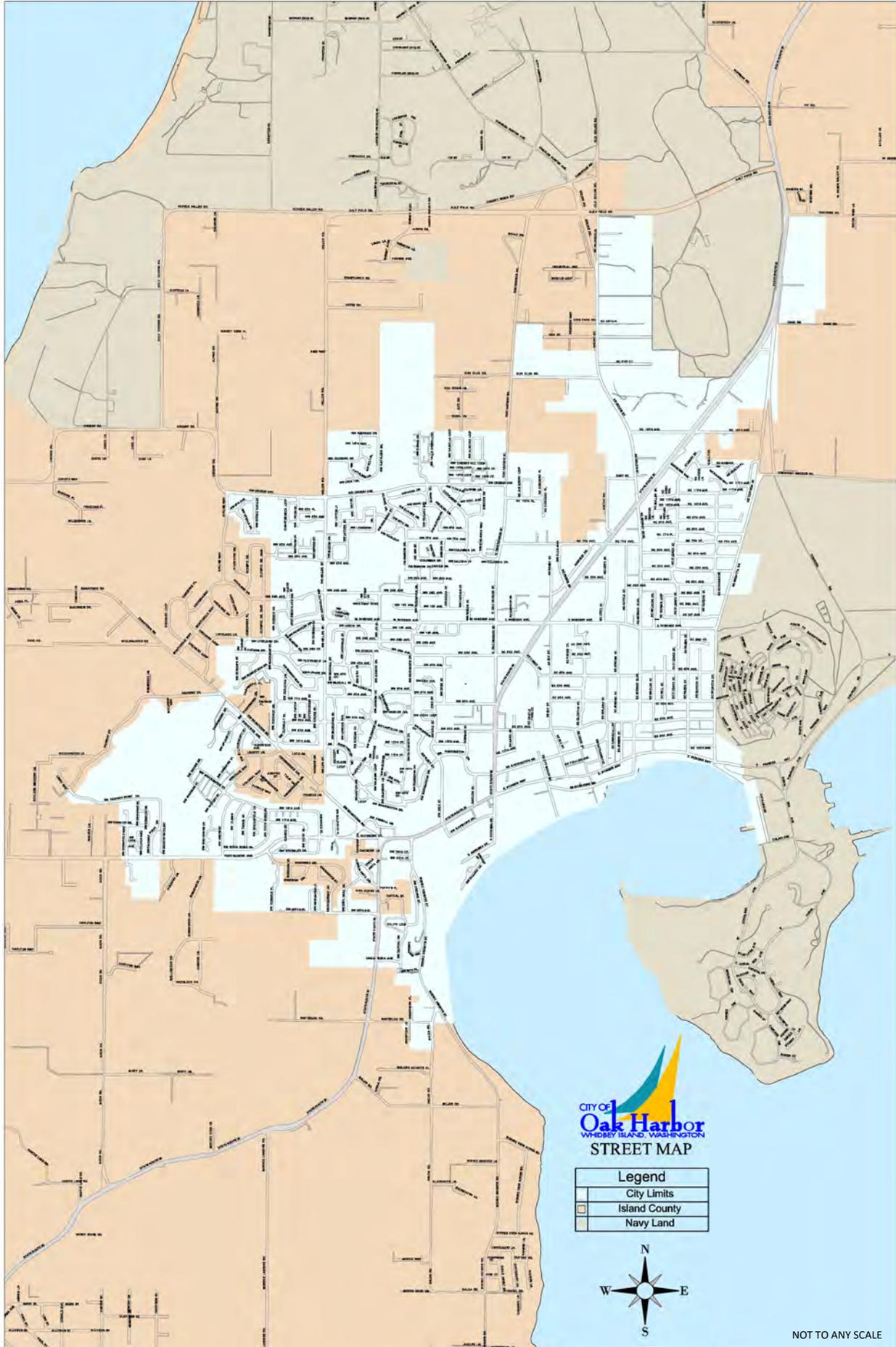
<u>Name</u>	<u>Title</u>	<u>Responsibility</u>	<u>Race</u>	<u>Color</u>	<u>National Origin</u>
Steve Schuller	Public Works Director	Public Works Department Compliance	Caucasian	White	US Citizen
Alex Warner	City Engineer	Contract Development and Compliance	Caucasian	White	US Citizen
Sandra Place	Central Services Supervisor	Contract Development, Purchasing and Compliance	Caucasian	White	US Citizen

LPA Governance/Public Review Member

<u>Name</u>	<u>Title</u>	<u>Responsibility</u>	<u>Race</u>	<u>Color</u>	<u>National Origin</u>
Robert Severns (July 1-Dec 31, 2023)	Mayor	Elected Official	Caucasian	White	US Citizen
Ronnie Wright (Jan 1, 2024 - current)	Mayor	Elected Official	Caucasian	White	US Citizen
Tara Hizon	Council Member/Mayor Protem	Elected Official	Caucasian	White	US Citizen
Shane Hoffmire	Council Member	Elected Official	Caucasian	White	US Citizen
James Woessner	Council Member	Elected Official	Caucasian	White	US Citizen
Bryan Stucky	Council Member	Elected Official	Caucasian	White	US Citizen
Eric Marshall	Council Member	Elected Official	Caucasian	White	US Citizen
Christopher Wiegenstein	Council Member	Elected Official	Caucasian	White	US Citizen
Beth Munns (July 1-Dec 31, 2023)	Council Member	Elected Official	Caucasian	White	US Citizen
Barbara Arms (Jan 1, 2024 - current)	Council Member	Elected Official	Caucasian	White	US Citizen

Attachment 2

City of Oak Harbor LPA Boundaries



JOIN US IN CREATING A SAFER ISLAND COUNTY!



The Island Regional Transportation Planning Organization (IRTPO) is developing a Comprehensive Safety Action Plan (CSAP) that aims to improve safety on our roadways for all users and abilities.

What is a Comprehensive Safety Action Plan (CSAP)?

A CSAP is a strategic approach to enhancing safety on our roads. It analyzes data to pinpoint roadway issues and proposes potential safety projects to reduce fatal and serious-injury crashes involving all roadway users.



How Can You Help?

Your input is crucial! We want to collaborate with you, the community, to help us make more informed decisions. Your insights will shape the future of roadway safety in Island County.

Get Involved

Scan the QR code or visit our webpage to share:

- Safety concerns you've observed
- Ideas to improve our streets for all



LET'S WORK TOGETHER TO IMPROVE SAFETY!
islandcountywa.gov/926/CSAP



ISLAND REGIONAL TRANSPORTATION PLANNING ORGANIZATION

¡ÚNASE A NOSOTROS EN LA CREACIÓN DE UN ISLAND COUNTY MÁS SEGURO!



La Organización de Planificación Regional del Transporte de Island está desarrollando un Plan de Acción Integral de Seguridad (CSAP, por sus siglas en inglés) que tiene como objetivo mejorar la seguridad en nuestras carreteras para todos los usuarios y habilidades.

¿Qué es un Plan de Acción Integral de Seguridad (CSAP, por sus siglas en inglés)?

Un CSAP es un enfoque estratégico para mejorar la seguridad en nuestras carreteras. Un CSAP analiza los datos para identificar los problemas de las carreteras y propone posibles proyectos de seguridad para reducir los accidentes mortales y con lesiones graves que afectan a todos los usuarios de las carreteras.



¿Cómo puedes ayudar?

¡Tu opinión es crucial! Queremos colaborar con ustedes, la comunidad, para ayudarnos a tomar decisiones más informadas. Sus ideas darán forma al futuro de la seguridad vial en el condado de Island.

Involúcrate:

Escanee el código QR o visite nuestra página web para compartir:

- Problemas de seguridad que ha observado
- Ideas para mejorar nuestras calles para todos

¡TRABAJEMOS JUNTOS PARA MEJORAR LA SEGURIDAD!
islandcountywa.gov/926/CSAP



SAMAHAN NINYO KAMI SA PAGLIKHA NG MAS LIGTAS NA ISLAND COUNTY!



Ang Island Regional Transportation Planning Organization (IRTPO) ay bumubuo ng isang Komprehensibong Plano sa Aksyong Pangkaligtasan na naglalayong mapabuti ang kaligtasan sa ating mga kalsada para sa lahat ng mga gumagamit nito at sa iba pang pinaggagamitan nito.

Ano ang Comprehensive Safety Action Plan (CSAP)?

Ang CSAP ay isang Estratehikong paraan sa pagpapahusay ng kaligtasan sa ating mga kalsada. Sinusuri nito ang mga datos upang matukoy ang mga isyu sa kalsada at nagmumungkahi ng mga potensiyal na proyektong pangkaligtasan upang mabawasan ang mga aksidenteng nakamamatay at malubhang pinsala na kinasasangkutan ng lahat ng gumagamit ng kalsada.



Paano ka makakatulong?

Ang inyong suhestiyon ay lubhang mahalaga. Nais naming makipagtulungan sa inyo at sa komunidad upang tulungan kami sa paglikha ng higit na matalinong desisyon. Ang inyong mga pananaw ang huhubog sa hinaharap ng roadway safety ng Island County.

I-scan ang QR code o kaya ay bisitahin ang aming webpage para ipamahagi:

- Mga alalahanin sa kaligtasan na naobserbahan mo
- Mga ideya upang lalong mapagbuti ang ating mga kalsada para sa lahat

MAGSAMA-SAMA TAYONG GUMAWA PARA MAPAGBUTI ANG KALIGTASAN

islandcountywa.gov/926/CSAP





**Take the
Survey
Online**



The City of Oak Harbor is currently developing an Active Transportation Plan to identify projects and strategies to improve conditions for walking, biking, and rolling throughout the City with our contracted consultant.

oakharbor.gov/atp



Oak Harbor Active Transportation Plan

What is Active Transportation?
Active transportation is any mode of transportation that requires physical activity. It includes walking, bicycling, roller skating, and using a skateboard or kick scooter. Active transportation is a healthy and safe way to get around town.

Existing Sidewalks, Trails, and Bike Lanes

Invest in Active Transportation?
Investing in active transportation infrastructure is a smart way to improve the quality of life in our community. It encourages people to walk and bike more, which is good for their health and the environment. It also makes it easier for people to get to work, school, and other destinations.



Oak Harbor Active Transportation Plan

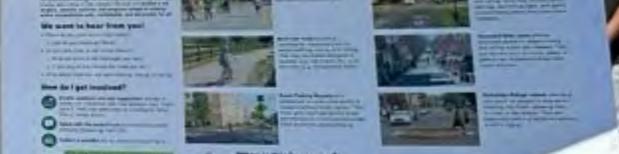
What is the Purpose of the Active Transportation Plan?
The purpose of the Active Transportation Plan is to provide a vision and strategy for improving the safety and connectivity of the city's active transportation network.

What is being considered?
The plan considers a variety of projects, including new sidewalks, bike lanes, and trails. It also looks at ways to improve existing infrastructure.

We want to hear from you!
We are currently in the public comment period. Please visit oakharbor.gov/ATP to provide your input.

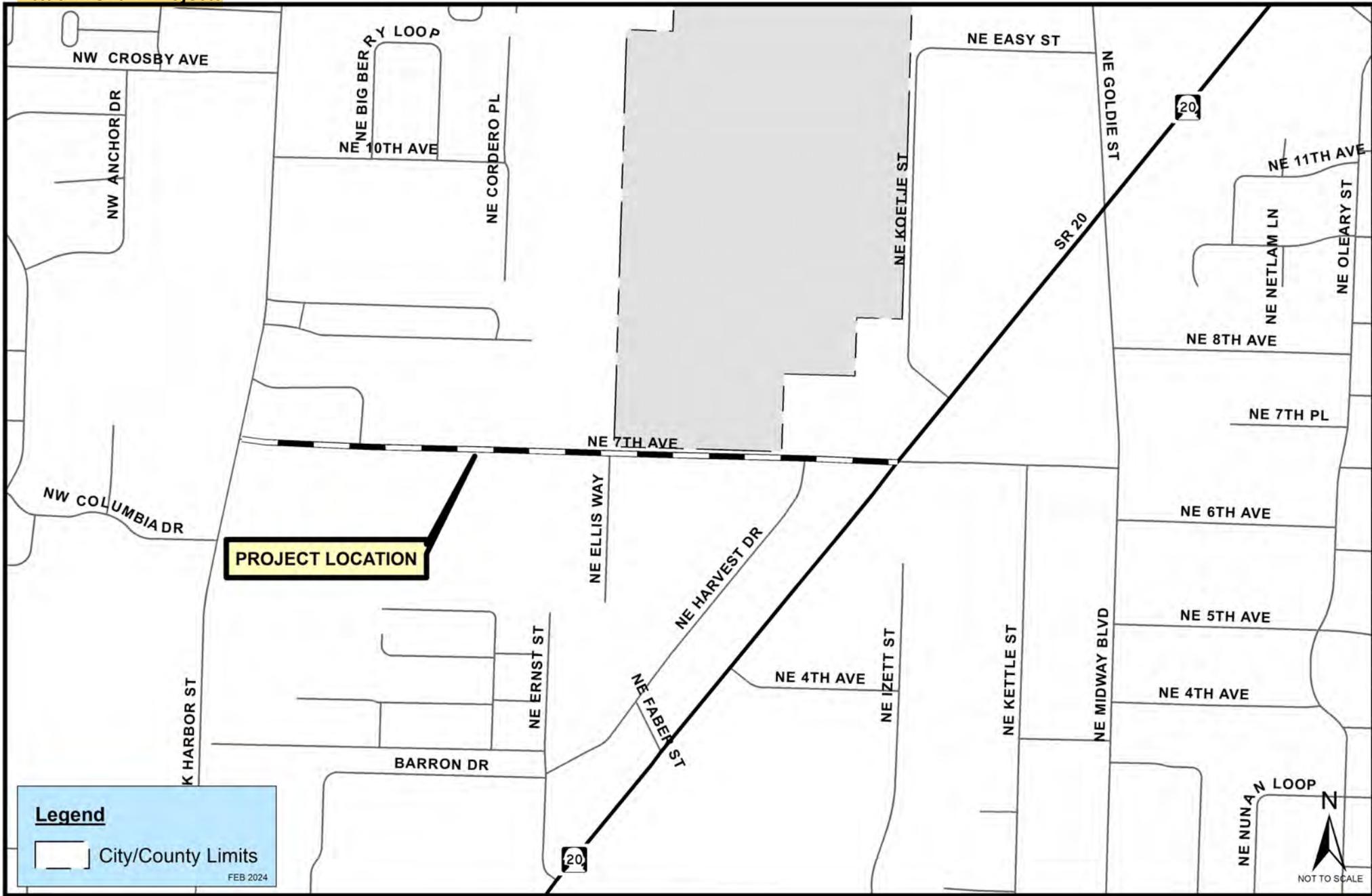
How do I get involved?
You can get involved by attending public meetings, providing written comments, or participating in online surveys.

When is this happening?
The plan is being developed over the next several months. Public meetings will be held on a regular basis.



CITY OF
Oak Harbor
WHIDBEY ISLAND, WASHINGTON
oakharbor.gov

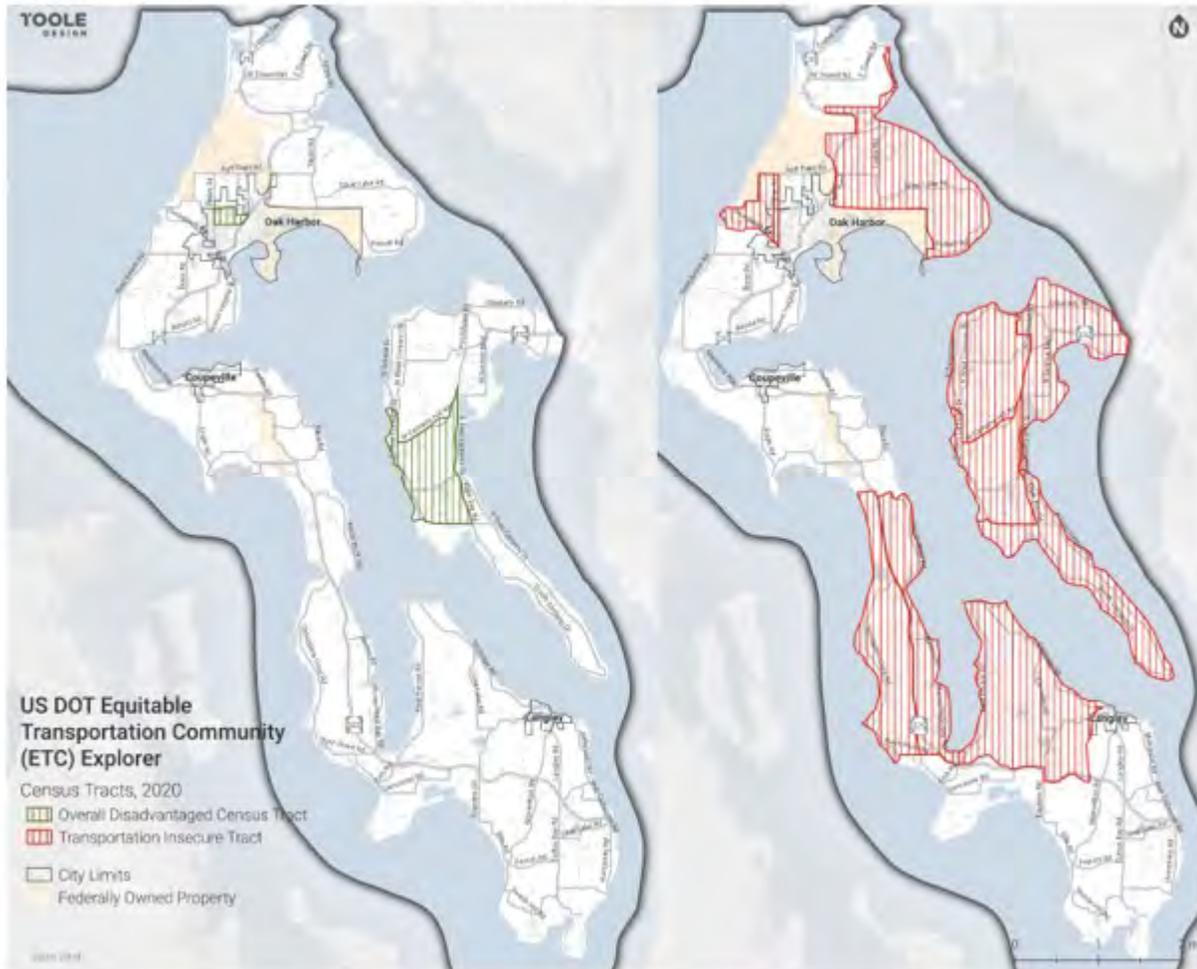




NE 7TH AVE RECONSTRUCTION PROJECT

Location Map

Map 2: Disadvantaged census tracts under the ETC Explorer



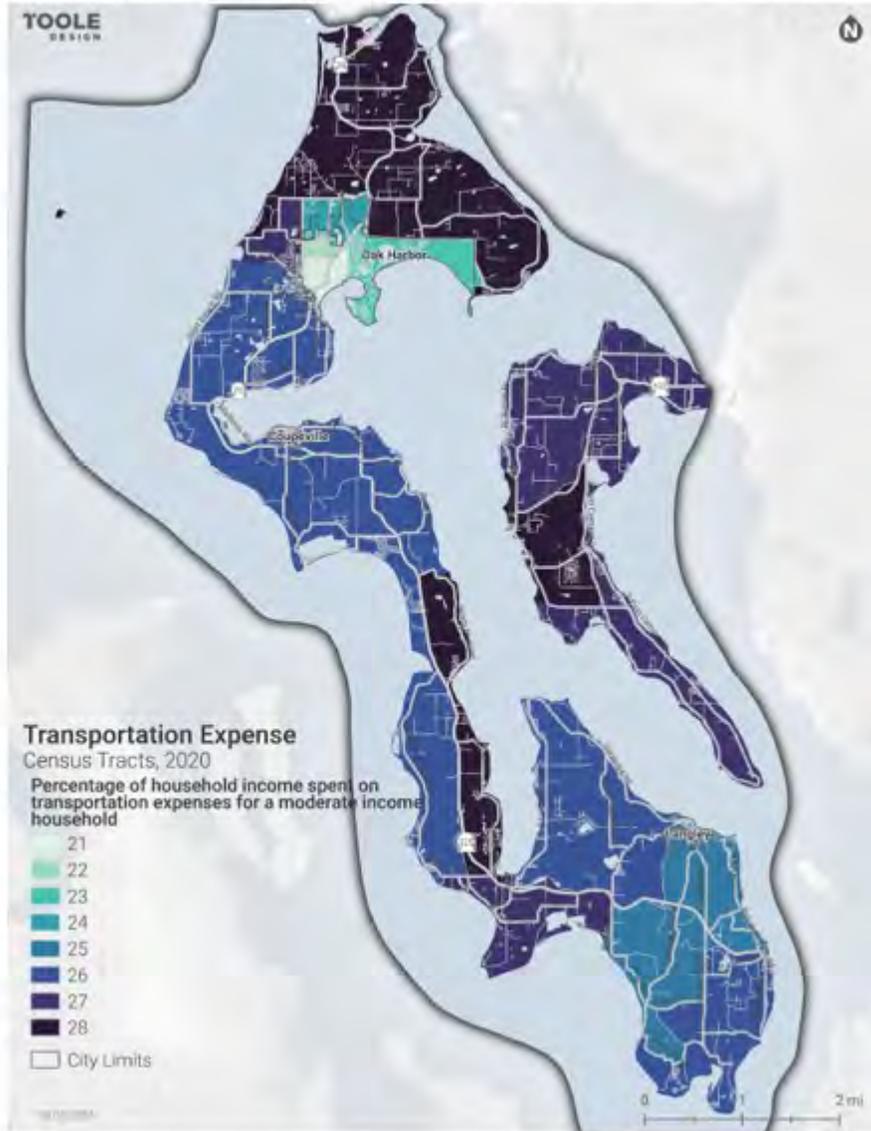
Source: Underlying data of the ETC Explorer tool was accessed by connecting to the ArcGIS Online Feature Server linked under "DOT Disadvantage Census Tracts National Results Feature Service" on US DOT's website <https://www.transportation.gov/priorities/equity/justice40/download-data>

Map 3: Areas of high equity need in the Sandy Williams Equity Needs Map



Source: Underlying data of the Sandy Williams High Equity Needs map was accessed by connecting to the Feature Server on WSDOT's ArcGIS Online environment.
<https://data.wsdot.wa.gov/arcgis/rest/services/Shared/ActiveTransportationData/FeatureServer>

Map 4: Transportation expense indicator depicted by the Washington Environmental Health Disparities Map



Source: Underlying data for transportation expense was sourced from the Center for Neighborhood Technology <https://htaindex.cnt.org/download/data.php>, per methodology of DOH.

ATTACHMENT 5-2023-2024 TRANSPORTATION PROJECT DESCRIPTIONS

Project	Description	Consultant/Contractor	Contracted Amount	Funding Sources	Procurement Method
NE 7th Street Reconstruction	Reconstruction of Road and Intersection to improve safety and pedestrian access				
	Consultants	Trantech Engineering, LLC (Certificed DBE Contractor- Prime)	\$517,235.00	\$430,800 - STBG \$86,435 - City Funds	A Request for Qualifications was issued to qualified consultants on the MRSC consultant roster August 24, 2020 and the RFQ was published in the local newspaper the Whidbey-News Times August 22, 2020 and August 29, 2020. The City received and reviewed seven Statements of Qualifications. A panel of four City Staff reviewed the SOQs. Three consultants were selected for interviews and Trantech Engineering, LLC was selected by the review panel as the most qualified firm to provide the requested services.
	Contractor	SRV Construction, Inc.	\$2,011,565.00	\$990,570 - STBG \$702,174 TIB \$775,425 - City Funds	A Request for Bids was issued on the MRSC roster in February 2024 and the RFB was published from March 6 - April 2, 2024 in the Whidbey-News Times and the Seattle Daily Journal of Commerce. The City received and reviewed three bids. The apparent low bidder was SRV Construction. The City Council approved awarding the bid to SRV Construction at the May 7, 2024 regular City Council meeting.
	Benefits to Affected Populations	Improved Safety and pedestrian access			
	Impacts to Affected Populations	Loss of property, construction inconvenience			
Active Transportation Plan	Development of City-wide Active Transportation Plan				
	Consultants	Toole Design, LLC	\$150,000.00	\$129,750 - TAP \$20,250 City Funds	A Request for Qualifications was issued to qualified consultants on the MRSC consultant roster and the RFQ was published in the local newspaper the Whidbey-News Times and in the Daily Journal of Commerce. The City received and reviewed Statements of Qualifications. A panel of four City Staff reviewed the SOQs. Toole Design, LLC was selected by the review panel as the most qualified firm to provide the requested services. The City Council adopted Resolution 24-06 Adopting the Active Transportation Plan in April 2024.
	Contractor	None			
	Benefits to affected populations	Improved safety and mobility on City streets potential minor inconvenience			
	Impacts to affected Populations	during any improvements			

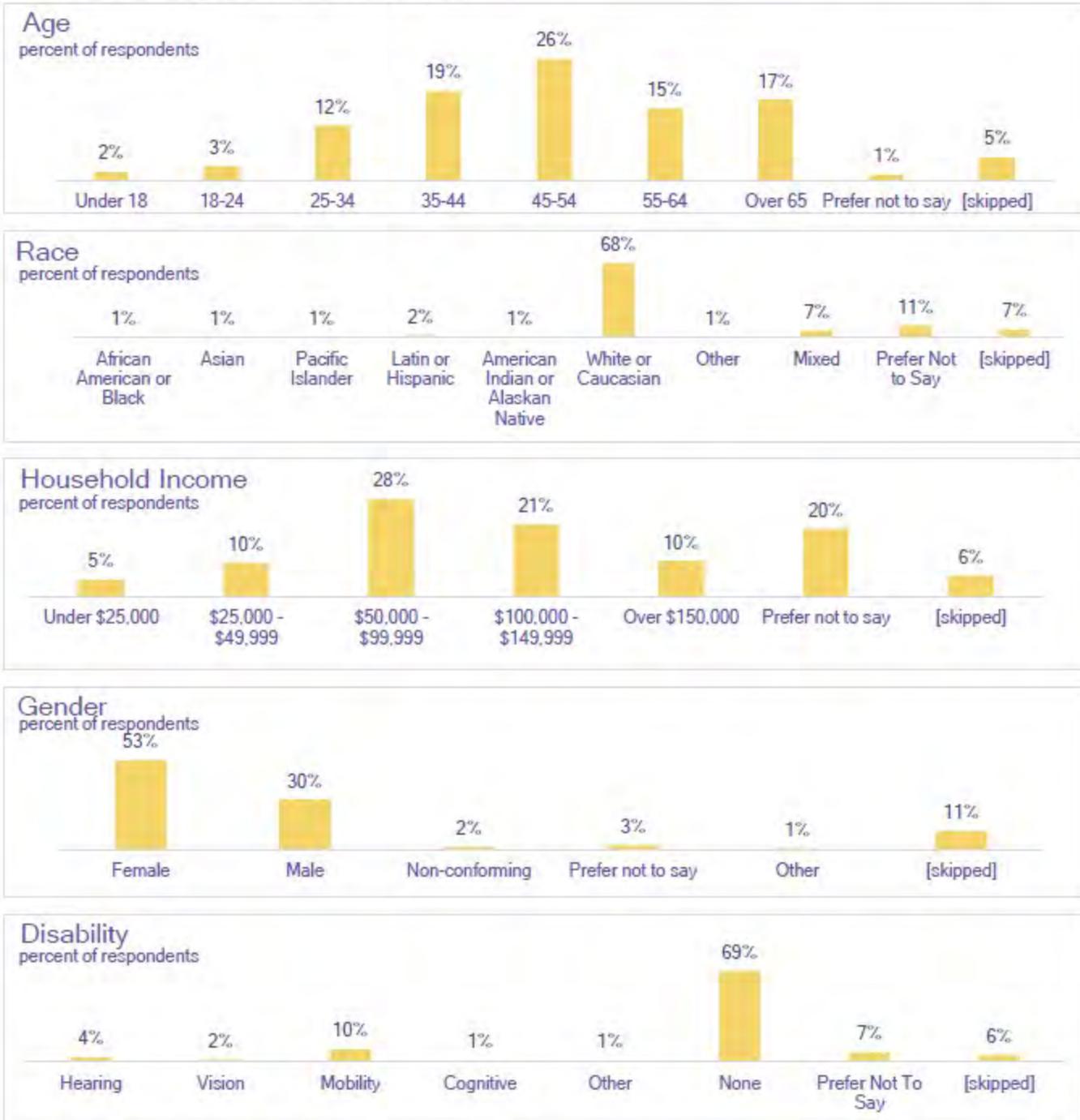
Attachment 6 - City Meetings

Meeting Date	Time	Meeting Type	Meeting Topic	Comments/Attendance
Tuesday, July 11, 2023	6:00pm	City Council Meeting	2023 Hot Mix Asphalt Overlay Project Increase to Change Order Allowance	This was an in-person meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor , on Facebook, and following the meeting on Cable Channel 10/HD 1090. Mayor, 5 Council, 16 staff, City Attorney, 1 Guest, 14 public, Consent Agenda
Tuesday, September 19, 2023	6:00pm	City Council Meeting	Local Agency Agreement Supplement Number 01 for NE 7th Ave Project	This was an in-person meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor , on Facebook, and following the meeting on Cable Channel 10/HD 1090. Mayor, 6 Council, 10 staff, City Attorney, 1 Guest, 0 public, Unanimous vote.
Wednesday, March 27, 2024	2:00pm	City Council Workshop	Active Transportation Plan Update	This was an in-person meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor , on Facebook, and following the meeting on Cable Channel 10/HD 1090. Mayor, 7 Council, 14 staff, City Attorney, 1 Guest, 0 public, no action taken. Informational only.
Tuesday, April 16, 2024	6:00pm	City Council Meeting	Public Hearing - Resolution 24-06 Adopting the Active Transportation Plan	This was an in-person meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor , on Facebook, and following the meeting on Cable Channel 10/HD 1090. Mayor, 7 Council, 13 staff, City Attorney, 0 public, Unanimous vote.
Tuesday, May 7, 2024	6:00pm	City Council Meeting	NE 7th Avenue Reconstruction - Bid Award	This was an in-person meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor , on Facebook, and following the meeting on Cable Channel 10/HD 1090. Mayor, 7 Council, 16 staff, City Attorney, 1 Guest, 3 public, Unanimous vote.

Survey Respondent Demographics

Figure 39 shows the demographic breakdown for survey respondents. The charts show the distribution of age, income, gender, disability, and race for the 163 people who submitted a survey.

Figure 39: Demographic profile of survey respondents



Attachment 8: Island County Transportation Planning Organization

Executive Board

<u>Name</u>	<u>Title</u>	<u>Responsibility</u>	<u>Race</u>	<u>Color</u>	<u>National Origin</u>
Melanie Bacon	County Commissioner	Chair	Caucasian	White	US Citizen
Janet St. Clair	County Commissioner	Member	Caucasian	White	US Citizen
Curt Gordon	Port Commissioner	Vice- Chair			US Citizen
Fred Snoderly	Public Works Director	Member			US Citizen
Ronnie Wright	City of Oak Harbor Mayor	Member	Caucasian	White	US Citizen
David Day	Port Commissioner	Member	Caucasian	White	US Citizen
Molly Hughes	Coupeville Mayor	Member	Caucasian	White	US Citizen
Kennedy Horstman	Langley Mayor	Member	Caucasian	White	US Citizen
		WSDOT NW			
Chris Damitio	Asst Reg Administrator	Region Rep			US Citizen

Technical Advisory Committee

Malcolm Roberts	IRTPO Planner	Facilitator			US Citizen
	Island County Public Works				
Fred Snoderly	Director	Member			US Citizen
		NW Region -			
John Shambaugh	Transportation Planning Mar	WSDOT			US Citizen
Vacant	District 3 Citizen	Member			US Citizen
James Blaisdell	District 2 Citizen	Member			US Citizen
Don Meehan	District 1 Citizen	Member			US Citizen
	Oak Harbor Capital Projects				
Phillip Esqueda	Manager	Member			US Citizen
	Oak Harbor Principal				
Cac Kamak	Planner	Member			US Citizen
Vacant	EDC Exec Director	Member			US Citizen
	Port of South Whidby Exec				
Angi Mozer	Director	Member	Caucasian	White	US Citizen
	Langely Public Works				
Randi Perry	Director	Member	Caucasian	White	US Citizen
Joshua Engelbrecht	Coupeville Asst. Planner	Member			US Citizen
	NASWI Community				
Brian Tyhuis	Planning and Liaison Officer	Member	Caucasian	White	US Citizen
	Principal Planner - Island				
Brad Windler	Transit	Member			US Citizen