

Marion County Public Works

Federally Funded Transportation Program



Title VI (Civil Rights) Annual Accomplishment Report

Fiscal Year 2023-2024

**Marion County Public Works Department
2023-2024 Title VI Annual Accomplishment Report**

I. INTRODUCTION

The Marion County Department of Public Works (MCPW) Engineering Division, Capital Projects Section, administers federally funded transportation projects as a Certified Local Public Agency (LPA). Marion County is fully certified in project Design; Consultant Selection; Advertisement, Bid and Award; and Construction Contract Administration.

Marion County has projects totaling more than \$66,739,000 programmed into the current 2024 – 2027 Statewide Transportation Improvement Program (STIP). The following table lists the USDOT federally funded projects and the phases they were in as of June 30, 2024:

Key No.	Oregon STIP Federal-Aid Projects	Phase
17312	Traffic Signal Interconnects	Construction
18750	Hayesville Drive: NE Portland Rd - Fuhrer St	Construction
19701	Marion County Ferry Boat Program, Phase 3	Complete
20743	Hollywood Dr: Silverton Rd to Greenfield Ln	Complete
20744	Cordon/Kuebler Corridor Study and Management Plan	Complete
20745	Lancaster Dr: Center St to Monroe Ave	Construction
21301	Center St.: Lancaster Dr. to 45th Pl. NE	Prelim. Engineering
21304	Connecticut Ave: Macleay Rd to Rickey St	Prelim. Engineering
21565	Silverton Rd. @ Desart Rd	Prelim. Engineering
21895	State St.: 4106 State St. to 46 th Ave.	Prelim. Engineering
21896	Delaney Rd.: Battle Creek Bridge	Prelim. Engineering
21998	Scotts Mills Road: Butte Creek Bridge	Prelim. Engineering
22002	Hazelgreen Road NE: Pudding River Bridge	Construction
22003	Mill Creek Road Bridge	Prelim. Engineering Right of Way
22005	Rambler Drive SE: Little Pudding River Bridge	Construction
22493	Marion County Ferry Boat Program (Phase 3a)	Construction
22702	Cascade Highway SE: Silverton to Sublimity	PE in 2025
22703	Howell Prairie Rd: OR99E to OR214	PE in 2025
22704	River Rd/French Prairie Rd: OR219-Parkmeadow Dr	PE in 2025
22705	Yergen/McKay/Ehlen Rd: OR219 to Bents Rd NE	Prelim. Engineering
22725	Ehlen Rd NE at Butteville Rd NE	Prelim. Engineering
23125	Willamette River Independence Bridge	Prelim. Engineering
23408	Marion County Ferry Boats Operational Improvements	Prelim. Engineering
23484	North Fork Road Improvements Project	Prelim. Engineering
23558	North Fork Road Guardrail Improvements	PE in 2025

Additionally, through ODOT’s State Funded Local Projects (SFLP) program, Marion County has converted over \$7,400,000 in programmed federal funds to state funds for the following projects and will deliver them either in-house or through a full-service consultant.

Key No.	State Funded Local Projects (SFLP)	Phase
20163	Marion County Curve Warning Signs	Construction
20296	River Road S: Willamette River (Independence) Bridge	Complete
20313	Meridian Road NE: Abiqua Creek Bridge	Construction
21994	French Prairie Road: Champoeg Creek Bridge	Prelim. Engineering

Marion County is also administering two federal-aid projects, totaling over \$14,200,000, funded through the FHWA Western Federal Lands Highway Division (WFLHD), which are not shown in the STIP:

Non-STIP Federal Aid Projects	Phase
North Fork Road Slide Stabilization	Prelim. Engineering
North Fork Guardrail - FLAP	IGA

II. ORGANIZATION AND STAFFING CHANGES

The Capital Projects Section welcomed the addition of one new permanent staff this year. One of our prior summer temps was hired as an inspector, replacing one of the Tech II's hired last year.

The Survey Section added two new permanent staff, a Survey Checker and a Field Tech 1.

The Traffic Engineering Section saw no departures and added no new permanent employees.

The Land Development Engineering and Permitting (LDEP) Section saw no departures or added any new permanent employees.

Lani Radtke, MCPW Engineering Division Manager and County Engineer, provides oversight of the Title VI program as the Title VI Coordinator. The Capital Projects Manager oversees the Capital Projects Section, ensures implementation of Title VI activities, serves as the County's Certification Program Manager, and reports directly to the County Engineer.

Individual construction projects are implemented by the Capital Projects Section, which is comprised of the Capital Projects Manager, three Project Engineers, two Consultant Project Managers nine Engineering Technicians and Civil Engineering Associates, one Office Specialist. The Project Engineers and Project Managers are in responsible charge of the overall projects. The Office Specialist, with management oversight, is the responsible party for most Civil Rights monitoring and reporting duties.

III. TITLE VI EDUCATION AND TRAINING

A selection of Title VI training opportunities will be provided to all new employees in the upcoming reporting year.

Marion County has Title VI information available to the contracting, consultant and general population available on our website at the following link:

<https://www.co.marion.or.us/PW/Engineering/Pages/TitleVI.aspx>

The county has made all public reports and documents accessible or searchable for 508 compliance in 2024.

With most Capital Projects employees being current with training needs for this year, all County employees are required to take annual “Harassment and Discrimination Free Workplace” training (County Policy 602).

Marion County hosted and attended the Civil Rights Training for Certified LPAs presented by the ODOT Office of Equity & Civil Rights and Certification Program Office on Wednesday, April 17, 2024, at Marion County Public Works 5155 Silverton Rd NE, Salem, OR 97305.

Capital Projects discusses Title VI requirements during team staff meetings. A Capital Projects Staff meeting with Title VI training was held on July 9, 2024.

Lani Radtke, Jill Ogden, Desiree Tokyo, Ryan Crowther and Mark Foster attended ODOTs Title VI training for 1 hour on July 11, 2024.

IV. COMPLAINTS

The Marion County Department of Public Works is proud to report that it did not receive any formal or informal Title VI complaints during FY 2023-2024.

The County’s adopted Title VI Implementation Plan (updated in September 2021) lists procedures for addressing Title VI complaints. The Title VI Plan and the Title VI Complaint Reporting Form are accessible in English and in Spanish on the Marion County Department of Public Works website. Paper copies are available upon request at the Public Works building front desk.

Citizens can contact the Title VI Coordinator through the email address and phone number listed on the Civil Rights webpage. If a civil rights complaint is filed, the department will document the complaint in the Title VI Annual Log of Complaints and implements Title VI Plan procedures for resolution.

V. TITLE VI IMPLEMENTATION

1. Program or Project Development (Planning)

Title VI and other civil rights requirements are routinely considered in all of Marion County’s transportation planning efforts. Whether updating a transportation system plan, making land use and transportation decisions, or pursuing grant funding opportunities, the thoughtful application of Title VI objectives, environmental justice goals and ADA requirements are at the forefront. This process helps to ensure that projects moving ahead to design and construction are properly scoped, sufficiently funded, and able to address the applicable civil rights requirements.

2. Preliminary Engineering (PE) Phase and Environmental Activities

Title VI and civil rights policies are also considered throughout the PE phase of each project to ensure environmental impacts do not disproportionately affect minority and low-income

populations and to ensure compliance with ADA requirements. Before the start of each federal-aid project, the ODOT Region 2 Environmental Coordinator (and other ODOT staff) evaluates demographic data from various sources, including the US Census Bureau and Oregon Department of Education, to identify potentially vulnerable populations, assess potential impacts based on the project scope and magnitude, and issues guidance for achieving environmental compliance.

The research and guidance are documented in the Environmental Prospectus and the requirements therein are implemented by Marion County Project Engineers during the design phase of the project. Compliance verification is provided by the ODOT Region 2 Environmental Coordinator during review and approval of the project's environmental documents.

For this reporting year, all federal-aid transportation projects undertaken by Marion County Public Works were categorically excluded from requiring a project-specific environmental impact statement (EIS) or environmental assessment (EA).

Environmental studies and cultural resource surveys, engineering studies, engineering design and right-of-way acquisition are conducted during the PE Phase. Marion County uses the direct appoint/small purchase process to hire specialty, single-discipline consultants (i.e. environmental, geotechnical, hydraulics, etc.) for most of our in-house designed projects. When delivery schedules are critical and in-house capacity is limited, Marion County uses the formal consultant selection process to hire full-service consultants for many of our federal-aid projects. For FY 2023-2024, our consultant-delivered projects included:

- Hazelgreen Road NE: Pudding River Bridge
- Mill Creek Road Bridge
- Rambler Drive NE: Little Pudding River Bridge

The department makes every effort to hire Disadvantaged Business Enterprise (DBE) companies when possible and strictly adheres to ODOT's DBE goal criteria when hiring full-service consultants. Several DBE firms were subcontracted on our full-service A&E contracts as a result. The above-listed projects each had an 8.5% DBE goal requirement for consultants.

Public meetings are hosted early on to involve the public interested in each project, to disseminate information, and to create a forum for community participation. During this past year, meetings were held in-person at convenient and accessible locations such as neighborhood associations and our county office as well as virtually online. These meetings included the use of visuals to describe the plans such as video and/or PowerPoint presentation and all information was posted on-line. Meetings were hosted at convenient times to obtain participation from those most directly impacted. Reasonable access to technical information and public information was made available electronically through the public works website.

Meeting invitations were mailed directly to landowners, residents and neighborhood associations that may be impacted by the project. This information is also posted on the public works website, Facebook, and in other public locations. If translation services are requested, the

county has staff that can accommodate Spanish translation requests in-house. The county also has contracts with the AT&T Language Line and with a variety of written translation service providers for other translation needs.

Adequate analysis such as demographic studies and discussions on the impact on minority communities, as shown in the chart below, were made to anticipate language translation and offer translation services. Information available from local school districts was used to evaluate the projects.

Project/School	White	Hispanic	Other
Hazelgreen/Bethany Charter	89.7%	6.8%	0.7% Asian/Pacific Islander, Black 0.7%, Indian 0.7%, Two or More 1.5%
Scotts Mills/Census	82%	11%	Two or more 7%
Rambler Bridge/Brooks Elementary	23%	68%	Muli Racial 5%, Black 2%, Asian 1%
Rambler/Gervais Elementary	23.9%	73.3%	Two or more 2%, Asian/Pacific Islander 0.6%, Black 0.3%
Center Street/Auburn Elementary	18.1%	72.6%	Pacific Islander/Hawaiian 3.2%, two or more 2.5%, Asian/Pacific Islander 1.6% Indian 1.1%, Black 0.9%
Center Street/Salem Academy	51%	6%	Pacific Islander/Hawaiian 23%, Two or More 10%, Asian/Pacific Islander 6%, Black 2%, Indian 1%, Unspecified 1%
Elma Av/Four Corners Elementary	17.1%	71.2%	Asian & Pacific Islander, 2.1%, Pacific Islander & Hawaiian 3.9%, Black 2.1% &, Indian 0.2%, & two or more 3.4%
Connecticut/Houck Middle School	25%	64%	Hawaiian & Pacific Islander 5%, Black, Asian, Indian, & two or more 6%
Central Street (Gates) ARPA Improvements/ Census	78%	7%	2% Asian/Pacific Islander, Two or More 4%
Silverton Rd @ Desart	86.1%	9.9%	Two or More 8.8%, other 0.8%

During this reporting year, the Engineering Division hosted eleven in-person/virtual public meetings for the following federally funded projects and mailed 4,589 notices as shown below.

PROJECT	NOTICES MAILED
Connecticut Ae: Macleay Rd. to Rickey St.	419
Hazelgreen Bridge Replacement	483
Elma Av/Four Corners	344
State St.: 4106 State St. to 46th Ave.	1539
Central Street (Gates)	214
Yergen/McKay/Ehlen Rd: OR219 to Bents	27
Hayesville Dr: Portland Rd to Fuhrer St	500
Cordon Road Turn Lanes	978
Scotts Mills Bridge Replacement	332
Rambler Bridge Rehabilitation	245
Center Street: Lancaster to 46 th Pl	431

Silverton Left Turn Lane at Desart	116
Mill Creek Bridge Replacement	241

Meeting invitations were sent to landowners and other interested parties to explain the project and to invite community participation. Information about these projects was also posted on the Public Works website to gain as much public input as possible. In addition to letters and publicly available postings, Public Works sets informational signs out on the projects at least one week in advance that include the project name, meeting location, and date and time of the meeting. This information allows impacted populations that may not have a physical address within the project site to learn about the meeting and attend. Capital Projects has received feedback during public meetings that these signs improve awareness and increase our participation in the open houses.

These meetings, featuring a PowerPoint presentation, included drawings and information on the project budget, schedule, design concepts, potential impacts to homeowners. Self-reporting forms that included race and national origin were collected at public meetings and placed in the project file. A method for electronic submission of comments was also provided to the public. As a note, all roadway plans now include detailed designs at each curb ramp rather than relying on references to standard drawings to ensure that finished curb ramps meet all applicable ADA criteria.

3. Right-of-Way (RW) Phase

After environmental activities have been completed, the Project Engineer, with assistance from the County Surveyor, oversees right-of-way acquisition for each federally funded project. Right-of-way policies and procedures used during the acquisition process are governed by the ODOT Right of Way Manual, applicable sections of the Title VI Civil Rights Act of 1964, and the Uniform Relocation and Assistance Act of 1970 as amended.

Qualified ODOT-certified appraisers and acquisition agents were hired to appraise and acquire right-of-way for two federally funded transportation projects this past year. The County encourages the use of DBE companies for contracted right-of-way services, but no DBE companies were hired for this reporting year.

ODOT is doing the right-of-way appraisals on behalf of the County for the Silverton Rd at Desart and Connecticut Avenue projects with consultant right-of-way agents. Consultants are handling all the right-of-way services for the Center Street and Mill Creek Bridge projects. All correspondence is documented in the project file and employees reference Uniform Relocation and Assistance Act and Title VI policies throughout right-of-way acquisition.

Public works employees and contractors work directly with landowners during the acquisition process to discuss negotiation, relocation, and eminent domain proceedings. In this reporting year, no eminent domain proceedings were initiated. If a landowner is to be relocated, Marion County provides ODOT relocation literature and Marion County Title VI assurances conforming to the ODOT Right-of-Way Manual. No landowners were relocated this year, and no personal property was relocated.

The US Census Bureau and Oregon Department of Education demographic data from the PE Phase is used during the right-of-way phase to determine the presence of minority populations and predict language translation requirements in advance. Vital documents and most right-of-way form templates have been translated to Spanish and sent to consultants to use for the acquisition process. Translation services are offered for all public meetings although that service was not required for any meetings this past year.

4. Construction (CN) Phase and Maintenance Activities

The Capital Projects Section manages the construction phase of federally funded projects as a certified LPA. For each project, Title VI and civil rights compliance is tracked and reported to the ODOT Office of Civil Rights (OCR).

The OCR assigns a Disadvantaged Business Enterprise (DBE) and an On-the-Job Training (OJT) goal (if applicable) for each project and Marion County states the DBE and OJT goals in the project-specific Special Provisions, bid announcements and project advertisements. Once the project is awarded, ODOT-approved Title VI language is included in the award letter and the contractor is required to meet the stated DBE and OJT goals. Civil rights requirements are specified at project preconstruction meetings and the Capital Projects Section tracks Title VI and civil rights activities for all projects.

During the project Construction Phase, the Capital Projects Section notifies landowners and citizens of construction work through a variety of sources. A webpage with a map is created for each project and ongoing construction information is posted on the webpage. Construction information is sent to media sources through a press release and information is posted on the County social media. Construction notices are sent to landowners and emergency service providers with translation services offered. An Open House is held at the beginning of construction for the public and stakeholders on projects with larger community impacts.

- Eight federally funded transportation projects were in the Construction Phase during this reporting year. The Marion County Ferry Boat Program (Phase 3) project was assigned a 0% goal, but one DBE subcontractor is being utilized. The Marion County Ferry Boat Program (Phase 3A) project had a 0% goal, but one DBE subcontractor is being utilized. The Hayesville Drive: NE Portland Rd – Fuhrer St project was assigned an 8% goal. The Traffic Signal Interconnects project had a 5% goal. The Lancaster Dr.: Center St. to Monroe Ave. project was assigned a 6% DBE goal. The Hollywood Dr.: Silverton Rd. to Greenfield Ln. project was assigned a 9% DBE goal. The Hazelgreen Road NE: Pudding River Bridge project was assigned a 10% DBE goal. The Rambler Bridge project was assigned a 3% DBE goal. Subcontract and service letter approvals are issued for each project and DBE companies are identified for tracking.

Civil rights and prevailing wage compliance are tracked on the Civil Rights and prevailing wage tracking workbook for all federal aid projects. Throughout the project, engineers, technicians, and the office specialist reviewed Monthly Employment Utilization Report forms, Paid Summary Report forms, 3A Workplans, Commercially Useful Function forms, DBE Owner/Operator Trucking data and Employee Interviews.

VI. ACCOMPLISHMENTS

One accomplishment for this reporting year was the increase of attendance in public meetings through social media, letters, the visibility of informational signs, coordination amongst other cities and hosting public meetings both in person and virtually. This facilitated community participation to a broader audience and communities. The visibility of informational signs provided information about when the public meeting was to take place. By coordinating with other cities, our notices were posted in their newsletters and websites as well as our own. Providing public meetings virtually made it accessible to ADA groups and allowed project managers to incorporate more graphics and visuals within their presentation that are easily understood by more audiences.

We also have added a language identifier form for Limited English Proficient (LEP) citizens at our front desk from the U.S. Department of Commerce, Bureau of the Census found here: <https://www.lep.gov/sites/lep/files/resources/ISpeakCards2004.pdf>.

Marion County composed it's Title VI Plan update in August 2024. Marion County last completed an update to its Title VI Implementation Plan in 2021. The new Title VI Plan update includes new signed assurances (USDOT Order 1050.2A) and the current organizational chart showing the ADA coordinator position.

VII. GOALS FOR THE UPCOMING YEAR

1. Continue to provide internal and external Title VI training opportunities for Engineering Division staff, contractors, and stakeholders.
2. All County employees are required to take annual "Harassment and Discrimination Free Workplace" training (County Policy 602).
3. Continue to increase the number of attendees at public meetings especially from historically underserved and underrepresented segments of the community.
4. Strive to contract for work with a greater number of DBE A&E firms.
5. Complete, sign and submit to ODOT OECR an updated Title VI plan by 1 October 2024.