

Title VI Plan

Nondiscrimination in Federally Assisted Programs
Relating to
Transportation Planning and Transportation Improvements



2019 Title VI Plan Endorsed and Approved by:
CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION
EXECUTIVE BOARD
On: June 19, 2019

As prepared by the
Central Yavapai Metropolitan Planning Organization
(CYMPO)

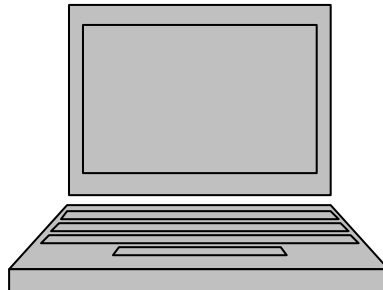
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En Español:

Para mas informacion, si esta interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asisencia con idioma, por favor comuniquese:

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Central Yavapai Metropolitan Planning Organization (CYMPO)

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I. Introduction

The Central Yavapai Metropolitan Planning Organization (CYMPO), as a condition to receiving Federal financing assistance from the Federal Transit Administration (FTA), Federal Highways Administration (FHWA), and Arizona Department of Transportation (ADOT) agrees to comply with the Title VI of the Civil Rights Act of 1964 and the 1994 Presidential directive of 1994, Executive Order 12898.

II. Policy Statement

The Central Yavapai Metropolitan Planning Organization (CYMPO), is committed to ensuring that no person is discriminated against on the grounds of race, color, national origin, or limited English proficiency as provided by Title VI of the Civil Rights Act of 1964, The Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 (ADA), Executive Order 12898 (Environmental Justice), Executive Order 13166 (Limited Proficiency), Code of Federal Regulations 49 Part 21, Code of Federal Regulations 23 part 200, and Code of Federal Regulations Part 303.

The Central Yavapai Metropolitan Planning Organization (CYMPO) strives to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. As a sub-recipient of federal funding, the Central Yavapai MPO is responsible for initiating and monitoring Title VI activities, preparing required reports, technical assistance and training. The Central Yavapai MPO's contractors/consultants must also comply with this policy.

By: _____


Christopher Bridges, Administrator
Central Yavapai Metropolitan Organization

Date: June 19, 2019

III. Environmental Justice Activity

In 1994, Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was issued. EO 12898 emphasizes the responsibility to make environmental justice a goal by identifying and addressing the effects of programs, policies and activities on minority and low-income populations. The Central Yavapai MPO accomplishes this by considering these populations in its transportation planning process to ensure equitable and safe projects within its community.

Title VI of the Civil Rights Act of 1964 requires outreach to underserved groups.

"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 subjected to discrimination under any program or activity receiving Federal Financial assistance."

A further 1994 Presidential directive dictates, **"Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."** *Executive Order 12898*

CYMPO will consider environmental justice through planning activity according to Federal legislation noted above. Furthermore, in order to involve and assist the underrepresented and underserved, the MPO will adhere to the Moving Ahead for Progress in the 21st Century Act or MAP-21, within the transportation planning process. The MPO will make every effort to hold public meetings in facilities that are Americans with Disabilities Act (ADA) compliant; and, arrange for reasonable accessibility and accommodation to persons with disabilities. Further, to provide equally effective communication, CYMPO will make due preparation, when appropriate, for persons requiring assistance, such as the hearing or visually impaired, upon request.

CYMPO will assist persons with limited English proficiency to participate in the transportation planning process. Staff will make every effort to provide Spanish interpreters and document translation, where feasible, upon request. Elderly persons or non-vehicle households who are unable to attend meetings may request information from the CYMPO office and have the requested materials delivered to their residence. CYMPO staff, coordinating availability, is willing to go speak to groups in an effort to eliminate participation barriers and involve citizens in the transportation process.

IV. Public Participation Process

The Central Yavapai Metropolitan Planning Organization recognizes the increasing importance of involving the public as they plan, organize and implement transportation projects. Engaging interested parties generally results in a more effective project overall. Taking time at the beginning to communicate with potentially affected interests, carefully explaining the proposal, and gathering input, can enhance the project and theoretically reduce the time and effort for implementation.

The goals of this public involvement are to ensure that:

- Residents are given the opportunity to participate in the transportation planning process.
- The issues and concerns of residents are given consideration in the selection of transportation investments.
- Transportation investments do not disproportionately burden any population with adverse impacts.

The Central Yavapai Metropolitan Planning Organization operates under a comprehensive Public Involvement Plan (PIP). The Plan explains the agency goals for public participation, governing structure, and composition of boards, procedures for board meetings, program areas, interagency coordination, and specific procedures for public participation in the planning process, public engagement and notification methods. The full plan is available at www.cympo.org

The CYMPO has developed a Limited English Proficiency Plan (LEP) which is incorporated as Appendix F in this document.

IV-a Commitment to Public Involvement

The Public Involvement Plan (PIP) contains background material, guidelines, and commitments that CYMPO is undertaking to incorporate an effective public process into future plans, projects, and programs. Specifically, CYMPO is committed to:

- Inclusive and meaningful public involvement
- Open and honest communications with all individuals and entities
- Timely public notice
- Full public access to information and key decisions
- Shared responsibility and ownership for regional transportation/congestion problems and a shared sense of pride in the development of solutions to those problems
- Formation of partnerships between member entities, and the private and public sectors to plan and implement transportation/congestion solutions
- Establish policies and prioritize needs based on valid data and using objective, fair and consistent processes
- Provide information and gather input so that decision makers will be able to make informed decisions.

IV-b Public Meetings

CYMPO's Executive Board meets the 3rd Wednesday of every month. Their Technical Advisory Committee meets the 1st Thursday of the month, and the Ecosystem Connectivity Mitigation Advisory Committee meets the 4th Monday of the month. The upcoming Annual Meeting Schedules are posted on the CYMPO website: www.cympo.org. Agendas for each meeting are posted at CYMPO's Administration office, 1971 East Commerce Center Circle, Suite E, Prescott, Arizona and on the CYMPO website a minimum of 48 hours in advance of each meeting. Executive Board Agendas are also posted at the Yavapai County Administration Building, 1015 Fair Street, Prescott, Arizona.

The following statement is conveyed on each Meeting Schedule as well as on each agenda, *"CYMPO endeavors to make all public meetings accessible to persons in need of foreign language assistance or with disabilities. Please call (928)442-5730 or e-mail Allison.McCarthy@yavapai.us 72 hours prior to the meeting requesting reasonable accommodations."* To date, no request has been made.

Public participation is promoted at each meeting and our agendas give opportunity to call upon the public to make comment on any unrelated agenda topic as well as during discussion on an agenda topic.

In the event of a cancellation, notice will be posted on web site a minimum of 48 hours in advance as well as email notification sent to regular meeting participants.

IV-c Notice to the Public

The following “Notice to the Public” is posted in the CYMPO Administration Office and on the CYMPO website (www.cympo.org) and included in this document as Appendix “A”.

NOTICE TO THE PUBLIC

PUBLIC NOTICE

The Central Yavapai Metropolitan Planning Organization, (CYMPO), complies with Title VI of the Civil Rights Act of 1964 and related Nondiscrimination statutes and regulations in all programs and activities. CYMPO operates without regard to race, color, or national origin. CYMPO meetings are held in accessible locations, and materials are provided in accessible formats or in languages other than English upon request with a reasonable advance notice period.

Any person who believes they have been discriminated against by CYMPO, or any of its sub-recipients or contractors, may file a written complaint with CYMPO and/or the ADOT Civil Rights Office. If the complaint is filed against CYMPO, the CYMPO Title VI Liaison is required to forward the complaint to the ADOT Civil Rights Office.

EL AVISO PUBLICO

La **Organización Metropolitana de Yavapai, (CYMPO)**, cumple con el título VI de la ley de derechos civiles de 1964 y estatutos y reglamentos relacionados en todos los programas y actividades. CYMPO funciona independientemente de raza, color, origen nacional, o aptitud con inglés. Las reuniones de CYMPO se ocurren en lugares de acceso y materiales se proporcionan en formatos accesibles o en idiomas distintos del inglés, si se reciben una petición antes de la reunión.

Cualquier persona que cree que han sido discriminados por CYMPO, o cualquiera de sus subreceptores o contratistas, puede presentar una queja por escrito a CYMPO o la oficina de derechos civiles de ADOT. Si la queja es contra CYMPO, el enlace de CYMPO para TÍTULO VI enviara la queja a la oficina de derechos civiles de ADOT.

CONTACT INFORMATION:

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Website: www.cympo.org

V. Assurances and Certifications

Central Yavapai Metropolitan Planning Organization Title VI Assurances

The **Central Yavapai Metropolitan Planning Organization** (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 *Federal Highway Administration and Arizona 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);
- 23 C.F.R. Part 200 Subchapter C-Civil Rights (Title VI program implementation and related statutes)

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 assurances 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 Federal Highway Administration.

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 *Federal Aid Highway Program*.

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 "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 *Federal Aid Highway Program* and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The **Central Yavapai Metropolitan Planning Organization**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252.42 U.S.C. §§ 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 a 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

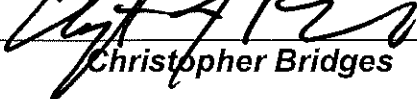
assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- 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 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, **Central Yavapai Metropolitan Planning Organization** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing *Federal Highway Administration or Arizona 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 *Federal Highway Administration or Arizona Department of Transportation*. You must keep records, reports, and submit the material for review upon request to *Federal Highway Administration, Arizona Department of Transportation*, or its designee in 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.

Central Yavapai Metropolitan Planning Organization 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 *Federal Highway Administration and Arizona Department of Transportation*. This ASSURANCE is binding on Arizona, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the *Federal Aid Highway Program* the person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Central Yavapai Metropolitan Planning
Organization
Administrator

by  _____
Christopher Bridges

DATED June 19, 2019 _____

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, *Federal Highway Administration or the Arizona 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 performance 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 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, the *Federal Highway Administration or Arizona 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, the *Federal Highway Administration, or Arizona 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 *Federal Highway Administration or Arizona 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 request to any subcontract or procurement as the Recipient, the *Federal Highway Administration, or Arizona 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.

A

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 **Central Yavapai Metropolitan Planning Organization** 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 *Federal Aid for Highways*, and the policies and procedures prescribed by the *Arizona Department of Transportation*, *Federal Highway Administration* and 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 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **Central Yavapai Metropolitan Planning Organization** 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 **Central Yavapai Metropolitan Planning Organization** 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 **Central Yavapai Metropolitan Planning Organization**, its successors and assigns.

The **Central Yavapai Metropolitan Planning Organization**, 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 **Central Yavapai Metropolitan Planning Organization** 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.

B

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 **Central Yavapai Metropolitan Planning Organization** 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, **Central Yavapai Metropolitan Planning Organization** 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 licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, **Central Yavapai Metropolitan Planning Organization** 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 **Central Yavapai Metropolitan Planning Organization** 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.

C

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 **Central Yavapai Metropolitan Planning Organization** 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, **Central Yavapai Metropolitan Planning Organization** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-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, **Central Yavapai Metropolitan Planning Organization** will there upon revert to and vest in and become the absolute property of **Central Yavapai Metropolitan Planning Organization** 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.

D

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 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. 1687 *et seq.*).

V-b Federal Transit Administration Assurances

The ***Central Yavapai Metropolitan Planning Organization (CYMPO)*** HEREBY CERTIFIES THAT, AS A CONDITION OF RECEIVING Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The Central Yavapai Metropolitan Planning Organization will compile, maintain and submit in a timely manner Title VI information required by FTA Circular 47021B in compliance with the Department of Transportation's Title VI regulation, 46 CFR Part 21.9(b).
3. The Central Yavapai Metropolitan Planning Organization will make it known to the public that those person or persons alleging discrimination on the basis of race, color or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transportation Administration and/or the U. S. Department of Transportation.

V-c Certification

Central Yavapai Metropolitan Planning Organization (CYMPO) 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 Federal Highway Administration and Arizona Department of Transportation. This ASSURANCE is binding on Arizona, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Aid Highway Program the person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

BY: 
Christopher Bridges, Administrator

DATED: June 19, 2019

VI. CYMPO Organizational & Program Administration

a. General Organization

CYMPO was established in 2003 with responsibility for transportation planning within the regional area generally encompassing the City of Prescott, the towns of Prescott Valley, Chino Valley and Dewey-Humboldt, Central Yavapai County and the state highway system within its boundaries. Federal regulations require that an MPO be designated to carry out a comprehensive, continuing, and coordinated transportation planning process for urbanized areas with a population of 50,000 or more. Yavapai County is the fiscal and administrative agent for CYMPO. The region covered by CYMPO is over 400 square miles and is shown on the preceding map.

b. CYMPO Title VI Coordination and Administration

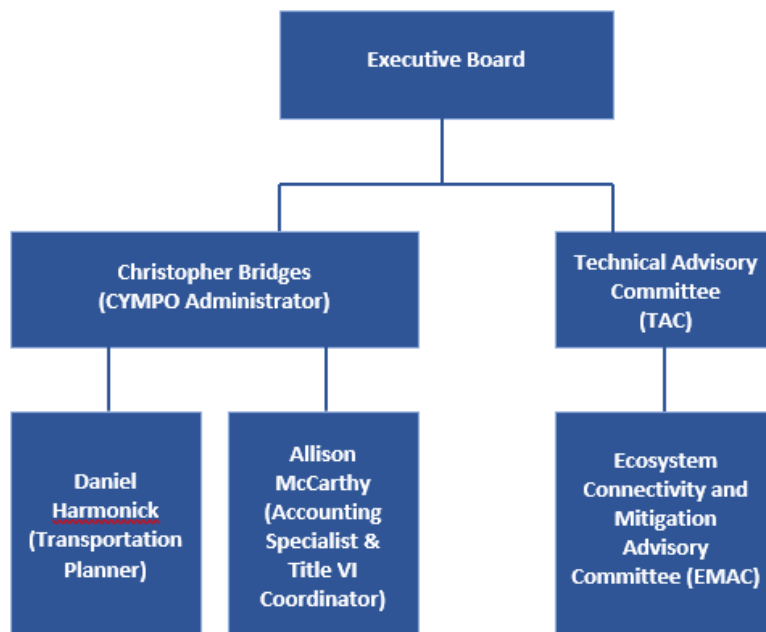
Compliance is ongoing and falls under duties for the Title VI Coordinator, Allison McCarthy and MPO Administrator, Christopher Bridges which includes, but is not limited to activity such as reporting, data collection, training and conduction program area and sub-recipient reviews. Title VI training will be provided to CYMPO staff throughout each year through coordination with ADOT, and Title VI training will be included as an item on CYMPO's Board and Committee agendas once per year.

Additionally, as the Title VI Coordinator, Ms. McCarthy is also responsible for developing the Title VI Plan and related reports and overseeing the implementation of the Plan. The CYMPO Executive Board will approve the completed Title VI Plan annually (see attachment D for Executive Board approved meeting minutes).

Ms. McCarthy may be contacted via telephone at 928-442-5730, e-mail at Allison.mccarthy@yavapai.us or in person at 1971 Commerce Center Circle, Suite E, Prescott, Arizona (an appointment is suggested).

Strategies to include disadvantaged populations (including individuals with Limited English Proficiency) in the transportation planning and grant awards processes are outlined in the CYMPO Public Involvement Plan which is included as Appendix "B" of this document.

Central Yavapai Metropolitan Planning Organization Organizational Chart



c. CYMPO Executive Board

The member agencies of the Central Yavapai Metropolitan Planning Organization are represented on the Executive Board by elected officials. Per the CYMPO bylaws and Intergovernmental Agreement (IGA), Executive Board members must be a duly elected official of the Participating Agency or is the Governor-appointed District 6 member, or their designee, or the Arizona State Transportation Board. The Executive Board consists of elected or appointed officials from the City of Prescott, the Towns of Prescott Valley, Chino Valley and Dewey-Humboldt, Yavapai County and one member from ADOT State Transportation Board (appointed by the Governor of the State of Arizona).

It is the function of the Executive Board to act as a policy body coordinating transportation planning and related implementation activities within the metropolitan area. The Board must approve all agreements and contracts and the Chairman must sign all appropriate documents related to contracts and agreements.

CYMPO Executive Board Representation

1. City of Prescott
2. Town of Prescott Valley
3. Town of Chino Valley
4. Town of Dewey-Humboldt
5. Yavapai County
6. Arizona State Transportation Board

d. CYMPO Technical Advisory Committee

The Technical Advisory Committee (TAC) is an advisory committee to the Executive Board. Per the CYMPO bylaws and Intergovernmental Agreement (IGA), the eight-member committee is comprised of appointed Public Works Directors (or other support staff) from the five member agencies, as well as appointed representatives from the Arizona Department of Transportation's Northwest District Engineering Office and Transportation Multi-modal Planning Division, and the U.S.D.A. Forest Service. The committee has the authority and primary responsibility to conduct technical reviews and analysis regarding all work activities of the Work Program and to advise the Executive Board on appropriate actions to be taken.

CYMPO Technical Advisory Committee Representation

1. City of Prescott
2. Town of Prescott Valley
3. Town of Chino Valley
4. Town of Dewey-Humboldt
5. Yavapai County
6. Arizona Department of Transportation – Northwest District
7. Arizona Department of Transportation - MPD
8. U.S. Forest Service

e. CYMPO Ecosystem Connectivity and Mitigation Advisory Committee

The mission of the Ecosystem Connectivity and Mitigation Advisory Committee (EMAC) is to study and advocate for the preservation of interconnected ecosystems in the CYMPO Region that will integrate land use and mitigation for natural resource protection, and wildlife habitats into the regional transportation planning and design program. The EMAC reports to the TAC on a monthly basis and provides regular reports quarterly, biannually or as needed to the Executive Board.

The EMAC is composed of seven voting members; four of which are appointed members from ADOT NW District Environmental, AZ Game & Fish, Yavapai County Land Use Planning Staff, Prescott National Forest, and three are private citizens who reside within the CYMPO planning boundary. CYMPO encourages minorities to apply for the private citizens positions when they are available. During the establishment of the EMAC, CYMPO directly reached out to the Yavapai Prescott Indian Tribe to invite the Tribe to submit a nomination form for one of the vacant positions.

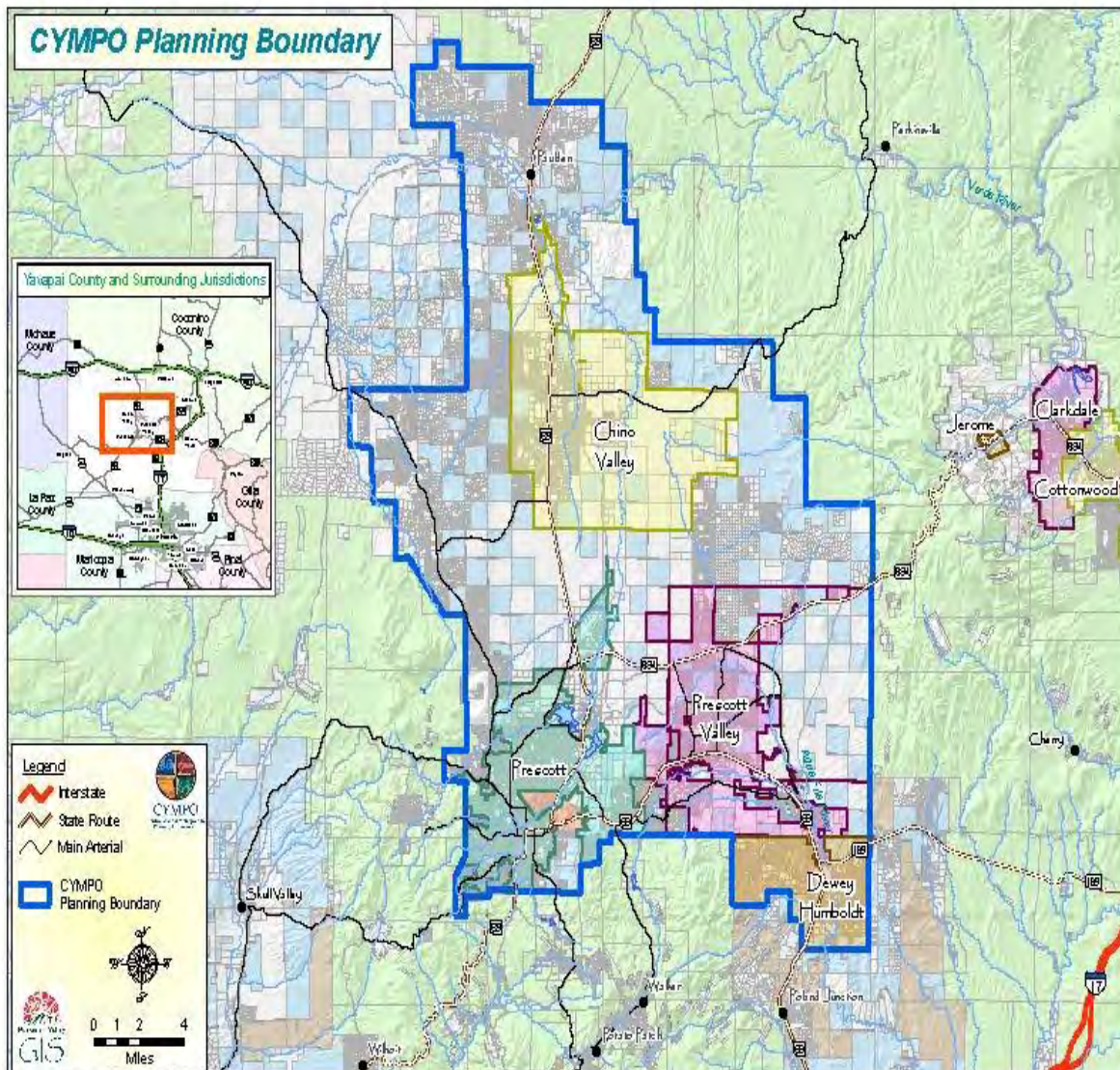
Ecosystem Connectivity and Mitigation Advisory Committee

1. ADOT NW District Environmental
2. AZ Game & Fish
3. Yavapai County Land Use Planning Staff
4. Prescott National Forest
5. Private Citizen
6. Private Citizen
7. Private Citizen

f. CYMPO Committee Characteristics

CYMPO COMMITTEES	RACE/Ethnicity	GENDER	
		Female	Male
Executive Board	6 Caucasian	2	4
Technical Advisory Committee	8 Caucasian	1	7
Ecosystem Connectivity Mitigation Advisory Committee	7 Caucasian	5	2

CYMPO Planning Boundary



VII. Population and Demographic Profile of the Central Yavapai Metropolitan Planning Region

Population and Households			Census Tracts ^g			
Category	MPO		Number of tracts >= MPO Percentage ^d	% Tracts	Affected ^e Population	% of Affected Population Captured in Census Tracts
	Total	Percent				
Population Base (Defined Census geography)	88,259	100.0%	17	100%	-----	-----
Minority ^a	15,788	17.9%	7	41.2%	9,963	63.1%
Age 60+ ^a	28,049	31.8%	10	58.8%	19,273	68.7%
Age 65+ ^a	21,048	23.8%	10	58.8%	14,517	69.0%
Age 75+ ^a	9,726	11.0%	10	58.8%	6,723	69.1%
Below Poverty Level ^b	14,476	16.2%	6	35.3%	7,927	54.8%
Population with a disability ^c	17,234	19.0%	9	52.9%	9,929	57.6%
Limited English Proficient (LEP) Persons ^f	2,681	3.1%	4	23.5%	1,468	54.8%

Sources: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-Year estimates and 2010 Decennial Census

ACS data are based on a sample and are subject to sampling variability

^a Minority includes total population less White (Non Hispanic). Data for minority and population groups by age are from 2010 Census data.

^b Percent of the population for whom poverty status is determined does not include institutionalized persons or persons under 5 years of age. Total population in the Census defined MPO area for whom poverty status is determined is 89,355. Data from 2014 ACS 5-Year estimates (Table B17001)

^c Disability status from the 2014 ACS 5-year estimates. All percentages are based on Census Tracts that match as close as possible to the MPO area, see note 'g'. Disability status is determined for the civilian noninstitutionalized population based on six types of difficulty: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty. (Table B18101)

^d For Limited English Proficient (LEP) persons, the Federal guidance (Federal Transit Administration Circular 4702.1B) notes that DOT has adopted the DOJ's Safe Harbor Provision. This Provision stipulates that the targeted minimum number of recipients regarding the translation of written materials for LEP populations is five percent or 1,000 persons, whichever is less, of the total population of persons eligible to be served. Thus for determining the number of affected Census Tracts and affected population, 5% is used as the guideline rather than the MPO percentage.

^e Affected population is the total of people that fall into the specified category for all Census tracts that have greater than or equal to the percentage for the MPO area (as defined by the Census geography, see note *h*) or as designated for LEP populations (see note *e*).

^f The guidance for Limited English Proficiency (LEP) for DOT recipients refers to persons age 5 years and over who speak english less than "very well." See http://www.lep.gov/guidance/guidance_Fed_Guidance.html Data from 2014 ACS 5-Year estimates (Table B16005). 2014 estimate of total persons age 5 years and over for the defined Census geography is 86,678.

^g The Census Tracts used in this analysis include the best match using full Census Tracts where the majority of the population or the tract centroid is within the MPO boundary. The base numbers for all values in this table are for this Census-based defined area.

Demographic Data obtained from the above referenced sources is analyzed and used to ensure minority, disabled and low income populations are considered and encouraged to participate in the transportation planning process.

See Attachment E for demographic maps which show the impacts of the distribution of the State and Federal funds for public transportation in the CYMPO boundary.

VIII. Data Collection/Reporting/Analysis

CYMPO collects and analyzes Title VI data (race, sex) on an ongoing basis. It collects and records the data submitted via the Self-Identification Surveys that are provided at its public meetings. It utilizes the ADOT UTRACS program to establish Disadvantaged Business Enterprise (DBE) involvement goals when advertising for planning projects and includes this information in its contracts. The results of the annual review of the selected program area can be found in the current fiscal year's Goals and Accomplishments.

IX. Limited English Proficiency (LEP)

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language. Arizona's diverse population makes it critically important the Central Yavapai MPO be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

As a recipient of federal funding, CYMPO has taken reasonable steps to ensure that all member of the community, regardless of their proficiency to understand English, have the opportunity for meaningful access to CYMPO's planning process. The U.S. Department of Transportation has provided guidance to conduct a four factor analysis to determine what language assistance is appropriate.

CYMPO has analyzed the four factors identified below:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee. There are 88,259 people in the CYMPO Planning Region. The limited English proficiency population is 3.1% or 2,681 of the total population with Spanish being the predominate language. This data was obtained from the US Census Bureau and is outlined the table below.
2. The frequency with which LEP individuals come in contact with the program. Transportation planning and air and water quality touch the lives of all persons in the CYMPO member area. CYMPO believes every effort should be made to provide those who speak English "less than well" the opportunity to participate in the planning process. Public Meeting notices provide information on obtaining interpreter services.
3. The importance of the service provided by the program to people's lives. CYMPO activities related to identifying and planning future funding for future projects which will then be implemented by its member agencies. These activities are vital and affect all persons living in communities under the jurisdiction of CYMPO.
4. The resources available and the overall cost to the MPO. CYMPO has limited staff and financial resources and has determined that the translation of large plan documents and maps are not warranted at this time. However, CYMPO does provide translation services upon request with advance notice.

Laws and Policy

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency* is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

The following matrix illustrates legal and policy considerations:

<u>Title VI of the Civil Rights Act of 1964</u>	<u>Limited English Proficiency Executive Order 13166</u>
Federal law	Federal policy
Enacted July 2, 1964	Signed August 11, 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight	Contains monitoring and oversight
Compliance review requirements	Requirements
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage thresholds

Program Responsibility

Executive Order (EO) 13166 directs recipients of Federal financial assistance to take reasonable steps to provide limited English proficient individuals with meaningful access to their programs, activities and services.

- *Notify LEP customers of the availability of language assistance services*
LEP persons have the right to language assistance at no cost to them in their spoken language. Language identification cards or posting signs in public areas are methods that can be used to provide notice of the service.
- *Translation of vital documents in languages other than English*
It is appropriate to have written materials that have been historically provided in English to applicants, customers and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served

and/or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. CYMPO will indicate on its web site and newspaper publications that translation can be provided, with 10-days' notice prior to when the services are needed.

Vital Documents are documents that convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in the program or activity. Examples of vital documents include, but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance and outreach and community education materials. It is recommended that divisions/programs develop criteria for deciding which documents are vital thereby subject to translation.

Translating documents for LEP to a fourth (4th) grade literacy level ensures the targeted audience understands the information. Community based organizations or focus groups can assist with testing translations for language and literacy level appropriateness.

The Department of Transportation Policy Guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based upon a local assessment. Due to current financial constraints, translation of large plan documents and maps are considered not warranted at this time. The CYMPO will provide translation services, if requested, with 10-days' notice prior to when the services are needed.

CYMPO Persons with Limited English Proficiency (LEP)^a	Estimate	Percent of Persons 5yrs and over	Percent of persons 5 yrs. and over with LEP
Total Persons 5 years and over	86,678	100.0%	--
English Speaking Only	77,979	90.0%	--
Limited English Proficiency ^a	2,681	3.1%	100.0%
Spanish with LEP	2,112	2.4%	78.8%
Other Indo-European languages with LEP	269	0.3%	10.0%
Asian and Pacific Island languages with LEP	169	0.2%	6.3%
Other languages with LEP	131	0.2%	4.9%

Source: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-Year estimates
ACS data are based on a sample and are subject to sampling variability

^a Limited English Proficient (LEP) refers to person or persons age 5 years and over for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the Census that they speak English less than very well, not well, or not at all.

X. Program Areas

Transportation

- Regional Transportation Plan (RTP)
- Transportation Improvement Program (TIP)
- Public Involvement Plan (PIP)
- Coordinated Public Transit-Human Services Transportation Plan, also known as the Regional Mobility Management Implementation Plan (RMMIP)
- Unified Planning Work Program (UPWP)

All persons living, working, conducting business and visiting the region are beneficiaries of the planning, coordination, and construction activities of the MPO. CYMPO does not construct projects; albeit, this activity is accorded to member agencies. The safe movement of goods and people is supported by providing and maintaining a transportation network and facilities.

The Title VI Coordinator will provide review of a minimum of one transportation-related program area annually to help ensure Title VI compliance in CYMPO's programs and activities. Additionally, the Title VI Coordinator reviews transportation-related contracts and

other agreements to ensure the most current language and assurances are included. A log is maintained to record internal reviews on an ongoing basis.

Internal Title VI Review of Contracts				
	Description/Name	Date Mo./Day/Year	Status	Notes
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

XI. Lawsuits Alleging Discrimination

No lawsuits or complaints have ever been filed regarding CYMPO since its inception in 2003.

Title VI Complaint Log Attached:

Title VI Complaints, Investigations and Lawsuits					
	Description/Name	Date Month, Day & Year	Summary (Basis of Complaint)*	Status	Actions / Final Findings
Complaints					
	1)				
	2)				
	3)				
Investigations					
	1)				
	2)				
	3)				
Lawsuits					
	1)				
	2)				
	3)				

Include basis of complaint.

Report to be Submitted Annually to ADOT Title VI Department

XII. Program Compliance and Enforcement

A. Compliance

CYMPO operates under the Yavapai County Equal Opportunity, Unlawful Discrimination and Harassment Policy which states, "Equal Employment Opportunity has been, and will continue to be, a fundamental principle at Yavapai County, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, or other protected characteristic as established by law".

CYMPO is committed to Title VI and other nondiscrimination authorities and will make every effort to identify and address discrimination in its programs and activities, if found to exist. Examples of such efforts are providing additional training to CYMPO staff and/or scheduling a meeting to address discrimination with the employee's supervisor.

Compliance is ongoing and falls under the direction of the Title VI Coordinator.

B. Sub-recipient Review Procedures

CYMPO sub-recipient review procedures include review of sub-recipient contracts, data collection and analysis efforts and staff interviews to help ensure compliance with Title VI and subsequent authorities. CYMPO does not have any sub recipients at this time.

XIII. FTA Complaint Procedures

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any Federal Transit Administration funded program or activity administered by Central Yavapai Metropolitan Planning Organization (CYMPO), its sub-recipients, consultants and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

A. Required Procedures for FTA Title VI/ADA Non-discrimination Complaints filed against CYMPO:

1. For FTA funded programs or activities; the complainant may file a discrimination related complaint directly with CYMPO or with ADOT or with the Federal Transit Administration by contacting the agencies at:

Allison McCarthy, Accounting Specialist I
Central Yavapai Metropolitan Planning Organization
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
928-442-5730
928-442-5736 (FAX)
Email: Christopher.Bridges@yavapai.us

And or:

ADOT Civil Rights Office 206 S. 17 th Ave., Mail Drop 155-A Phoenix, AZ 85007 602-712-8946 602-239-6257 (FAX) Email: Civilrightsoffice@azdot.gov	FTA Office of Civil Rights 1200 New Jersey Avenue SE Washington, DC 20590
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B. Required Procedures for FTA Title VI/ADA Non-discrimination Complaints filed against CYMPO's sub-recipient, contractor or consultant:

1. Any person, specific class of persons or entity that believes they have been subjected to discrimination on an FTA related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color, or national origin, can file a formal complaint with CYMPO. A copy of the Complaint Form may be accessed electronically at: https://www.cympo.org/wp-content/uploads/2019/05/Title-VI-Complaint-Form_2019.pdf
2. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.

3. Complaints should be in writing and signed; they may be filed by mail, fax, in person, or e-mail. However, the complainant may call CYMPO to provide the allegations by telephone (928-442-5730). CYMPO will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for acknowledgement and signature.
4. A complaint should contain at least the following information:
 - A written explanation of what has happened
 - A way to contact the complainant
 - The basis of the complaint (e.g., race, color, national origin)
 - The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated
 - Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives FTA financial assistance; a consultant, contractor or sub-recipient of CYMPO and
 - The date(s) of the alleged discriminatory act(s)
5. Upon receipt of a completed complaint, CYMPO will determine jurisdiction, acceptability or need for additional information. Once the determination has been made to accept the complaint for investigation, ADOT CRO will be notified within 72 hours. Title VI complaints against CYMPO's sub-recipient, contractors or consultants in FTA funded programs will be investigated by CYMPO.
6. CYMPO will maintain a confidential log of all accepted Title VI Complaints for four (4) years; the log will include:
 - Name of complainant(s)
 - Date the complaint was received
 - Date of the allegation
 - Description of the alleged discrimination
 - Other relevant information, as needed
 - Report date
 - Recommendations
 - Outcome/Disposition
7. Timeframes for Investigating Title VI complaints received directly by CYMPO must be completed within 60 days of receipt.
8. CYMPO will forward a copy of FTA Title VI complaints and preliminary findings reports to ADOT CRO within 60 days. Once ADOT CRO issues concurrence on preliminary report, CYMPO will notify all parties involved.

XIV. FHWA Complaint Procedures

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any Federal Highway Administration funded program or activity administered by Central Yavapai Metropolitan Planning Organization (CYMPO), its sub-recipients, consultants and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

A. Required procedures for FHWA Title VI Complaints filed against CYMPO, CYMPO's sub-recipients, contractors or consultants:

1. Any person, specific class of persons or entity that believes they have been subjected to discrimination on an FHWA-related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, can file a formal complaint with CYMPO. A copy of the Complaint Form may be accessed electronically at: <https://www.cympo.org/wp-content/uploads/2018/12/Title-VI-Complaint-Form-Update-revised-11152018.pdf>
2. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.
3. Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. However, the complainant may call CYMPO and provide the allegations by telephone for transcription. Once transcribed, CYMPO will send the written complaint to the complainant for correction and signature.
4. A complaint should contain at least the following information:
 - A written explanation of what has happened
 - A way to contact the complainant
 - The basis of the complaint (e.g., race, color, national origin)
 - The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated
 - Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal Highway Administration financial assistance; and is a consultant, contractor or sub-recipient of CYMPO
 - The date(s) of the alleged discriminatory act(s)
5. Upon receipt of a completed complaint, CYMPO will forward all FHWA Title VI complaints to Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) within 72 hours.
6. ADOT CRO will forward all FHWA Title VI complaints to the FHWA Division Office.

7. All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Office of Civil Rights for processing and potential investigation.
8. If the FHWA Office of Civil Rights determines a Title VI complaint against a sub-recipient can be investigated by ADOT CRO, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to ADOT CRO. ADOT CRO will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.
9. The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the FHWA Division Office.
10. The complainant may also file a discrimination related complaint on an FHWA program or activity directly with ADOT or with the Federal Highway Administration by contacting the agencies at:

ADOT Civil Rights Office 206 S. 17th Avenue, Mail Drop 155A Phoenix, AZ 85007 Email: civilrightsoffice@azdot.gov 602.712.8946 602.239.6257 FAX	Federal Highway Administration U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Avenue, SE 8th Floor E81-105 Washington, DC 20590 Email: CivilRights.FHWA@dot.gov 202-366-0693 202-366-1599 FAX
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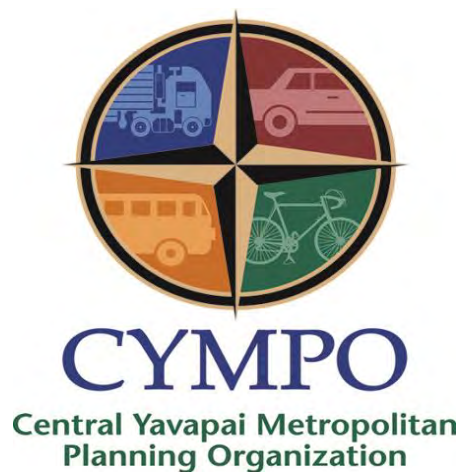
Attachment A

“Limited English Proficiency (LEP) Plan”

(Document Attached)

Title VI - Attachment A

Limited English Proficiency (LEP) Plan



**Endorsed and Approved on, June 19, 2019, by the
CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION
EXECUTIVE BOARD**

As prepared by the
Central Yavapai Metropolitan Planning Organization
(CYMPO)

Contact:

Christopher Bridges, CYMPO Administrator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
Phone: 928-442-5730
Fax: 928-442-5736
Email: Christopher.Bridges@yavapai.us
www.cympo.org

En Española:

Para mas informacion, a esta interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asisencia con idioma, por favor comuniquese:

Señor Christopher Bridges, Administrador
Teléfono: 928/442-5730
Christopher.Bridges@yavapai.us

Introduction

The Central Yavapai Metropolitan Planning Organization (CYMPO) is responsible for transportation planning within the regional area of over 400 square miles. Encompassing this area are the City of Prescott, the towns of Prescott Valley, Chino Valley and Dewey-Humboldt, as well as unincorporated portions of Yavapai County within CYMPO's boundary.

CYMPO's LEP/Language Access Plan complies with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 which prohibit recipients of Federal financial assistance from discrimination based on national origin.

What is Limited English Proficiency?

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language. Limited English Proficient (LEP) individuals are those whose primary language spoken at home is other than English and have a limited ability to read, write, speak or understand English.

Arizona's diverse population makes it critically important that CYMPO be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

Laws and Policy

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency* implements the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection provides LEP persons an equal opportunity to benefit from or have access to services normally provided in English.

Authorities

The following matrix illustrates legal and policy considerations that require CYMPO to provide LEP persons with meaningful access to programs, activities, and services.

Title VI of the Civil Rights Act of 1964	Limited English Proficiency Executive Order 13166
Federal law	Federal policy
Enacted July 2, 1964	Signed August 11, 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight compliance review requirements	Contains monitoring and oversight requirements
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage thresholds
Provides protection on the basis of race, color, and national origin; focuses on eliminating discrimination in federally funded programs	Provides protection on the basis of national origin; focuses on providing LEP persons' federally-funded programs with meaningful access to services using factor criteria
Annual Accomplishments and Upcoming Goals Report to FHWA	Annual Accomplishment and Upcoming Goals Report to FHWA
Provides protection on the basis of age, sex, and disability	Provides protection on the basis of age, sex, and disability

Program Responsibility

EO 13166 directs recipients of Federal financial assistance to take reasonable steps to provide LEP individuals with meaningful access to their programs, activities and services.

1. Notify LEP customers of the availability of language assistance services

LEP persons have the right to language assistance at no cost to them in their spoken language. Language self-identification forms or posting meeting notifications in public areas are methods used to provide notice of the service.

2. Translation of vital documents in languages other than English

It is appropriate to have written materials translated into languages regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible for service have limited English proficiency. Written materials include electronic documents and web sites. CYMPO provides notification on its web site and newspaper publications of translation availability.

Vital documents convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in the program or activity. Examples of vital documents include, but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the

availability of language assistance and outreach and community education materials.

Translating documents for LEP to a fourth (4th) grade literacy level ensures the targeted audience understands the information. Community based organizations or focus groups can assist with testing translations for language and literacy level appropriateness.

The Department of Transportation Policy Guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based upon a local assessment. Current financial constraints prohibit the translation of large plans, documents and maps at this time. CYMPO will provide translation services, if requested within reasonable notice of when the services are needed.

Four Factor Analysis

1) LEP Persons Served or Encountered in Service Area

According to the 2010 Census, 3.1% of the CYMPO population are Limited English Proficient.

2) Frequency of Encounters with LEP Individuals

No requests for translation services have occurred since CYMPO's inception in 2003.

3) Level of Importance to LEP Persons of CYMPO Program Areas

All persons living, working, conducting business and visiting the region are beneficiaries of the planning, coordination, and construction activities of CYMPO. Therefore, CYMPO considers the participation of LEP persons in its program areas highly important.

4) Resources Available to LEP Persons

CYMPO will provide translation services, if requested with advance notice.

CONCLUSION

CYMPO understands that language needs will change as the Yavapai County population changes. Further, CYMPO will comply with the requirement to assess its programs and services each year to determine compliance with various nondiscrimination regulations. For questions or concerns regarding CYMPO's commitment to nondiscrimination, or to request additional information about LEP services, contact Christopher Bridges, CYMPO Administrator, at Christopher.Bridges@yavapai.us or 928-442-5730.

Attachment B

“Public Involvement Plan (PIP)”

(Document Attached)

Title VI - Attachment B



Central Yavapai Metropolitan Planning Organization

1971 Commerce Center Circle, Suite E
Prescott, AZ 86301

Public Involvement Plan

A PUBLIC PROACTIVE INVOLVEMENT PROCESS FOR THE DEVELOPMENT OF

**Metropolitan Transportation Improvement Program (MTIP)
Regional Transportation Plan (RTP)
Coordinated Public Transit – Human Services Transportation
Plan
Transit Implementation Plan Update (TrIP)
Unified Planning Work Program (UPWP)**

**Revision Adopted on June 19, 2019 by the Central Yavapai Metropolitan Planning
Organization Executive Board**

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I. INTRODUCTION

Central Yavapai Metropolitan Planning Organization (CYMPO) is the Federal and State designated Regional Transportation Planning Organization for the urbanizing portions of central Yavapai County. It was created in 2003 in response to a Federal mandate that requires an urbanized area with a Census-designated population of 50,000 or more residents to form such an organization in order to be eligible for Federal transportation funds. The urbanized area meeting this population level includes parts of the City of Prescott, the Town of Prescott Valley, and unincorporated Yavapai County.

CYMPO is comprised of six member governments (Yavapai County, City of Prescott, Town of Prescott Valley, Town of Chino Valley, Town of Dewey-Humboldt, and the State of Arizona Transportation Board). The planning boundary (see Figure 1.) covers 400 square miles and includes approximately 140,000 central Yavapai County residents.

CYMPO's objective is to provide the long-range transportation planning needed for enhancing the region's transportation system. CYMPO engages in cooperative decision-making through working relationships and financial partnerships among the member governments, the Arizona Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration.

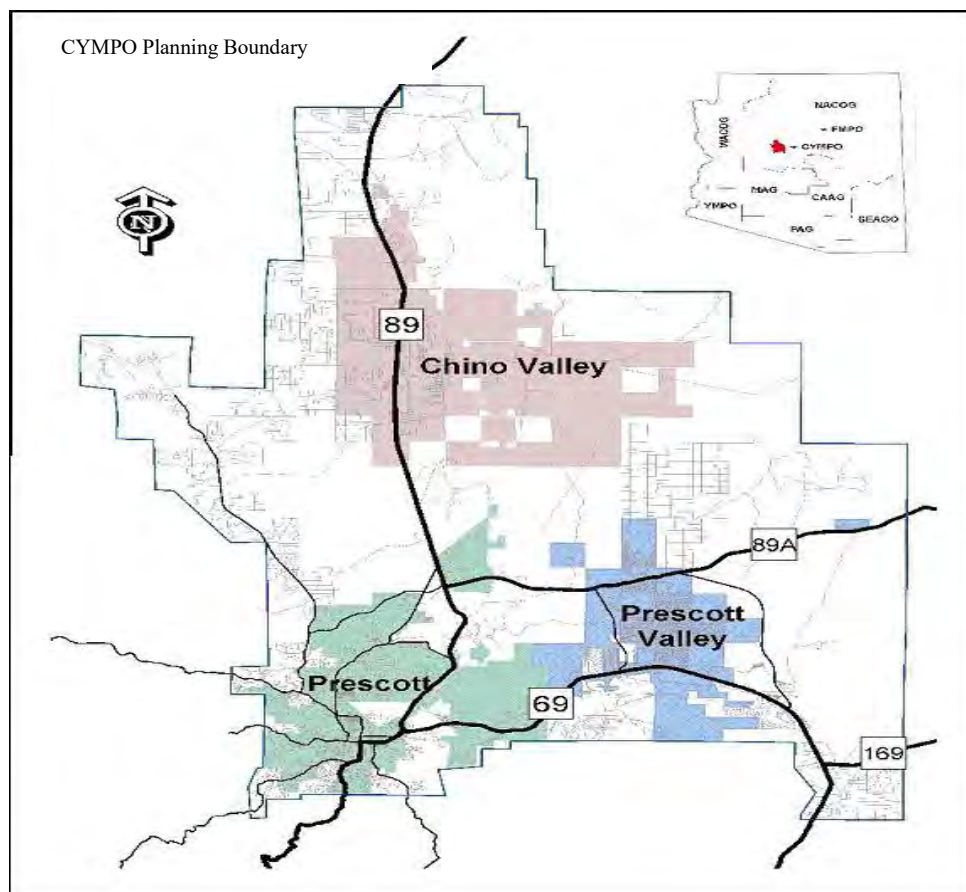


Figure 1.

II. PURPOSE

Governmental agencies recognize the importance of involving the public as they plan, organize and implement transportation plans and programs. The purpose of a public participation plan is to ensure a proactive public involvement procedure that allows the public to be involved in all phases of the planning process by providing complete information, timely public notice, opportunities for making comments, full access to key decisions, and early and continuing involvement in developing transportation plans and programs.

Within these programs, the following components are defined for establishing the proper participation protocols:

Metropolitan Transportation Improvement Program (MTIP): Under federal guidelines, the MTIP is a sequential, five-year program with the first five years financially constrained. It programs the most immediate implementation priorities for transportation projects as outlined in the Regional Transportation Plan. It is the region's way of allocating its limited transportation resources among the various capital and operating needs of the area.

Regional Transportation Plan (RTP): This Regional Transportation Plan update will be prepared for the 25-year planning horizon validating and/or updating the existing 2040 plan as previously adopted for the metropolitan planning area of the Central Yavapai Metropolitan Planning Organization (CYMPO). This long-range plan developed under Federal Transportation Planning Guidelines provides for the continual development of a complete, dependable, efficient, safe and economical regional transportation system.

Coordinated Public Transit – Human Services Transportation Plan: This plan establishes goals, criteria and strategies for delivering efficient, coordinated services to elderly, underemployed or otherwise financially disadvantaged persons and persons with disabilities.

Transit Implementation Plan (TrIP):

The intent of this plan is to provide an evaluation and implementation for a regional transit system. The Plan will evaluate previous studies, existing services, coordinate with Yavapai College on a scientific survey, identify routes, levels of service, associated costs, governance structure, sustainable funding source(s), direct recipient status for federal funds, and development of a draft request for proposals document for a regional transit system. The final document will identify an innovative approach to deliver a regional transit system utilizing Federal Transit Administration (FTA) Section 5307 funding and local matching funds.

Unified Planning Work Program (UPWP): The UPWP documents the transportation studies and tasks performed by CYMPO or a member agency along with the corresponding budget in each fiscal year.

The goals of this public involvement are to ensure that:

- Residents are given the opportunity to participate in the transportation planning process
- The issues and concerns of residents are given consideration in the selection of transportation investments
- Transportation investments do not disproportionately burden any population with adverse impacts

III. PUBLIC PARTICIPATION

To participate is to express oneself at the proper time and in the proper forum. Public participation means participation in planning by people (public) outside the Central Yavapai Metropolitan Planning Organization (CYMPO) and its member entities, by planning and engineering professionals, and by those who are not professional planners or government officials. It is a process of taking part in the transportation planning and decision-making that affect the community.

Public participation implies an open process. This means that anyone who is potentially affected, or interested in the process, is welcome to participate. Some of the reasons for encouraging this openness are:

- Project leaders may gain new information.
- Participants, who want a project to be completed, can provide additional resources in the form of assistance, goods, or services.
- Public participation can be a forum for dispute resolution.
- Progress can be made and implementation occur because the project itself will be better designed with public input.
- The community better understands what the project is.
- Input can be a warning mechanism for potential problems.
- Participant comments help the project leaders understand areas where additional people may have concerns or misunderstandings. This can be used to provide better information to others who are not participating.

IV. PUBLIC INVOLVEMENT PROCESS

To have a proactive public involvement process, CYMPO will provide time for public comment at each public meeting. The procedures will inform the public about how, when and where they may participate.

The public involvement plan contains the following elements:

- Involvement Opportunities – Provide the opportunity for the public to be involved in all phases of the planning process.
- Communication – Establish mechanisms for maintaining communications between the public and local officials such as process like website notifications and displays; make efforts to reach out to environmental justice populations.
- Information – Assure that technical information is available and in simplified, understandable form.
- Response to Public Input – A description of the methods used to respond to comments from the public.
- Advisory Committees – The use of committees and the means of providing a cross-section of affected citizens on the advisory committees.

V. PUBLIC NOTIFICATION METHODS

Official notification of meetings, hearings or other significant events will be provided in the following manner:

- Posting of an agenda with explanation of the content, along with the date, time and the place of the meeting occurs 48 hours prior to a meeting on the website.
- Email notification is provided to public participants who have submitted their contact information to CYMPO staff in advance.

CYMPO will also utilize the following techniques to disseminate information:

- Meetings and events will be placed on the CYMPO website: www.cympo.org
- Interviews on radio, government cable, and television
- Articles and press releases for the newspaper
- Use of advisory committees for community involvement
- Informal presentations at regional sites, open houses, or other community forums
- Formal presentations to various service clubs, civic and professional groups
- E-mailings to select individuals, groups of interests that have expressed concern or made comments at meetings
- Social media
- The use of any other creative methods to promote Public Participation will be considered, but not limited to any specific type of participation

	√ Planned	* Encouraged			
NOTIFICATION AND PARTICIPATION TECHNIQUES	MTIP	RTP	Coordination Plan	UPWP	TrIP
Printed Notification	*	*	*	*	*
Newspaper Advertisements	*	*	*	*	*
CYMPO Website	√	√	√	√	√
Articles	*	*	*	*	*
Press Release	*	*	*	*	*
TV/Radio	*	*	*	*	*

Public Service Announcements	*	*	*	*	*
Interviews	*	*	*	*	*
Public Cable Channels	*	*	*	*	*
Community Forums	*	*	*	*	*
Public Information Meetings	✓	✓	✓	✓	✓
Public Hearings	✓	✓	✓	✓	✓
Group Presentations	*	*	*	*	*
Advisory Committee	✓	✓	✓	✓	✓
Virtual Engagement	*	✓	*	*	*

ACCESS TO INFORMATION

CYMPO will provide the public with reasonable and timely access to technical and policy information relating to the data or content used in the development of transportation plans, programs and projects. Standard documents and copies of draft plans will be available on the CYMPO website www.cympo.org and at the CYMPO office located at 1971 Commerce Center Circle, Suite E, Prescott, Arizona during normal working hours.

VI. PUBLIC MEETINGS

Typically, the CYMPO Executive Board meets the third Wednesday of each month at 3:00 PM in the Board of Supervisors meeting room at 1015 Fair Street in Prescott. The CYMPO Technical Advisory Committee typically meets the first Thursday of each month at 8:00 AM in the Prescott Valley Library Auditorium at 7401 East Civic Center Circle in Prescott Valley. The Ecosystem Connectivity Mitigation Advisory Committee usually meets the fourth Monday of each month at 10:00 AM in the Yavapai County Development Services Training Room located at 1120 Commerce Drive in Prescott.

Notice of public hearings and informational meetings will be given in accordance with CYMPO's Public Involvement Plan. CYMPO endeavors to make all public meetings accessible to persons in need of foreign language assistance or persons with disabilities. Arrangements must be made 72 hours prior to the meeting to request a reasonable accommodation to participate in a meeting.

VII. EVALUATING PUBLIC INVOLVEMENT ACTIVITIES

Responses to questions and comments from the public concerning the public participation process, draft transportation plans, programs, or public agency consultation process will be made as follows:

- Directly to the individual via e-mail or telephone call
- Specifically addressed at the next earliest possible public meeting

A summary analysis and report on disposition of comments will be made a part of the final plan.

VIII. DEVELOPMENT, ADOPTION AND REVISIONS

This Public Involvement Plan (PIP) has gone through several stages during its development. These are:

- Preparation of a preliminary draft plan
- Evaluation of this plan to ensure compliance with all Federal regulations including Title VI
- Review of the plan by CYMPO's Technical Advisory Committee and Executive Board
- Completion of a final draft plan
- Ongoing implementation of the plan by CYMPO

This Public Participation Plan will be officially reviewed a minimum of every 5 years. Other periodic revisions may occur, as new and better approaches are determined.

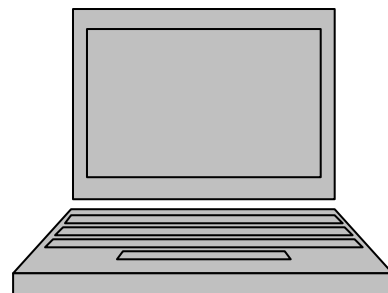
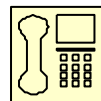
IX. CYMPO COMMITMENT

This plan contains background material, guidelines, and commitments that CYMPO is undertaking to incorporate an effective public process into future plans, projects, and programs. Specifically, CYMPO is committed to:

- Inclusive and meaningful public involvement
- Open and honest communications with all individuals and entities
- Timely public notice
- Full public access to information and key decisions
- Creating a sense of shared responsibility and ownership for regional transportation and transit challenges and a shared sense of pride in the development of solutions to those challenges
- Helping form partnerships between member entities, and the private and public sectors to plan and implement transportation and transit solutions
- Establishing policies and prioritizing needs based on valid data and using objective, fair and consistent processes
- Providing information and gathering input so that decision makers will be able to make informed decisions

Contact:

Christopher Bridges, CYMPO Administrator
 1971 Commerce Center Circle, Suite E
 Prescott, AZ 86301
 Phone: (928) 442-5730
 Fax: (928) 442-5736
 Email: Christopher.Bridges@yavapai.us
www.cympo.org



En español:

Para mas informacion, a esta interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asisencia con idioma, por favor comuniquese:

Señor Christopher Bridges, Administrador
Teléfono: (928) 442-5730

APPENDIX A:**COMPLIANCE INFORMATION**

This plan services a variety of federal requirements relating to public involvement on transportation projects. These requirements include:

- 1) The requirements found in the Code of Federal Regulations on Highways (23CFR) section 450.316(b) (1) titled: Metropolitan Transportation Planning Process: Elements b1. This section outlines ten specific requirements that have all been incorporated in the specifics of this plan.
- 2) Americans with Disabilities Act (ADA) requirements to provide equal access to people with disabilities.
- 3) Title VI of the 1964 Civil Rights Act prohibiting discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance.
- 4) Transportation Equity Act for the 21st Century (TEA-21) Section 1203(h)(1)(B) & Section 1203(h)(4) requiring Metropolitan Planning Organizations to provide "Opportunity for Comment" and "Notice and Comment" when working on the Transportation Improvement Program.
- 5) Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994 which requires each federal agency to make achieving environmental justice part of its mission.
- 6) National Environmental Policy Act of 1969 (NEPA) which focuses on providing for "all Americans' safe, healthful, productive and esthetically pleasing surroundings," and developing a "systematic, interdisciplinary approach" in community environmental decision making.
- 7) U.S. DOT Order 5610.2: Order to Address Environmental Justice in Minority Populations and Low-Income Populations, April 1997 which summarizes and elaborates on the Executive Order 12898.

- 8) Limited English Proficiency (LEP) – DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (December 14, 2005). Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their program and activities for individuals who are Limited English Proficient.

Attachment C

“ADA/Title VI Discrimination Complaint Form”

(Document Attached)



ADA/Title VI Discrimination Complaint Form

Note: *The following information is needed to assist in processing your complaint.*

Complainant's Information:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Alternate Phone Number: _____

Person discriminated against (someone other than complainant):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Alternate Phone Number: _____

Which of the following best describes the reason you believe the discrimination took place?

Please be specific.

☐ Race ☐ Color ☐ National Origin

☐ Disability ☐ _____ ☐ _____

On what date(s) did the alleged discrimination take place? _____

Where did the alleged discrimination take place? _____

What is the name and title of the person(s) who you believe discriminated against you (if known)?

Describe the alleged discrimination. Explain what happened and who you believe was responsible. (If additional space is needed, add a sheet of paper).



List names and contact information of persons who may have knowledge of the alleged discrimination.

If you have filed this complaint with any other federal, state, or local agency, or with any federal or state court, check all that apply.

☐ Federal Agency ☐ Federal Court ☐ State Agency ☐ State Court ☐ Local Agency

Name: _____

Address: _____

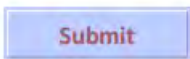
City: _____ State: _____ Zip: _____

Phone Number: _____ Alternate Phone Number: _____

Please sign below. You may attach any written materials or other information you think is relevant to your complaint.

_____ _____ Number of attachments: _____
Complainant Signature Date

Submit form and any additional information to:
Central Yavapai MPO
ATTN: Allison McCarthy - Title VI Program Coordinator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86314
Phone: 928-442-5730
Allison.McCarthy@yavapai.us



ADOT Submission: Please click the submit button when you have completed
This form to open to email and send to civilrightsoffice@azdot.gov
Additional documents may be attached to the email

Central Yavapai MPO Submission: print form and then email to
Christopher.bridges@yavapai.us

Attachment D

Approved Executive Board Meeting Minutes, June 19, 2019

(Document Attached)



MINUTES

**Executive Board
Regular Meeting
Wednesday, June 19, 2019
3:00 PM**

**Yavapai County Administration Building
Board of Supervisors Chambers
1015 Fair Street
Prescott, Arizona**

CYMPO Executive Board

Chair	Billie Orr, City of Prescott
Vice-Chair	Mike Best, Town of Chino Valley
Secretary/Treasurer	Terry Nolan, Town of Dewey-Humboldt
Member	Mary Mallory, Councilwoman, Town of Prescott Valley
Member	Craig L. Brown, Yavapai County Supervisor
Member	Alvin Stump, ADOT Representative

1. CALL TO ORDER AND ROLL CALL

Vice-Chair Best – absent
Member Brown - absent

2. PLEDGE OF ALLEGIANCE

3. CALL TO THE PUBLIC:

This item is to provide an opportunity for presentation of comments by the public on subjects *not on the agenda*. Individuals wishing to address the Board need not request permission in advance and are limited to three (3) minutes.

4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE APRIL 30, 2019 EXECUTIVE BOARD MEETING MINUTES

*Chris Bridges, CYMPO Administrator
(Task #102)*

MOTION

Secretary/Treasurer Nolan motioned to approve the April 30, 2019 Executive Board meeting minutes. Member Mallory seconded the motion.

VOTE

The vote on the motion was unanimous.

5. AGENCY ANNOUNCEMENTS AND UPDATES

Mr. Bridges provided updates on the status of the Transit Implementation Plan and 2045 Regional Transportation Plan. Noted that a total of 1,655 public input surveys and comments have been collected for the two plans.

6. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING PARTNERSHIP WITH ADOT TO PURSUE ADVANCED TRANSPORTATION TECHNOLOGIES GRANT

Chris Bridges, CYMPO Administrator

(Task #102)

Mr. Bridges explained Advanced Transportation Technologies grant opportunity to provide technology improvements. Member Stump expressed support for partnering to pursue grant. Mr. Bridges explained would be looking at submitting a grant application between \$400,000 and \$500,000.

MOTION

Secretary/Treasurer Nolan motioned to join partnership with ADOT to pursue Advanced Transportation Technology grant. Member Mallory seconded the motion.

VOTE

The vote on the motion was unanimous.

7. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE REQUEST FOR QUOTES FOR CYMPO TRANSPORTATION EDUCATION PROJECT 2019

Chris Bridges, CYMPO Administrator

(Task #102)

Mr. Bridges explained this project follows up on discussion from the CYMPO board retreat to provide educational content to the public.

MOTION

Secretary/Treasurer Nolan motioned to approve presented RFQ for Transportation Education Project 2019 and authorize advertisement of PFQ, consultant selection, and initiation of contract negotiations. Member Mallory seconded the motion.

VOTE

The vote on the motion was unanimous.

8. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING INTERGOVERNMENTAL AGREEMENT FOR SR89 PAVEMENT PRESERVATION AND SR89/RD 1 NORTH TRAFFIC SIGNAL

Chris Bridges, CYMPO Administrator

(Task #102)

Mr. Bridges provided overview of HURF swap of funds for SR89 Pavement Preservation project and SR89/ Road 1 North traffic signal project.

MOTION

Secretary/Treasurer Nolan motioned to approve presented IGA for SR89 Pavement Preservation and SR89 Road 1 North traffic signal. Member Mallory seconded the motion.

VOTE

Member Stump abstained from the vote. The remaining votes were unanimous.

9. REVIEW, DISCUSSION AND POSSIBLE TO ACTION TO APPROVE AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS FOR RURAL TRANSPORTATION INCUBATOR

Chris Bridges, CYMPO Administrator

(Task #102)

Mr. Bridges explained potential partnership with Maricopa Association of Governments (MAG) and explained TAC has reviewed scope of work of the presented agreement. Explained CYMPO's 5310 funds will be contributed to hire a technical consultant to assist transportation providers in improving efficiency of services.

MOTION

Secretary/Treasurer Nolan motioned to approve the presented agreement between CYMPO and Maricopa Association of Governments for the Rural Transportation Incubator. Member Mallory seconded the motion.

VOTE

The vote on the motion was unanimous.

10. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE SERVICE PLANNING INTERGOVERNMENTAL AGREEMENT WITH NACOG

*Chris Bridges, CYMPO Administrator
(Task #101)*

Mr. Bridges explained that under this agreement CYMPO will contribute its 5310 dollars to NACOG to take the lead in mobility management coordination across Yavapai County, while CYMPO will take a less involved role. ADOT informed CYMPO that if this goes well, ADOT will proceed with distributing 5310 funds directly to NACOG instead of requiring applications to be submitted by CYMPO.

MOTION

Secretary/Treasurer Nolan motioned to approve Service Planning Intergovernmental Agreement between CYMPO and NACOG. Member Mallory seconded the motion.

VOTE

The vote on the motion was unanimous.

11. REVIEW, DISCUSSION AND POSSIBLE ACTION TO APPROVE PROGRAMMING SURPLUS APPORTIONMENT OF FY19 HSIP FUNDS

*Chris Bridges, CYMPO Administrator
(Task #101)*

Mr. Bridges explained CYMPO was notified that there are remaining FY19 HSIP funds that may to be programmed before June 30, 2019. Explained that ADOT Finance has approved moving the FY19 HSIP funds to FY23 to add to the ADOT Northwest District's project Little Ranch Road in Paulden. Member Stump explained the need for improvements on Little Ranch Road. Mr. Bridges noted this is a way for CYMPO to keep this money within the region.

MOTION

Secretary/Treasurer Nolan motioned to approve programming remaining FY19 HSIP funds to the ADOT NW District project on Little Ranch Road and SR89. Member Mallory seconded the motion.

VOTE

Member Stump abstained from the vote. The remaining votes were unanimous.

12. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE THE CYMPO FY20 TITLE VI PLAN INCLUDING THE PUBLIC INVOLVEMENT PLAN (PIP) AND LIMITED ENGLISH PROFICIENCY PLAN (LEP)

Chris Bridges, CYMPO Administrator

(Task #401)

Mr. Bridges explained these three documents are required to be updated annually and that ADOT has conditionally approved the presented drafts.

MOTION

Secretary/Treasurer Nolan motioned to approve the FY20 Title VI Plan including the Public Involvement Plan and Limited English Proficiency Plan. Member Mallory seconded the motion.

VOTE

The vote on the motion was unanimous.

CALL TO THE PUBLIC:

Madam Chair Orr re-opened Call-to-the-public. Kevin Adam, RTAC, provided updates on recent legislative session. Explained \$18 million of general fund revenue will be distributed equally among municipalities across the state. Noted that \$32 vehicle registration fee was repealed. Also noted that \$130 million has been dedicated to improvements on I-17.

Madam Chair Orr inquired about opportunity for public comment about the phasing of the I-17 project. Member Stump answered yes, there will be two public meetings scheduled. Member Stump also expressed desire to see flex lanes opened as soon as possible. Secretary/Treasurer Nolan inquired about who to push to encourage I-17 to move forward. Mr. Adam explained continuing to push the governor and legislators would be beneficial. Madam Chair Orr inquired about sending letter of appreciation for the funding dedicated to I-17. Mr. Bridges noted an item will be added to the August agenda to approve a letter of appreciation.

13. ADJOURNMENT 3:50 PM

*CYMPO endeavors to make all public meetings accessible to persons in need of foreign language assistance or with disabilities. Please call (928) 442-5730 or e-mail Allison.McCarthy@yavapai.us, **72 hours** prior to the meeting to request a reasonable accommodation to participate in this meeting.*

Attachment E

Demographic Maps of CYMPO Boundary

(Documents Attached)

Legend

Cities

- County Seat
- Incorporated City/Town
- Towns
- Sm Communities
- Yavapai Regional
- Transit Routes

Major Roads

- Interstate Frwy
- State Routes
- Old Highways
- Yavapai Plan Body

Block Group

2012-2016 ACS

Households Below the

Poverty Level

- 0 - 137

■ 138 - 279

■ 280 - 455

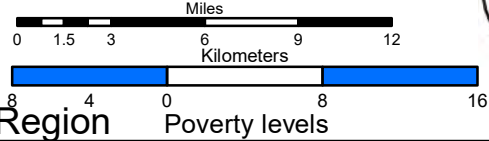
■ 456 - 716

■ 717 - 1230

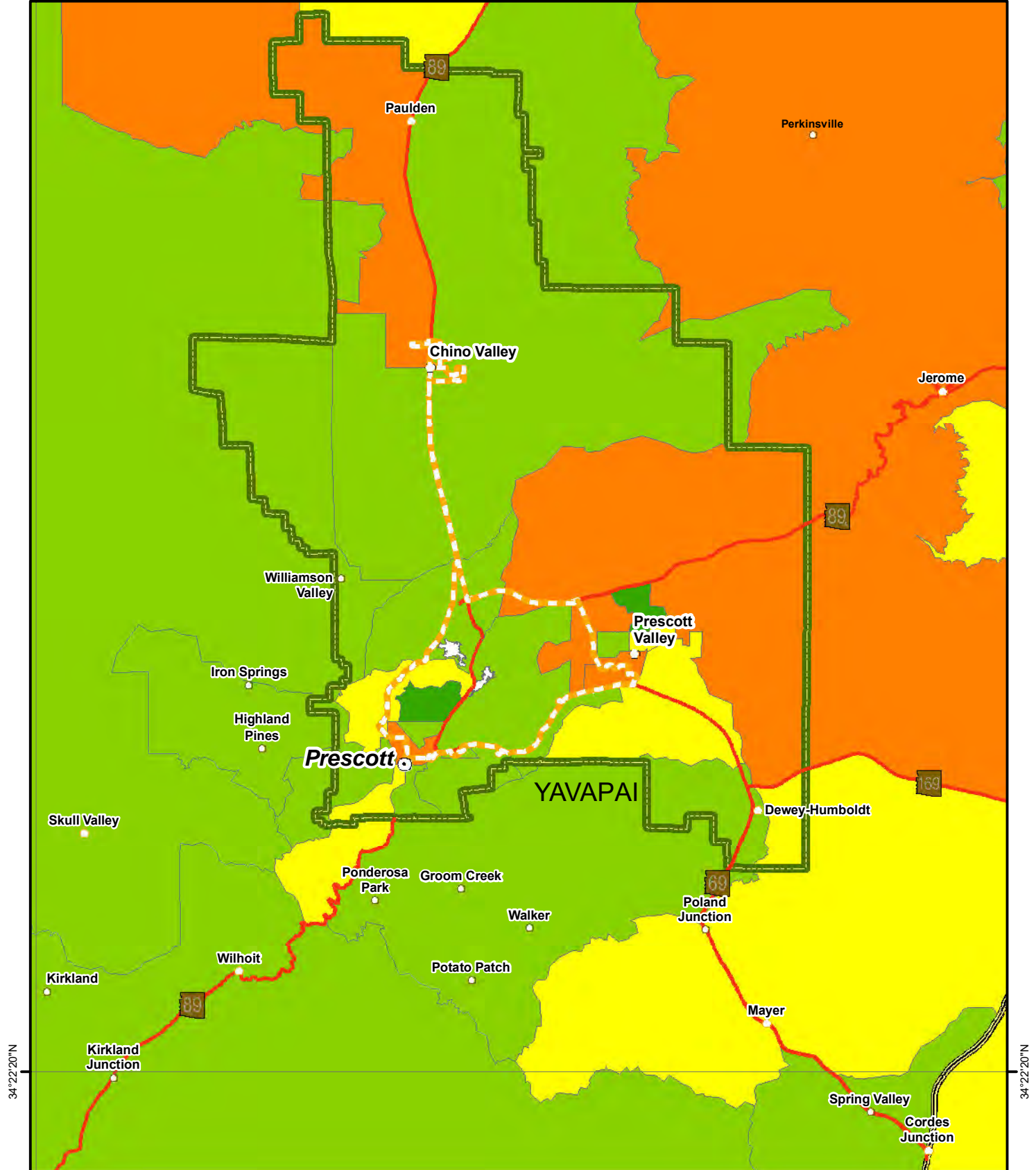


1 inch = 6.16 miles

1 centimeter = 3.9 kilometers



Federal Transit Funding in the CYMPO Region



Yavapai County assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.

Legend

Cities

- County Seat
- Incorporated City/Town
- Towns
- Sm Communities
- Yavapai Regional
- Transit Routes

Major Roads

- Interstate Fwy
- State Routes
- Old Highways
- 2010 Plan Study



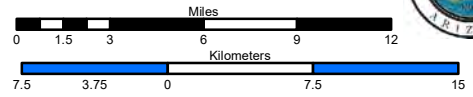
- 2010 Black/African American Population (U.S. Census)
- 2010 American Indian/Alaska Native Population (U.S. Census)
- 2010 Asian Population (U.S. Census)

- 2010 Hispanic Population (U.S. Census)
- 2010 Pacific Islander Population (U.S. Census)
- 2010 White Population (U.S. Census)



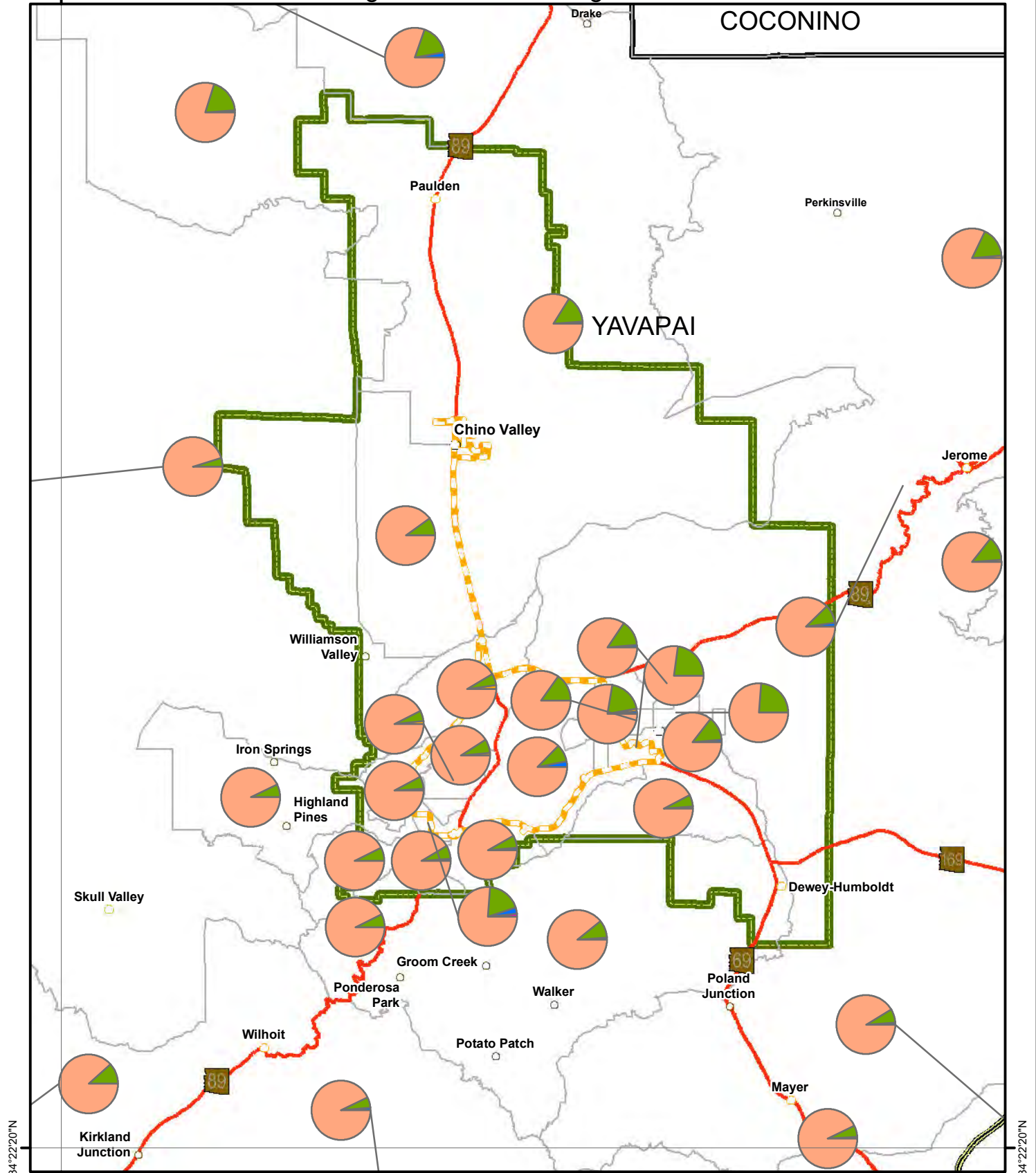
1 inch = 6.16 miles

1 centimeter = 3.9 kilometers



Federal Transit Funding in the CYMPO Region

Minority Populations



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Legend

Cities

- County Seat
- Incorporated City/Town
- Towns
- Sm Communities
- Yavapai Regional Transit Routes

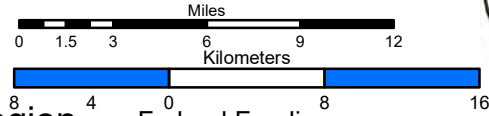
Major Roads

- Interstate Frwy
- State Routes
- Old Highways

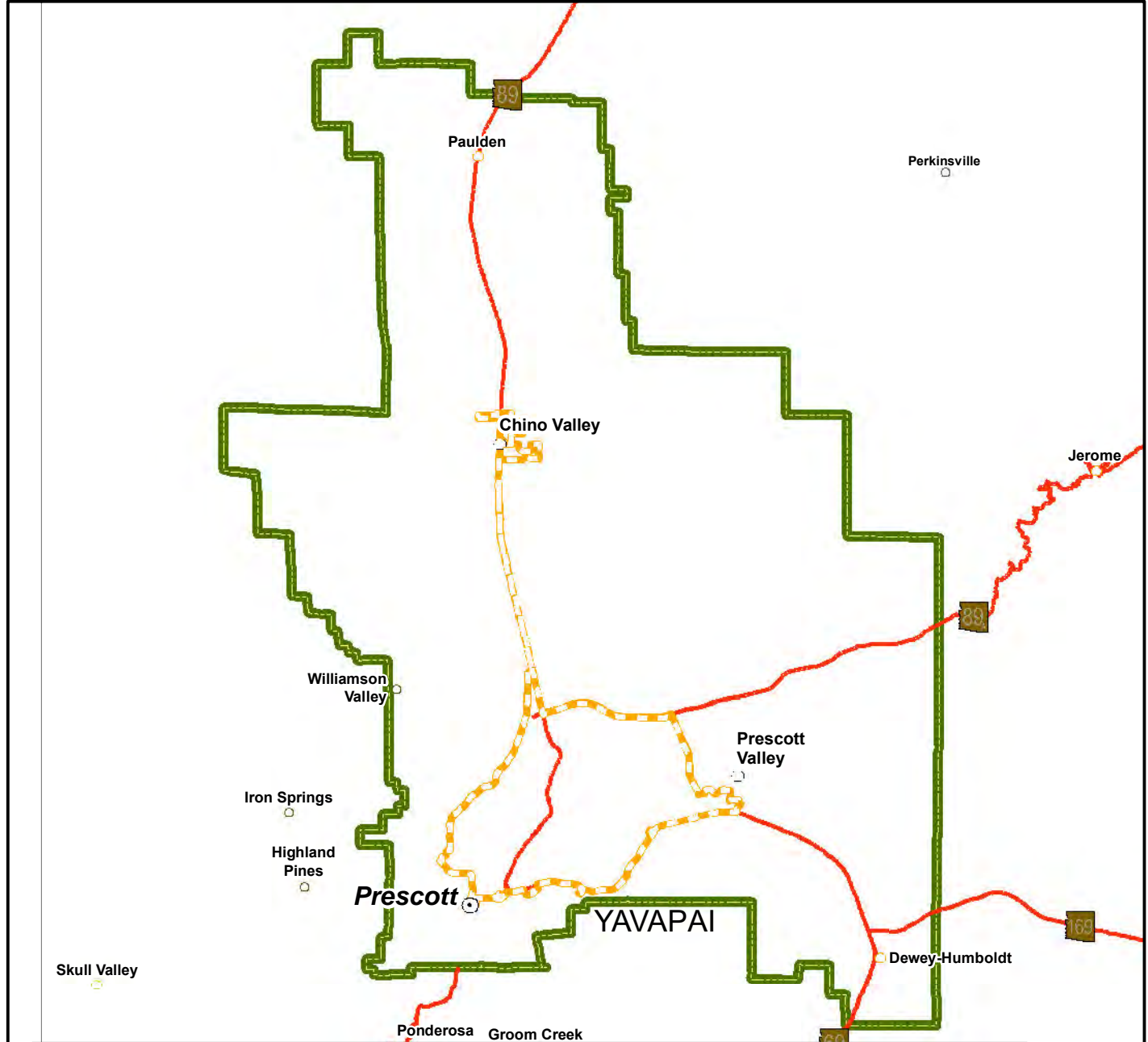


1 inch = 6.16 miles

1 centimeter = 3.9 kilometers



Federal Transit Funding in the CYMPO Region



FTA Funding Distribution:

*The following organizations provide transit-related services throughout the entire CYMPO boundary:

- Central Yavapai Metropolitan Planning Organization: \$90,000 Federal Mobility Management Funding
- Central Yavapai Transit Foundation: \$14,000 Federal Travel Training Funding
- NAZCARE, Inc: \$25,000 Federal Capital Funding
- New Horizons Disability Empowerment Center: \$59,000 Federal Capital, \$120,000 Federal Operating, \$60,000 Federal One-Call Center Funding
- Northern Arizona University: \$25,000 Federal Operating Funding
- People Who Care: \$60,000 Federal Operating Funding
- West Yavapai Guidance Clinic: \$40,000 Federal Capital Funding
- Yavapai Regional Transit: \$182,000 Federal Administration, \$371,000 Federal Operating, \$90,000 Federal Capital Funding

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