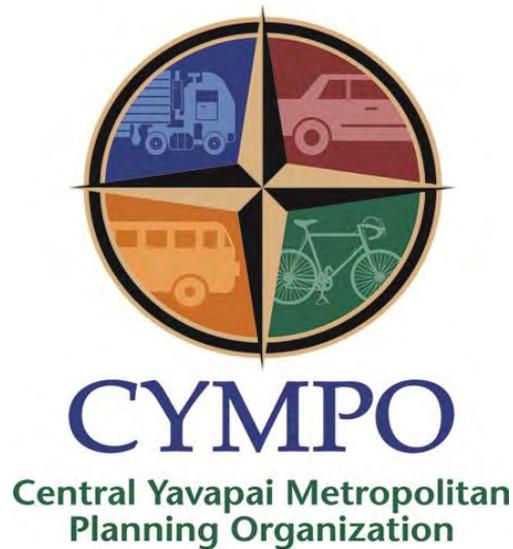


Title VI Plan

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



Fiscal Year 2022 Title VI Plan Endorsed and Approved by:
CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION
EXECUTIVE BOARD
On: August 18, 2021

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

Contact:

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

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:

Señor Vincent Gallegos, Administrador
Teléfono: 928-442-5730
Vincent.Gallegos@yavapai.us

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: 
Vincent Gallegos, Administrator
Central Yavapai Metropolitan Organization

Date: August 18, 2021

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 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 speak to groups in an effort to eliminate participation barriers and involve citizens in the transportation process.

In effort to identify and address any disparate impacts of CYMPO's transportation system investments, an update to the Transit Implementation Plan was completed in early 2020. As part of this plan, an inventory of the existing transit service providers within the CYMPO boundary were identified to be considered as future partners of the regional transportation network.

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

CYMPO has developed a Limited English Proficiency Plan (LEP) which is incorporated as Attachment A 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 Dissemination of Title VI Information

In effort to inform and educate the public of their rights under CYMPO's Title VI program, CYMPO staff makes the following efforts to disseminate Title VI information:

- Announcement at all virtually-held public meetings of CYMPO's compliance with Title VI of the Civil Rights Act of 1964 and related Nondiscrimination statutes and regulations in all programs and activities
- Posts the Title VI "Notice to the Public" at the following locations:
 - CYMPO website
 - In-person public meetings
 - Main lobby of the CYMPO office

IV-c Public Meetings

CYMPO's Executive Board meets the 3rd Wednesday of every month, the Technical Advisory Committee meets the 1st Thursday of the month, and the Ecosystem Connectivity Mitigation Advisory Committee meets on a quarterly-basis throughout the year, unless otherwise noted. 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 24 hours in advance of each meeting. Executive Board Agendas are also posted at the Yavapai County Administration Building, 1015 Fair Street, Prescott, Arizona when in-person meetings are held.

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. CYMPO uses Zoom Webinar as its virtual meeting platform to provide opportunity for members of the public to participate in CYMPO meetings virtually.

In the event of a cancellation, notice will be posted on web site a minimum of 24 hours in advance as well as email notification sent to regular meeting participants.

IV-d 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).

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:

Central Yavapai Metropolitan Planning Organization
Allison McCarthy, CYMPO Title VI Coordinator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
Phone: 928-442-5730
Fax: 928-442-5736
Email: Allison.McCarthy@yavapai.us
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);

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 
Vincent Gallegos

DATED August 18, 2021

TITLE VI ASSURANCES

As a standard process for ensuring that FHWA Title VI Assurance language, including Appendices A and E are included in all FHWA-funded contracts, the Title VI Coordinator in conjunction with the CYMPO attorney, will review and log all forthcoming contracts to ensure FHWA Title VI Assurance language is included.

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: _____



Vincent Gallegos, Administrator

DATED: August 18, 2021

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

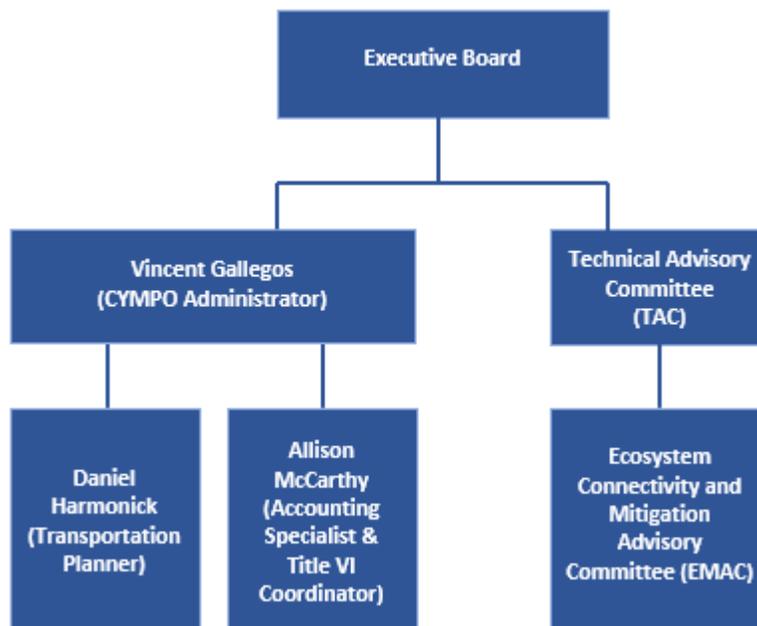
Compliance is ongoing and falls under duties for the Title VI Coordinator, Allison McCarthy and MPO Administrator, Vincent Gallegos which includes, but is not limited to activity such as reporting, data collection, training and conduction program area and sub-recipient reviews. Title VI training will 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

*The Technical Advisory Committee currently has one vacant position for the Prescott National Forest.

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, City of Prescott Community Planning staff, Prescott National Forest, and three are private citizens who reside within the CYMPO planning boundary. In the event that a position becomes available, CYMPO will use the following outreach methods to fill the position:

- Translate outreach materials based on a LEP Four-Factor analysis conducted on a project-by-project basis
- Advertise the open position in the local newspaper, CYMPO and local agency websites, and other high traffic locations frequented by the public
- Evaluate demographic research of potentially impacted communities for transportation-related study projects to determine the level and targeted outreach tools needed for public involvement based on LEP, EJ and Title VI Data collection

- Include Spanish text on CYMPO materials to the public notifying them of the opportunity to request language services, if needed

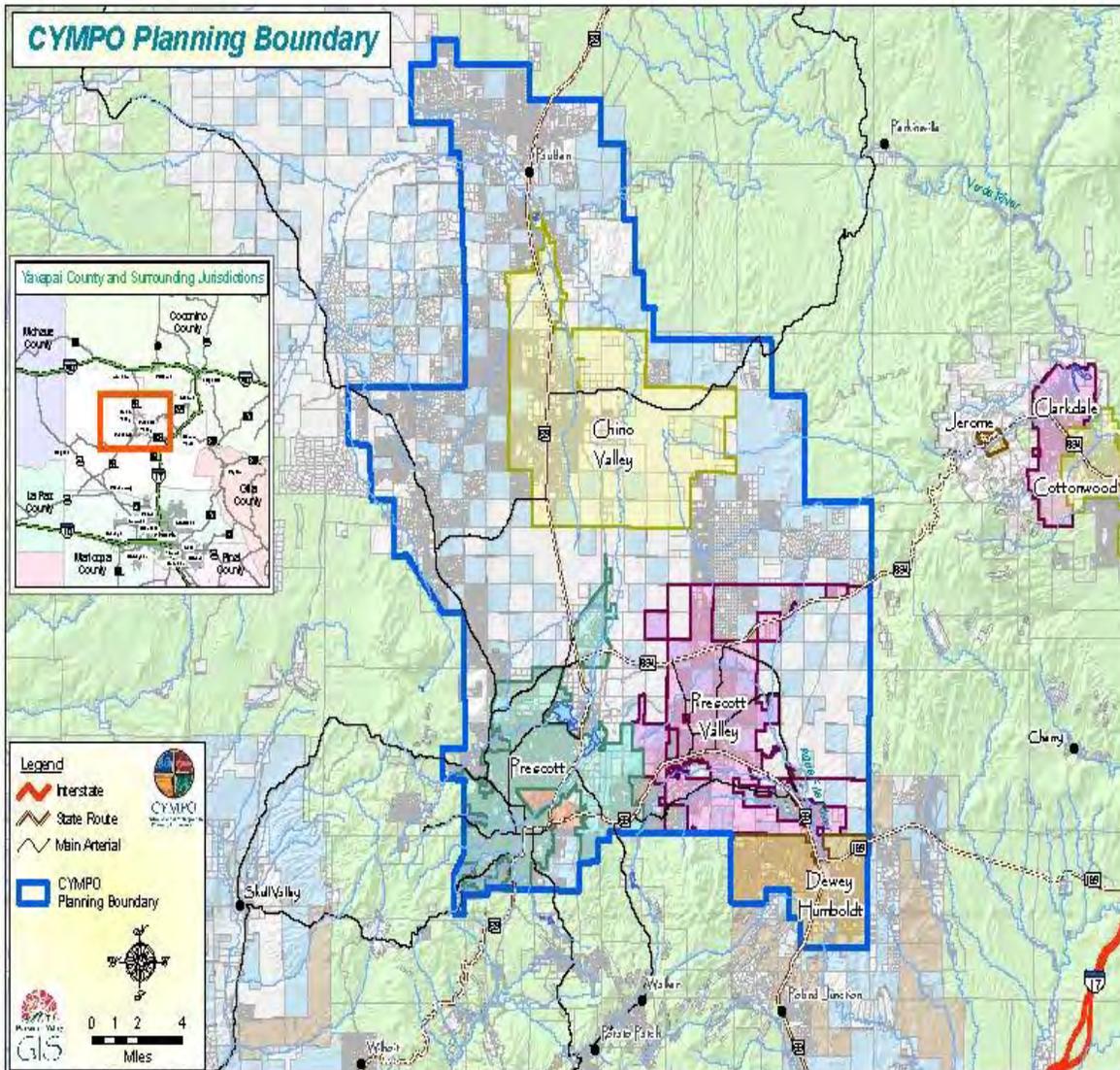
<u>Ecosystem Connectivity and Mitigation Advisory Committee</u>
1. ADOT NW District Environmental
2. AZ Game & Fish
3. City of Prescott Community Planning Staff
4. Prescott National Forest
5. Private Citizen
6. Private Citizen
7. Private Citizen

f. CYMPO Committee Characteristics

CYMPO COMMITTEES	RACE/Ethnicity	GENDER	
		Female	Male
Ecosystem Connectivity Mitigation Advisory Committee (EMAC)	White		1

CYMPO encourages any committee members who are not appointed by a participating agency to partake in completing a Self-Identification Survey. The received data has been incorporated into the table above.

CYMPO Planning Boundary



VII. Population and Demographic Profile of the Central Yavapai Metropolitan Area

CYMPO Census Tracts	Limited English Proficiency (LEP) ¹			Minority Populations ²			Below Poverty Line ²		
	Census Tract	Total (Estimate)	Individuals that speak English less than 'very well'	% of Total	Total (Estimate)	Minority Individuals	% of Total	Total (Estimate)	Individuals Below the Poverty Line
Census Tract 2.02	7,307	155	2.12%	8,285	1,463	17.66%	8,215	791	9.63%
Census Tract 2.03	5,286	162	3.06%	5,393	539	9.99%	5,377	625	11.62%
Census Tract 2.04	6,667	349	5.23%	6,777	1,601	23.62%	6,777	1,118	16.50%
Census Tract 3	5,735	164	2.86%	6,250	1,103	17.65%	5,198	716	13.77%
Census Tract 4.01	5,654	60	1.06%	6,170	636	10.31%	6,170	611	9.90%
Census Tract 4.02	4,832	60	1.24%	4,941	352	7.12%	4,941	260	5.26%
Census Tract 5	5,494	124	2.26%	5,681	714	12.57%	5,681	661	11.64%
Census Tract 6.04	4,795	108	2.25%	5,446	1,126	20.68%	5,437	691	12.71%
Census Tract 6.05	8,951	554	6.19%	9,967	2,661	26.70%	9,634	1,517	15.75%
Census Tract 6.06	5,594	455	8.13%	6,387	2,448	38.33%	6,232	1,559	25.02%
Census Tract 6.07	5,887	210	3.57%	6,478	1,040	16.05%	6,478	693	10.70%
Census Tract 6.08	3,372	74	2.19%	3,954	948	23.98%	3,945	363	9.20%
Census Tract 6.09	4,705	329	6.99%	5,108	1,688	33.05%	5,039	1,400	27.78%
Census Tract 6.10	3,996	251	6.28%	3,901	811	20.79%	3,901	878	22.51%
Census Tract 7	3,416	1	0.03%	3,679	380	10.33%	3,660	497	13.58%
Census Tract 8.01	3,589	89	2.48%	3,424	556	16.24%	3,424	363	10.60%
Census Tract 8.02	3,285	40	1.22%	3,392	300	8.84%	3,371	375	11.12%
Census Tract 9	4,481	66	1.47%	4,690	913	19.47%	4,146	1,232	29.72%

Census Tract 10.01	4,138	60	1.45%	4,235	586	13.84%	4,128	690	16.72%
Census Tract 10.02	3,339	12	0.36%	3,373	509	15.09%	3,267	476	14.57%
Census Tract 11.01	4,158	28	0.67%	4,326	133	3.07%	4,326	563	13.01%
Census Tract 11.02	3,906	13	0.33%	4,163	359	8.62%	4,127	463	11.22%
Census Tract 12	6,051	107	1.77%	5,737	686	11.96%	5,717	366	6.40%
Census Tract 15	6,697	116	1.73%	7,486	879	11.74%	7,024	1,114	15.86%
Census Tract 19	13,923	405	2.91%	14,411	2,065	14.33%	14,405	1,291	8.96%
CYMPO Total*	135,258	3,992	2.95%	143,654	24,496	17.05%	140,620	19,313	13.73%
County Total	206,720	7,359	3.56%	218,586	41,183	18.84%	214,690	31,512	14.68%
Arizona Statewide	6,208,093	570,709	9.19%	6,392,017	2,696,370	42.18%	5,079,022	808,260	15.91%

Sources: U.S. Census Bureau, 2013 – 2017 U.S. Census American Community Survey (ACS)

¹ 2015 American Community Survey (5-Year Estimates)

² 2016 American Community Survey (5-Year Estimates)

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

In effort to collect and analyze Title VI data (race, sex) on an ongoing basis, CYMPO provides instruction for accessing the Self-Identification Survey at its public meetings and via the CYMPO website. It collects and records the data submitted via the Self-Identification Surveys that are provided at its public meetings for the purpose of determining each program area's level of Title VI compliance and identifying opportunities for improved public outreach. The log below will be used to analyze the demographic data provided to CYMPO:

Demographic Data			
Date Received	Related Program Area	Race	Sex
5/5/2021	Transportation Improvement Program	White	Male

CYMPO 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 standard procedure, CYMPO will make meetings accessible to anyone in need of foreign language assistance. The following language is included on all agendas and public notices:

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

“El CYMPO se esfuerza por hacer que todas las reuniones públicas sean accesibles a las personas que necesitan asistencia en un idioma extranjero o con discapacidades. Por favor, envíe un correo electrónico a Allison.McCarthy@yavapai.us, por lo menos 72 horas antes de la reunión para solicitar un acomodo razonable para participar en esta reunión.”

Upon receiving a LEP request, CYMPO will make every effort to provide translation services for the request made.

On a project by project basis, CYMPO will evaluate minority demographics for the project area in effort to better anticipate outreach methods to LEP individuals. Such outreach methods may include, but are not limited to posting language identification cards or posting signs in public areas to provide information regarding LEP assistance.

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.

Four-Factor Analysis

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 135,258 people in the Central Yavapai Planning Metropolitan area. The limited English proficiency population is 2.9% or 3,992 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:

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

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 reasonable 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.

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	Unified Planning Work Program	4/21/2021	Complete	The program was made available on the CYMPO website as well as in the CYMPO office for public review and comment. Public comment was solicited for a 30-day period.
2				
3				

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.

The Northern Arizona Council of Governments (NACOG) is currently acting as a subrecipient of CYMPO for Mobility Management and Transit Planning funds. As a recipient of federal funds, NACOG follows all Title VI Program requirements as required of CYMPO.

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, Title VI Coordinator
Central Yavapai Metropolitan Planning Organization
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
928-442-5730
928-442-5736 (FAX)
Email: Allison.McCarthy@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:

<p>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</p>	<p>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</p>
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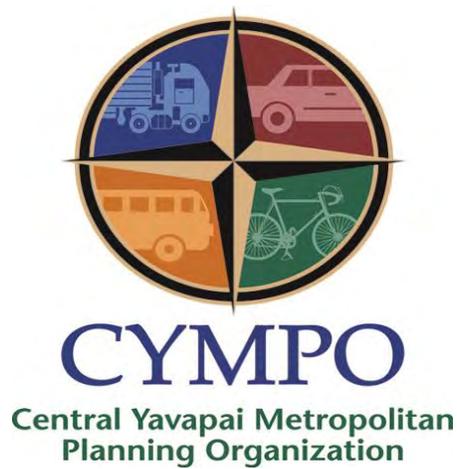
Attachment A

“Limited English Proficiency (LEP) Plan”

(Document Attached)

Title VI - Attachment A

**Limited English Proficiency (LEP)
Plan**



**Endorsed and Approved on, August 18, 2021, by the
CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION
EXECUTIVE BOARD**

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

Contact:

Vincent Gallegos, CYMPO Administrator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
Phone: 928-442-5730
Fax: 928-442-5736
Email: Vincent.Gallegos@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 Vincent Gallegos, Administrador
Teléfono: 928/442-5730
Vincent.Gallegos@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 websites. CYMPO provides notification on its website 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, 2.9% of the CYMPO population are Limited English Proficient.

2) Frequency of Encounters with LEP Individuals

In 2019, CYMPO received and accommodated two requests for sign language interpretation. No additional requests have been received since then.

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 reasonable 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 Vincent Gallegos, CYMPO Administrator, at Vincent.Gallegos@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
Unified Planning Work Program (UPWP)**

**Endorsed and Approved on August 18, 2021 by the Central Yavapai Metropolitan
Planning Organization Executive Board**

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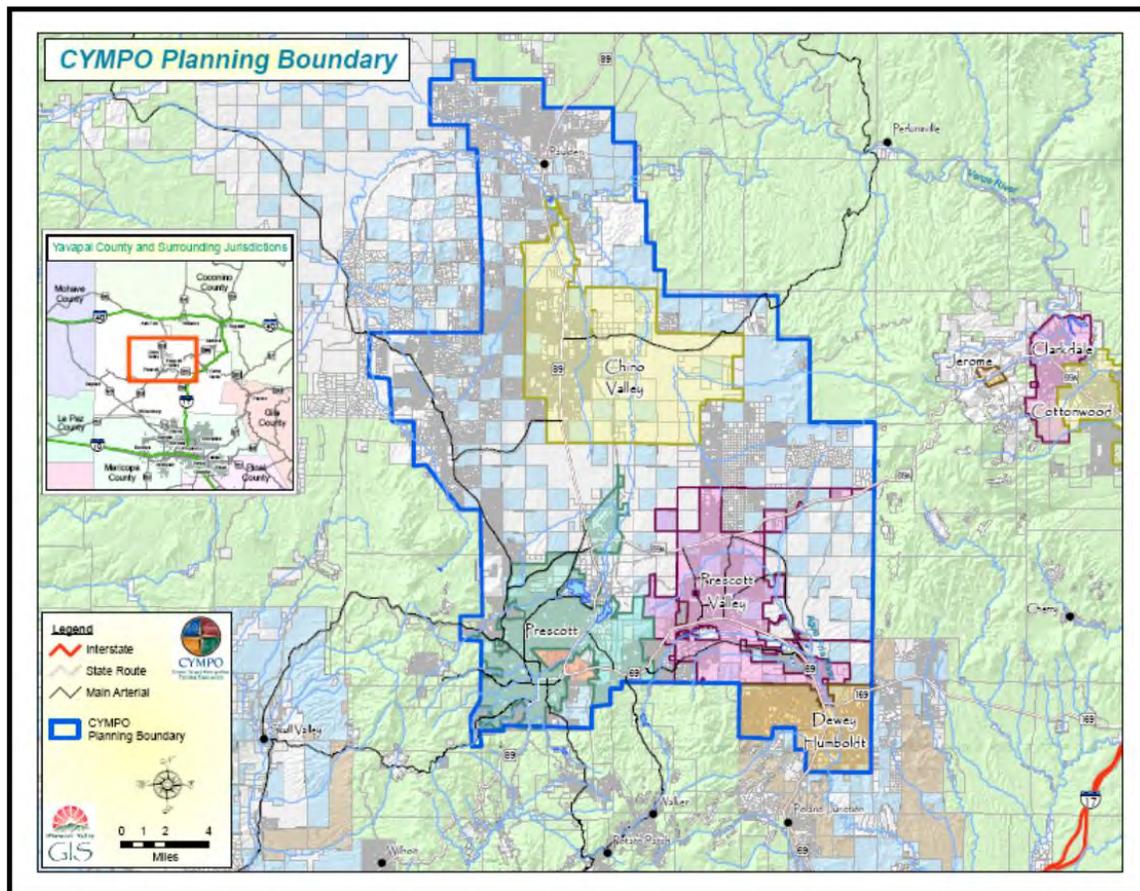
I. INTRODUCTION

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 over 400 square miles and includes approximately 135,000 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. CYMPO Planning Boundary



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 involvement 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:

Regional Transportation Plan (RTP): This Regional Transportation Plan update will be prepared for the 25-year planning horizon. The 2045 RTP was recently approved by the CYMPO Executive Board in April 2020. 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.

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.

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.

Public Involvement Plan (PIP): The purpose of a public involvement 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.

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 aims to provide time for public comment at each public meeting. The procedures (Table 1) 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.

Table 1 – Summary of CYMPO Public Participation Procedures

Public Participation Component	Meetings	Public Comment Period	Typical Public Participation Techniques	Additional Comments
Federal Required Documents, Plans, and Programs				
Regional Transportation Plan (RTP)	Initial & Subsequent Public Meetings, TAC, Executive Board	30 days	Legal Notice Website	Updated Every 5 Years, Public Comments Included in Final RTP
Metropolitan Transportation Improvement Program	Initial & Subsequent Public Meetings, TAC, Executive Board	30 days	Legal Notice Website	Updated At Least Every 4 Years, Public Comments Provided to Executive Board
Coordinated Public Transit – Human Services Transportation Plan	TAC, Executive Board	30 days	Legal Notice Website	Full Update Every 3 Years
Public Involvement Plan	TAC, Executive Board	45 days	Legal Notice Website	Updated As Required Public Comments Provided to Executive Board
Unified Planning Work Program (UPWP)	TAC, Executive Board	N/A	N/A	Biannually; Amended as Necessary; Developed in Cooperation with ADOT and Transit Operators
Open Public Meetings				
Executive Board Meetings	Every Third Wednesday of the Month	Public Comment Accepted at Meeting	Public Notice; Master Distribution List; Website	Held at 3:00pm; 1015 Fair Street, Prescott, AZ; or virtually
Technical Advisory Committee (TAC) Meetings	Every First Thursday of the Month	Public Comment Accepted at Meeting	Public Notice; Master Distribution List; Website	Held at 8:00am; Prescott Valley Library Crystal Room, 3rd Floor; or virtually
Ecosystem Connectivity Mitigation Advisory Committee (EMAC) Meetings	Every Fourth Monday of the Quarter	Public Comment Accepted at Meeting	Public Notice; Master Distribution List; Website	Held at 10:00am; 1120 Commerce Drive, Prescott, AZ; or virtually

Title VI and Environmental Justice

Title VI of the Civil Rights Act of 1964 requires outreach to underserved groups. "No person in the United States shall, on the ground 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

Public participation implies an open process. This means that anyone who is potentially affected, or is just interested in the process, is welcome to participate.

Just opening the process to the public is not enough. There are numerous populations that are not likely to get involved unless a special effort is made to reach out to them. In this Plan, groups that need a more focused effort to get involved are referred to as "underserved populations". These include, but are not limited to:

- Minority (Hispanic and/or non-white) community members
- Low-Income community members
- Physically and mentally challenged community members
- People who rely on alternative transportation
- People with limited English proficiency
- Aging populations.

CYMPO will make every effort to hold public meetings in facilities that are compliant with the Americans with Disabilities Act (ADA); and, arrange for reasonable accessibility and accommodation to persons with disabilities. Further, to provide equally effective communication, CYMPO will make do preparation, when appropriate, for persons requiring assistance, such as the hearing or visually impaired, upon request.

CYMPO endeavors to assist persons with limited English proficiency (LEP) to participate in the transportation planning process. Staff will make every effort to provide Spanish translators and document translation, where feasible, upon request. Elderly persons or zero vehicle households who are not able to attend meetings may make a request for the information at CYMPO office for delivery of materials to their homes. CYMPO staff, coordinating availability, is willing to go speak to groups to eliminate participation barriers and involve citizens in the transportation process. By making a reasonable extra effort to include these populations, CYMPO hopes to ensure that the interests and input of all residents are given equal consideration.

Listed below are various outreach processes that may be used by CYMPO to ensure Title VI, Limited English Proficiency (LEP) persons, and Environmental Justice (EJ) populations have access to participate in CYMPO transportation decision-making process:

- Translate outreach materials based on a LEP Four-Factor analysis conducted on a project-by-project basis
- Advertise meetings, public notices, and other materials in the local newspaper, CYMPO and local agency websites, and other high traffic locations frequented by the public
- Advance demographic research of potentially impacted communities for transportation-related study projects to determine the level and targeted outreach tools needed for public involvement based on LEP, EJ and Title VI Data collection
- Include Spanish text on CYMPO materials to the public notifying them of the opportunity to request language services, if needed
- Forming partnerships between member entities, public and private sectors
- Consider the proximity to public transportation routes when selecting a meeting location
- Schedule public meetings at the appropriate time of day based on community assessments
- Use of Title VI Self-identification cards at meetings
- Use of various types of modes to communicate CYMPO meetings

V. PUBLIC NOTIFICATION METHODS

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

NOTIFICATION AND PARTICIPATION TECHNIQUES	√ Planned	* Encouraged			
	MTIP	RTP	Coordination Plan	UPWP	PIP
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	√	√	*	*	√
Legal Notice	√	√	√	*	√
Public Library	√	√	√	*	√

VI. PUBLIC COMMENT METHODS

Virtual Public Involvement

Virtual public involvement is a new opportunity for information sharing and public involvement in the transportation planning, programming, and project development process. CYMPO will hold meetings virtually using platforms such as Zoom and Microsoft Teams, and will provide a livestream of the meeting on the CYMPO YouTube page. The Zoom Webinar platform allows for members of the public to participate as “attendees” and provides opportunity for members of the public to submit written and/or verbal comments during the time of the meeting.

Other Methods for Submitting Comments

Other methods for providing public comment include, but are not limited to:

- Call the CYMPO office at: 928-442-5730
- Leave a voicemail on the dedicated public comment line: 928-442-5733
- Mail a written comment to the CYMPO office:

CYMPO
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301

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 by appointment only.

VII. 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 Skoog Blvd. in Prescott Valley. The Ecosystem Connectivity Mitigation Advisory Committee usually meets the fourth Monday of each quarter at 10:00 AM in the Yavapai County Development Services Training Room located at 1120 Commerce Drive in Prescott.

**The above meetings may be held virtually to adhere to COVID-19 regulations. Virtual meetings will be made available to the public and notice will be published to the CYMPO website www.cympo.org.*

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 with disabilities. However, during these trying times, the accommodations we can provide are limited. Please e-mail Allison.McCarthy@yavapai.us, **72 hours** prior to the meeting to request a reasonable accommodation to participate in this meeting.

VIII. 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.

A continuing focus on evaluation and enhancement of the public participation process should help to improve the outcome of each new CYMPO plan, project, or program. Evaluating public participation is a multi-dimensional task.

- First, there is the quantitative aspect which uses measurements such as the number of activities held, the number of notices sent, and/or the number of people who participated. While valid and important, these factors may not show the complete picture.
- Second, it is important to evaluate the qualitative aspects relating to perceptions, attitudes, and effectiveness. Did the people who participated feel they were heard? Were all the potentially affected interests (including the underserved) actually represented? Were the materials provided easy to understand? Were announcements received in a timely manner?
- Third, is the question of how the public input was used. This information needs to be recorded and made available. It also needs to be considered in the decision-making process.

- Fourth, is the need to evaluate the reason something happened. Understanding why there was good or poor participation is important to assessing effectiveness.

The ultimate point to consider in an evaluation is the existence of respect and trust. It is not possible to please everyone, but it should be possible to proceed forward with an atmosphere of respect and trust, and CYMPO intends to earn this by being fair and open with everyone at all times.

IX. 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
- Review of the plan by stakeholders including the general public, governmental entities, and transportation professionals/businesses, for 45 days
- 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.

X. 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:

Vincent Gallegos, CYMPO Administrator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
Phone: (928) 442-5730
Fax: (928) 442-5736
Email: Vincent.Gallegos@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 Vincent Gallegos, 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.

- | | | |
|-------------------------------------|--------------------------------|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Disability | <input type="checkbox"/> | <input type="checkbox"/> |

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: _____

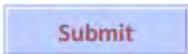
Phone Number: _____ Alternate Phone Number: _____

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, August 18, 2021

(Document Attached)

Attachment E

Demographic Maps of CYMPO Boundary

(Documents Attached)

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

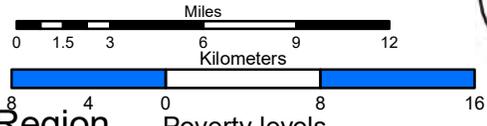
- Major Roads**
- Interstate Frwy
 - State Routes
 - Old Highways
 - YIMPO Plan Study

- Block Group**
- 2012-2016 ACS Households Below the Poverty Level**
- 0 - 137

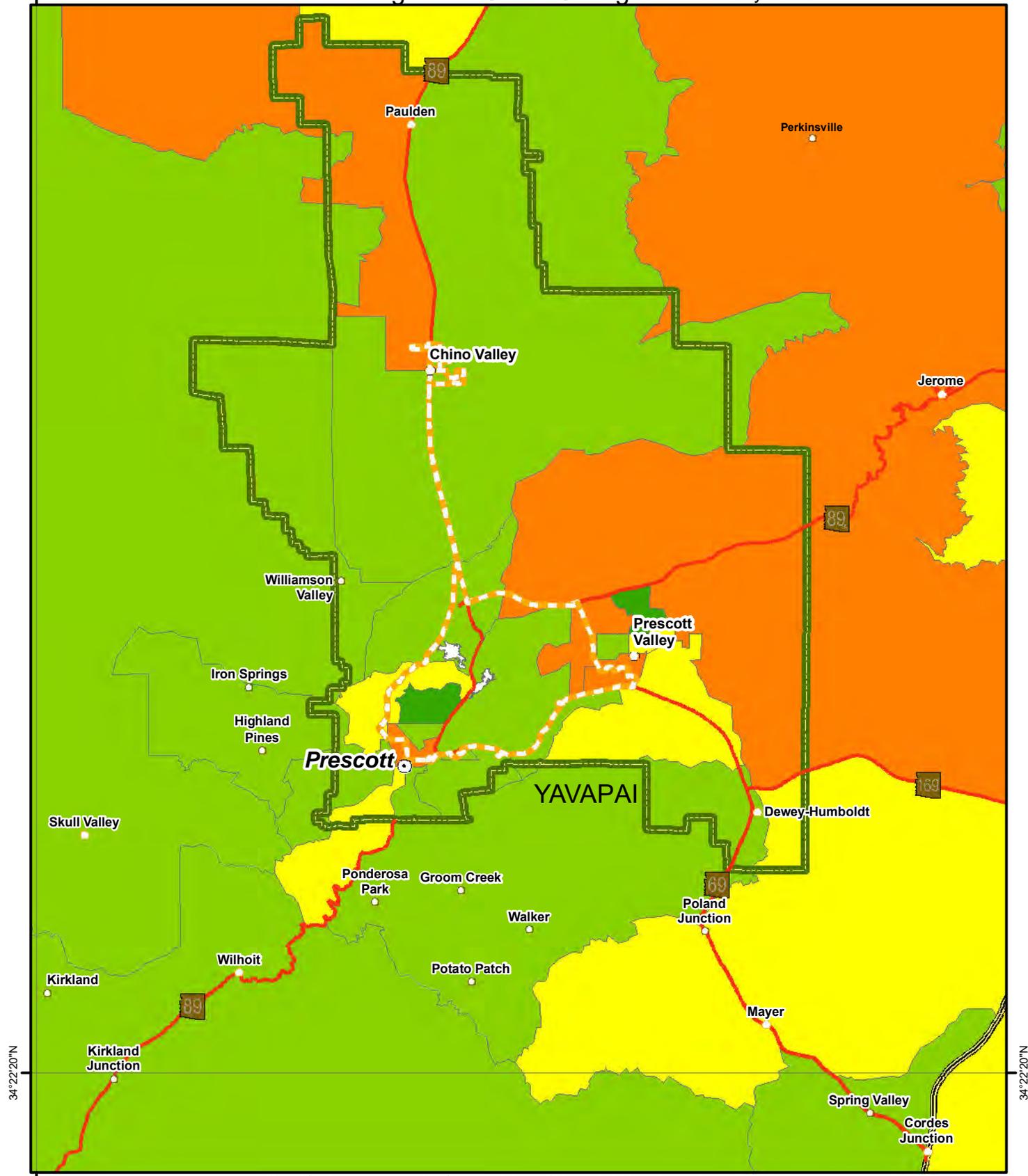
- 138 - 279
- 280 - 455
- 456 - 716
- 717 - 1230



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 Frwy
 - State Routes
 - Old Highways

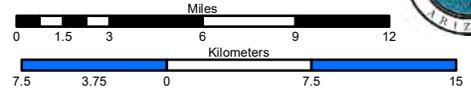


- 2010 Black/African American Population (U.S. Census)
- 2010 American Indian/Alaska Native Population (U.S. Census)
- 2010 Asian Population (U.S. Census)

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

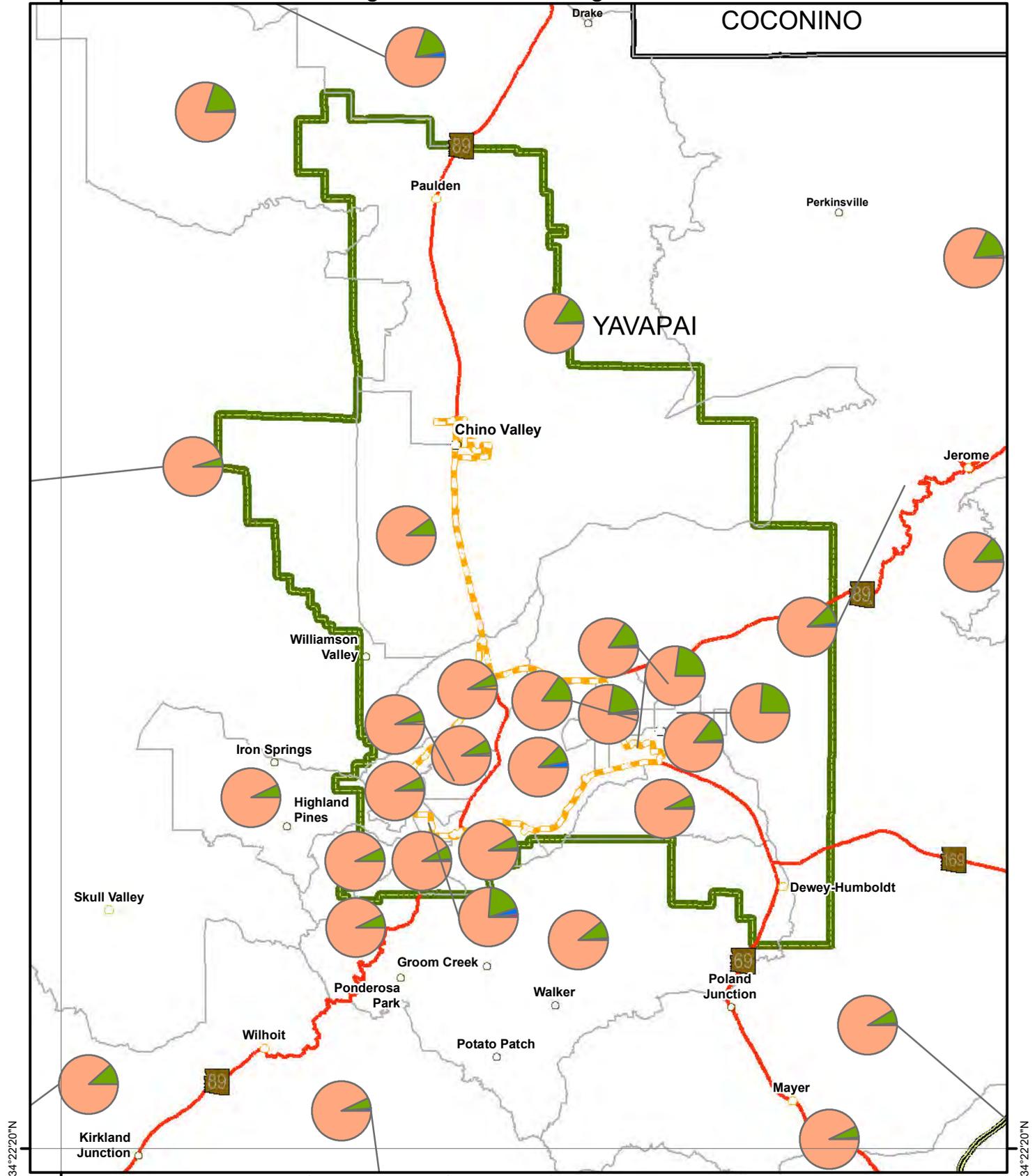


1 inch = 6.16 miles
1 centimeter = 3.9 kilometers



Federal Transit Funding in the CYMPO Region

Minority Populations



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.

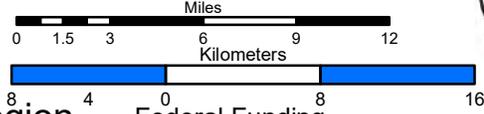
- Legend**
- Cities**
- County Seat
 - Incorporated City/Town
 - Towns
 - Sm Communities
 - Yavapai Regional Transit Routes

- Major Roads**
- Interstate Frwy
 - State Routes
 - Old Highways



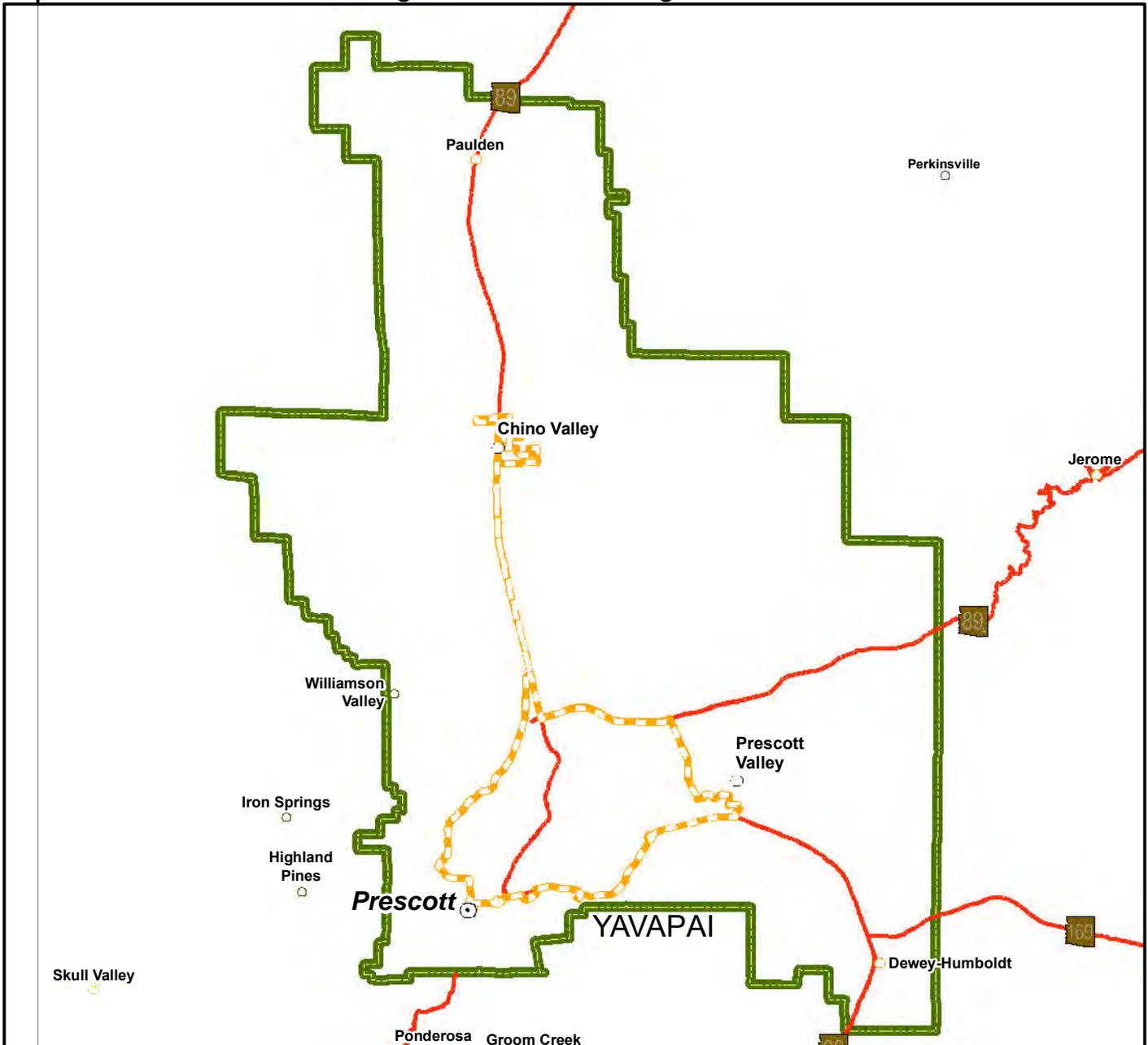
1 inch = 6.16 miles

1 centimeter = 3.9 kilometers



112°43'0"W

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

34°22'20"N

34°22'20"N

112°43'0"W

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