

Title VI Plan

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



Fiscal Year 2025 Title VI Plan to be Endorsed and Approved by:
CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION
EXECUTIVE BOARD
On: June 26, 2024

As prepared by the

Central Yavapai Metropolitan Planning Organization
(CYMPO)

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En Español:

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

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Central Yavapai Metropolitan Planning Organization (CYMPO)

Table of Contents

I.	Introduction	4
II.	Policy Statement	4
III.	Environmental Justice Activity	5
IV.	Public Participation Process	6
V.	Assurances and Certifications	9
VI.	CYMPO Organizational & Program Administration	21
VII.	Population and Demographic Profile of the Central Yavapai Metropolitan Planning Region	27
VIII.	Data Collection/Reporting/Analysis	28
IX.	Limited English Proficiency (LEP)	29
X.	Program Areas	32
XI.	Lawsuits Alleging Discrimination	33
XII.	Program Compliance and Enforcement	34
XIII.	FTA Complaint Procedures	34
XIV.	FHWA Complaint Procedures	37

Attachments

- A- Public Involvement Plan (PIP)
- B- ADA/Title VI Discrimination Complaint Forms
- C- Approved Executive Board Meeting Minutes for
Adoption of Title VI-LEP Plan
- D- Demographic Maps of CYMPO Boundary

I. Introduction

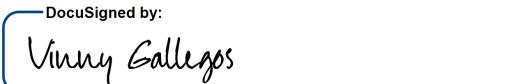
The Central Yavapai Metropolitan Planning Organization (CYMPO), as a condition to receiving Federal financing assistance from the Federal Transit Administration (FTA), Federal Highways Administration (FHWA), and Arizona Department of Transportation (ADOT) agrees to comply with the Title VI of the Civil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

DocuSigned by:

By: 
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Vincent Gallegos, Executive Director
Central Yavapai Metropolitan Organization

Date: June 26, 2024

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. Individuals 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, provided by the Title VI Coordinator, at all 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 4th Wednesday of every month, the Technical Advisory Committee meets the 2nd Wednesday of the month, and the Ecosystem Connectivity Mitigation Advisory Committee meets on an as-needed basis, 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.

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 language assistance or with disabilities. Please call (928) 442-5730 or e-mail Desi.Zurcher@yavapaiaz.gov 72 hours prior to the meeting requesting reasonable accommodations.*" To date, no request has been made.

The Title VI Coordinator announces CYMPO's compliance with Title VI policies at the beginning of every public meeting. 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, at the discretion of the Chair. CYMPO uses virtual meeting platforms to provide opportunity for members of the public to attend CYMPO meetings virtually or by call-in number.

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 External Civil Rights Office. If the complaint is filed against CYMPO, the CYMPO Title VI Coordinator is required to forward the complaint to the ADOT External 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 externa de derechos civiles de ADOT. Si la queja es contra CYMPO, el enlace de CYMPO para TÍTULO VI enviara la queja a la oficina externa de derechos civiles de ADOT.

CONTACT INFORMATION:

Central Yavapai Metropolitan Planning Organization

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Email: Desi.Zurcher@yavapaiaz.gov

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 "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 to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases,

licenses, permits, or similar instruments entered into by the Recipient with other parties:

- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
- b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

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

By signing this ASSURANCE, **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 a timely, complete,

and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

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**
Executive Director

DocuSigned by:

by 
0654648101EC40A...
Vincent Gallegos

DATED June 26, 2024

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.

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 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.

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.

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.

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.

DocuSigned by:

BY: Vinny Gallegos
0654648101EC40A...

Vincent Gallegos, Executive Director

DATED: June 26, 2024

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 map located on page 26. CYMPO intends to submit a planning boundary expansion in 2024.

b. CYMPO Title VI Coordination and Administration

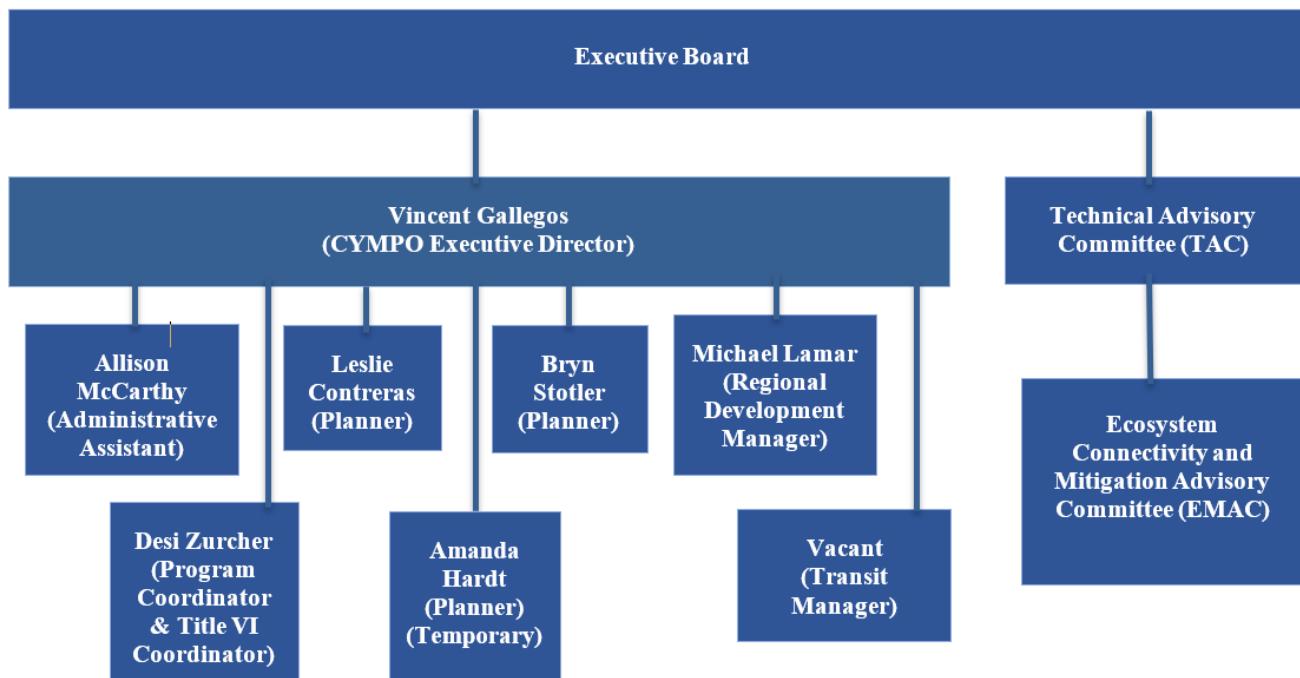
Compliance is ongoing and falls under duties for the Title VI Coordinator, Desi Zurcher and MPO Executive Director, Vincent Gallegos which includes, but is not limited to activity such as reporting, data collection, training and conduction program area and sub-recipient reviews. Title VI training will 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. Training is documented through sign in sheets at the meetings where trainings take place.

Additionally, as the Title VI Coordinator, Ms. Zurcher 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. Zurcher may be contacted via telephone at 928-442-5730, e-mail at Desi.Zurcher@yavapaiaz.gov 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).

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

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.

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 regular basis, 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

Ecosystem Connectivity and Mitigation Advisory Committee

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

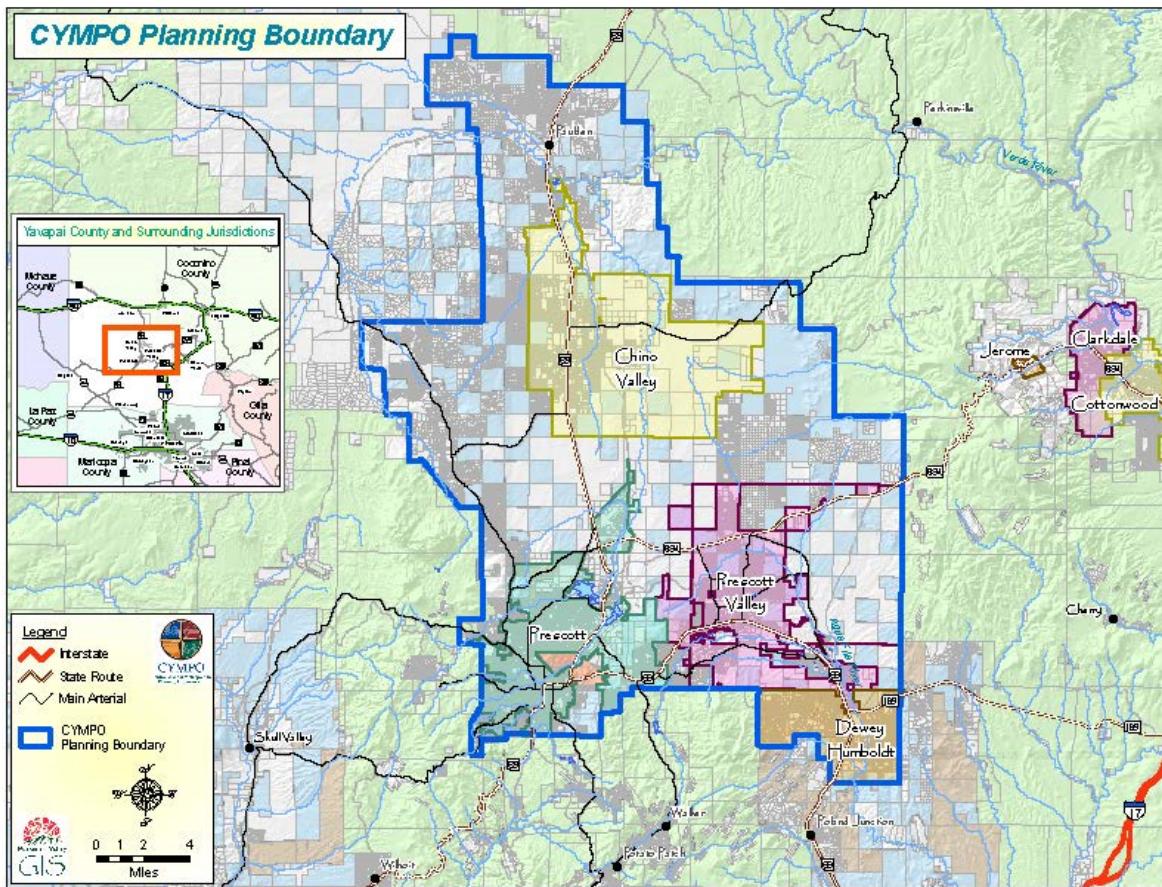
*The Ecosystem Connectivity Mitigation and Advisory Committee currently has one Private Citizen vacant position.

f. CYMPO Committee Characteristics

CYMPO encourages all committee members to partake in completing a Self-Identification Survey. The data collected from the surveys is depicted below:

CYMPO COMMITTEES	MEMBERSHIP	RACE/ETHNICITY	GENDER	
			FEMALE	MALE
Technical Advisory Committee (TAC)	Member #1	Chose not to self identify		
	Member #2	Chose not to self identify		
	Member #3	Chose not to self identify		
	Member #4	Chose not to self identify		
	Member #5	Chose not to self identify		
	Member #6	Chose not to self identify		
	Member #7	Chose not to self identify		
	Member #8	Chose not to self identify		
Ecosystem Connectivity Mitigation Advisory Committee (EMAC)	Member #1	Chose not to self identify		
	Member #2	Chose not to self identify		
	Member #3	Chose not to self identify		
	Member #4	Chose not to self identify		
	Member #5	Chose not to self identify		
	Member #6	Chose not to self identify		
	Member #7	Chose not to self identify		

CYMPO Planning Boundary



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

Population			Census Block Groups			
Category	Total	Percent	Number of block groups >= Area Pct	% Block Groups	Affected Population	% of Affected Population Captured in Census Block Groups
Population	143,862	N/A	107	100.0 %	N/A	N/A
Minority	28,563	19.9 %	38	35.5 %	18,652	65.3 %
Age 65+	47,756	33.2 %	57	53.3 %	32,077	67.2 %
Below Poverty Level	15,082	10.7 %	48	44.9 %	10,980	72.8 %
Population with a Disability	25,662	17.9 %	58	54.2 %	15,692	61.1 %
Limited English Proficient Persons (LEP)	4,766	3.5 %	21	19.6 %	3,523	73.9 %

Sources: <https://geo.azmag.gov/maps/azdemographics/#>

The data is from 2022 ACS 5-Year estimates, Table B18101.

a) Minority includes total population less White (Non-Hispanic).

b) Percent of the population for whom poverty status is determined does not include institutionalized persons or persons under 5 years of age. Data from 2022 ACS 5-Year estimates, Table B17001.

c) Disability status is determined for the civilian noninstitutionalized population based on six types of difficulty: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty. Data from 2022 ACS 5-Year estimates, Table B18101. Disability data are allocated to Block Groups using a proportional distribution based on the Census 2020 population count.

d) The guidance for Limited English Proficiency (LEP) for DOT recipients refers to persons aged 5 years and over who speak English less than 'very well.' For Limited English Proficient (LEP) persons, the Federal guidance (Federal Transit Administration Circular 4702.1B) also notes that DOT has adopted the DOJ's Safe Harbor Provision. This Provision stipulates that the targeted minimum number of recipients regarding the translation of written materials for LEP populations is five percent or 1,000 persons, whichever is less, of the total population of persons eligible to be served. See <https://www.lep.gov/title-vi-guidance-for-recipients> Data from 2022 ACS 5-Year estimates, Table B16005.

e) Affected population is the total persons that fall into the specified category for all Census Block Groups that have greater than or equal to the percentage for the selected statistical area (as defined by the Census geography, see note f) or as designated for LEP populations (see note d).

f) The data used in this analysis are generated using an enhanced method of interpolation based on the ACS 2018-2022 block groups and using the 2020 Census block data. In order to approximate the population, housing and workforce data for these custom areas, the following enhanced method was used:

The counts are redistributed to a more detailed geography (Census Block Group data or Census Tracts), that better nests within the selected statistical area's boundaries.

The counts are proportionally redistributed to blocks based on the Census 2020 counts for population, households or housing units.

The blocks are then assigned to the statistical area containing their center, and summed by the statistical area, to obtain the final counts.

Demographic Data obtained from the above referenced sources is analyzed by CYMPO staff 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. The Title VI Coordinator oversees the collection, recording, and analysis of 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 data provided in the Self-Identification Survey is provided by an individual in attendance at a public meeting conducted by CYMPO. The data provided is used to help determine potential public outreach opportunities. The log below will be used to analyze the demographic data provided to CYMPO (each line represents an individual Survey received):

Demographic Data			
Date Received	Related Program Area	Race	Sex
1/10/2024	Strategic Planning Workshop – FY22-26 MTIP, FY24-25 UPWP	Asian/Pacific Islander, African American/Black	(Not provided)

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 language assistance or with disabilities. Please call (928) 442-5730 or e-mail Desi.Zurcher@yavapaiaz.gov 72 hours prior to the meeting requesting reasonable accommodations.

CYMPO se esfuerza por hacer que todas las reuniones públicas sean accesibles para las personas que necesitan asistencia con el idioma o con discapacidades. Llame al (928) 442-5730 o envíe un correo electrónico a Desi.Zurcher@yavapaiaz.gov 72 horas antes de la reunión para solicitar adaptaciones razonables.

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 members 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 143,862 people in the Central Yavapai Planning Metropolitan area (Source: 2022 ACS 5-Year estimates, <https://geo.azmag.gov/maps/azdemographics/#>). The limited English proficiency population is 3.5% or 4,766 of the total population with Spanish being the predominate language.
2. The frequency with which LEP individuals come in contact with the program. Transportation planning, 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 very well” the opportunity to participate in the planning process. In 2019, CYMPO received and accommodated two requests for sign language interpretation. No additional requests have been received since then. Public Meeting notices provide information on obtaining translation and 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 projects 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 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

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 websites. CYMPO will indicate on its website 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/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	2050 Regional Transportation Plan	11/17/2023	Complete	With the assistance of CYMPO's attorney, the assurances have been reviewed and updated

The additional transportation programs listed above (TIP, PIP, RMMIP, and UPWP) are cyclical and are reviewed at the time of development and renewal. Each of these programs has varying levels of review, but generally include staff review, Technical Advisory Committee review, Executive Board review, Arizona Department of Transportation (ADOT) review, federal agency review, and legal review, as needed.

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)				

No complaints were filed in FY24.

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. At this time, CYMPO does not have any subrecipients.

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:

Desi Zurcher, 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: Desi.Zurcher@yavapaiaz.gov

And or:

ADOT External Civil Rights Office 1801 W Jefferson Street, Ste 101 Mail Drop #154A Phoenix, AZ 85007 602-712-8946 Email: TitleVI@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://erbzkvb6qw.exactdn.com/wp-content/uploads/2024/05/Complaint-Form_2024.pdf, y aquí en español: <https://www.cympo.org/wp-content/uploads/2016/06/spanish-complaint-fillable-form.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://erbzkbk6qw.exactdn.com/wp-content/uploads/2024/05/Complaint-Form_2024.pdf, y aquí en español: <https://www.cympo.org/wp-content/uploads/2016/06/spanish-complaint-fillable-form.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) External Civil Rights Office (CRO) within 72 hours.
6. ADOT CRO will forward all FHWA Title VI complaints to the FHWA Division Office.
7. All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Office of Civil Rights for processing and potential investigation.
8. If the FHWA Office of Civil Rights determines a Title VI complaint against a sub-recipient can be investigated by ADOT CRO, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to ADOT CRO. ADOT CRO will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.
9. The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the FHWA Division Office.
10. The complainant may also file a discrimination related complaint on an FHWA program or activity directly with ADOT or with the Federal Highway Administration by contacting the agencies at:

ADOT External Civil Rights Office 1801 W. Jefferson Street, Ate 101 Mail Drop #154A Phoenix, AZ 85007 Email: TitleVI@azdot.gov 602.712.8946	Federal Highway Administration U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Avenue, SE 8th Floor E81-105 Washington, DC 20590 Email: CivilRights.FHWA@dot.gov 202-366-0693 202-366-1599 FAX
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Attachment A

“Public Involvement Plan (PIP)”

(Document Attached)

Title VI - Attachment A



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)

**To be Endorsed and Approved on June 26, 2024 by the Central Yavapai
Metropolitan Planning Organization Executive Board**

Table of Contents

I.	INTRODUCTION	3
II.	PURPOSE	4
III.	PUBLIC PARTICIPATION	5
IV.	PUBLIC INVOLVEMENT PROCESS	5
V.	PUBLIC NOTIFICATION METHODS	9
VI.	PUBLIC COMMENT METHODS	10
VII.	PUBLIC MEETINGS	10
VIII.	EVALUATING PUBLIC INVOLVEMENT ACTIVITIES	11
IX.	DEVELOPMENT, ADOPTION AND REVISIONS	11
X.	CYMPD COMMITMENT	12

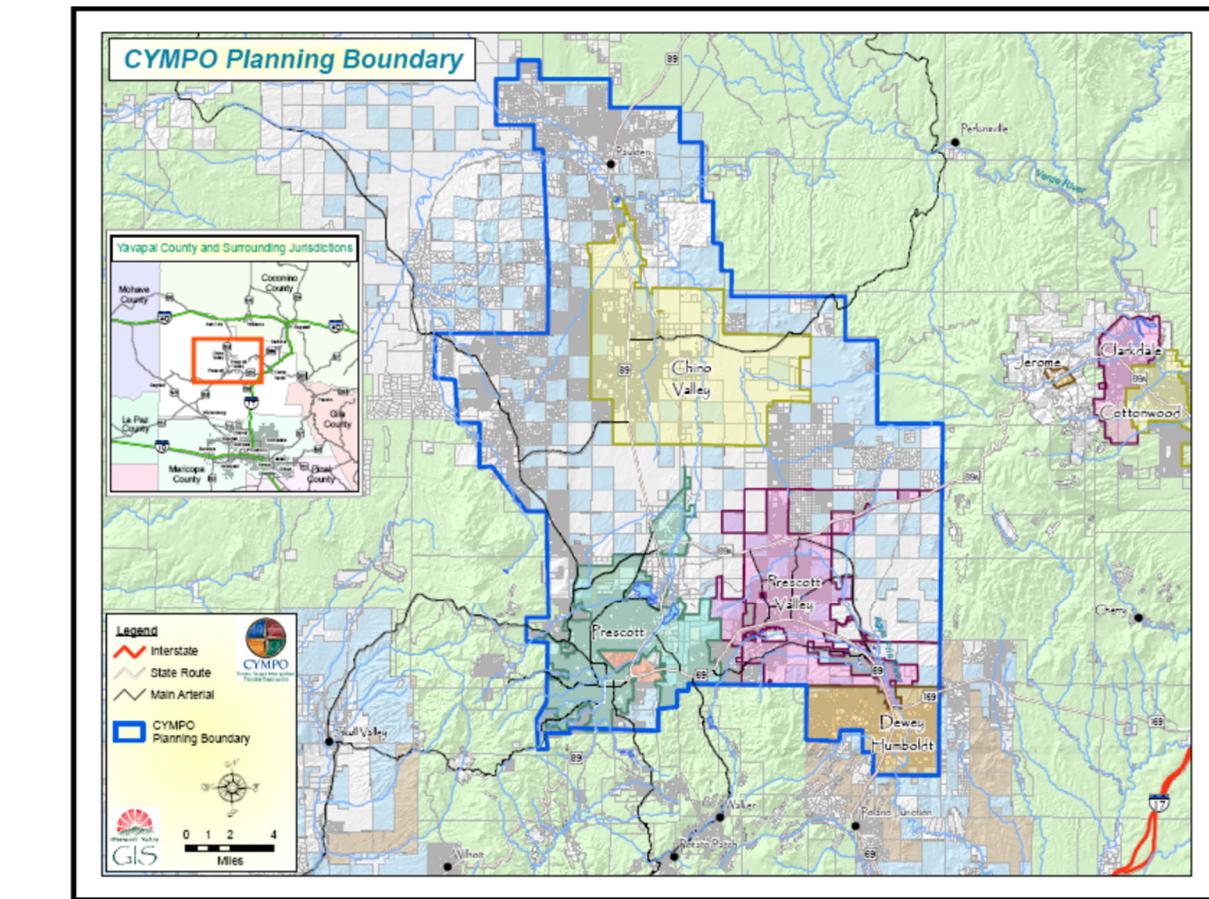
I. INTRODUCTION

Central Yavapai Metropolitan Planning Organization (CYMPO) is the Federal and State designated Regional Transportation Planning Organization for the urbanizing portions of greater 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 143,862 central Yavapai County residents. CYMPO intends to submit a planning boundary expansion in 2024.

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 approved by the CYMPO Executive Board in April 2020, and the 2050 RTP is anticipated to be complete in April 2025. 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 four years fiscally 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 the planning process.

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.
- Stakeholder Committees – The use of committees and the means of providing a cross-section of affected citizens on the stakeholder 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	Website	Biannually; Amended as Necessary; Developed in Cooperation with ADOT and Transit Operators

Open Public Meetings				
Executive Board Meetings	Every Fourth Wednesday of the Month (unless otherwise posted)	Public Comment Accepted at Meeting	Public Notice; Master Distribution List; Website	Held at 1:00pm; Yavapai County Board of Supervisors Board Room located at 1015 Fair Street in Prescott. Meetings may also be held virtually.
Technical Advisory Committee (TAC) Meetings	Every Second Wednesday of the Month (unless otherwise posted)	Public Comment Accepted at Meeting	Public Notice; Master Distribution List; Website	Held at 1:00pm; Yavapai County Public Works, Ready Room & Emergency Operations Center located at 1100 Commerce Drive in Prescott. Meeting may also be held virtually.
Ecosystem Connectivity Mitigation Advisory Committee (EMAC) Meetings	Meet on an as-needed basis in accordance with the meeting dissemination procedures outlined	Public Comment Accepted at Meeting	Public Notice; Master Distribution List; Website	To be determined, as meetings are scheduled

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 due 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. Individuals 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 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
- 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	Coordination Plan	UPWP	PIP
	MTIP	RTP			
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	*	*	*	*	*
Stakeholder Committee	✓	✓	✓	✓	✓
Virtual Engagement	✓	✓	*	*	✓
Legal Notice	✓	✓	✓	*	✓
Public Library	✓	✓	✓	*	✓

VI. PUBLIC COMMENT METHODS

Virtual Public Involvement

Virtual public involvement is an opportunity for information sharing and public involvement in the transportation planning, programming, and project development process. CYMPO will make every effort to provide a virtual option for its public meetings. Members of the public will have the opportunity to submit written and/or verbal comments either during or prior to the time of the public 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
- Email comments to the relevant email address provided for the meeting
- 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 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 fourth Wednesday of each month at 1:00 PM, in the Yavapai County Board of Supervisors Board Room located at 1015 Fair Street in Prescott. The CYMPO Technical Advisory Committee typically meets the second Wednesday of each month at 1:00 PM in the Yavapai County Public Works Ready Room and Emergency Operations Center at 1100 Commerce Drive in Prescott. The Ecosystem Connectivity Mitigation Advisory Committee meets on an as-needed basis, with meetings posted in accordance with procedures outlined in this plan. The location of the meeting will be determined in advance of each meeting and posted with the meeting notice.

**Meeting dates and locations are subject to change. Notice of changes in meeting schedules will be posted on the CYMPO website and email notification will be provided to those included in the respective distribution lists.*

**The above meetings may be held virtually only, as needed. 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. Please e-mail Desi.Zurcher@yavapaiaz.gov, **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 Executive Director
 1971 Commerce Center Circle, Suite E
 Prescott, AZ 86301
 Phone: (928) 442-5730
 Fax: (928) 442-5736
 Email: Vincent.Gallegos@yavapaiaz.gov
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 comuniques:

Señor Vincent Gallegos, Director Ejecutivo
 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 B

“ADA/Title VI Discrimination Complaint Forms”

(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: _____

Email: _____

Home Phone Number: _____ Alternate Phone Number: _____

Person discriminated against (someone other than complainant):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Alternate Phone Number: _____

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

Please be specific.

Race _____

National Origin _____

Color _____

Disability _____

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

Where did the alleged discrimination take place? _____

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

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

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

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

Federal Agency Federal Court State Agency State Court Local Agency

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Alternate Phone Number: _____

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

Number of attachments: _____

Complainant Signature _____

Date _____

Submit form and any additional information to:

Central Yavapai MPO
ATTN: Desi Zurcher, Title VI Program Coordinator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
Phone: 928-442-5730
Email: desi.zurcher@yavapaiaz.gov

Additional documents may be attached to the email.



Forma Para Poner una Queja (De Acuerdo Al ADA Y Título VI)

Nota: La siguiente información se necesita para procesar su queja.

Información de la persona que está poniendo la queja:

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Correo electrónico: _____

Teléfono (Casa): _____ Teléfono alternativo: _____

Persona A La Que Se Discriminó (alguien que no sea la persona que está poniendo la queja)

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Teléfono (Casa): _____ Teléfono alternativo: _____

¿Cuál de las siguientes razones describe por lo que usted siente que se le discriminó?

Por favor sea específico.

Raza _____

Origen nacional _____

Color _____

Incapacidad _____

¿En qué fecha(s) sucedió la discriminación? _____

¿Dónde ocurrió la presunta discriminación? _____

¿Cuál es el nombre y título de la(s) persona(s) que usted cree que lo discriminaron (si lo conoce)?

Describa la presunta discriminación. Explique qué sucedió y quién cree que fue el responsable. (Si necesita más espacio, agregue una hoja de papel).

Escriba una lista con los nombres de las personas que puedan tener conocimiento de la presunta discriminación y cómo contactarlas.

Si ha presentado la queja ante cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal, marque todas las opciones que correspondan.

Agencia Federal Corte Federal Agencia Estatal Corte Estatal Agencia Local

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Teléfono (Casa): _____ Teléfono alternativo: _____

Por favor firme abajo. Puede incluir cualquier material escrito u otra información que usted crea que es importante para probar su queja.

Firma de la Persona que presenta la queja

Fecha

Número de archivos adjuntos: _____

Someta la forma y cualquier información adicional a:

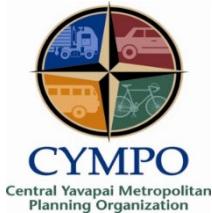
Central Yavapai MPO
ATTN: Desi Zurcher, Title VI Program Coordinator
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301
Phone: 928-442-5730
Email: desi.zurcher@yavapaiaz.gov

Se pueden adjuntar documentos adicionales al correo electrónico.

Attachment C

Approved Executive Board Meeting Minutes, June 26, 2024

(Document Attached)



MEETING MINUTES

Executive Board

Regular Meeting

Wednesday, June 26, 2024

1:00 PM

**Yavapai County
Board of Supervisors Hearing Room
1015 Fair St, Prescott, AZ**

MINUTES OF THE CYMPO EXECUTIVE BOARD HELD ON JUNE 26, 2024 AT 1:00 PM.

1. CALL TO ORDER

Chairman Brown called the meeting to order at 1:00 pm.

2. PLEDGE OF ALLEGIANCE

Secretary/Treasurer Goode led the Pledge of Allegiance.

3. ROLL CALL

Vice Chairman Hughes and Member Armstrong were absent. No members attended virtually. A quorum was met.

4. TITLE VI POLICY

Chairman Brown acknowledged the Title VI policy.

5. CALL TO THE PUBLIC

There were no comments.

6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE MAY 22, 2024 REGULAR MEETING MINUTES OF THE EXECUTIVE BOARD

MOTION

Member Palguta made a motion to approve the May 22, 2024 regular meeting minutes of the Executive Board. Secretary/Treasurer Goode seconded the motion.

Secretary/Treasurer Goode noted a correction to Item #14, where the vote distribution incorrectly read “the motion passed 3-4”. The correction should read “the motion passed 4-1”.

VOTE

The motion passed unanimously, with the noted changes.

Executive Board – **Meeting Minutes**

June 26, 2024

Page 2 of 5

7. EXECUTIVE DIRECTOR'S UPDATE

*Vincent Gallegos, CYMPO Executive Director
(Task #100)*

Mr. Gallegos welcomed Sam Elters to the Executive Board, as the State Transportation Board member replacing Gary Knight. Mr. Elters introduced himself and provided his background in transportation. This is his second term with the State Transportation Board, with his prior term as a representative for a portion of Maricopa County. He noted that District 6 encompasses four rural counties.

Mr. Gallegos provided an update on the RTS, applauded CYMPO staff for the huge undertaking, CYMPO EB, and City of Prescott staff for support. He noted that 10 legislators have already committed to attend, including all 3 of District 1 legislators. He noted that several of the Transportation Committee members are among those who have confirmed. He reemphasized the importance of coming together at the conference and discussing the transportation challenges of rural Arizona.

8. RURAL TRANSPORTATION ADVOCACY COUNCIL (RTAC) REPORT

Kevin Adam, RTAC

This item was taken as #10

Mr. Adam of the Rural Transportation Advocacy Council (RTAC) was unable to attend the meeting but sent a legislative update, which was provided to the Executive Board in the agenda packet. Chairman Brown requested discussion on this item at the next Executive Board meeting.

9. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE OF PROJECTS TO BE PRIORITIZED IN THE 2025 RTAC PURSUIT OF STATE LEGISLATIVE FUNDING

*Vincent Gallegos, CYMPO Executive Director
(Task #200)*

Mr. Gallegos discussed the modification to the funding request. He noted that this is important to discuss now in order to meet the deadlines with the rest of the MPO/COGs for the Rural Transportation Summit this fall. Mr. Gallegos noted that Project 1, SR89 Widening Road 3 North to Road 5 North Design Concept Report (DCR), was added to enhance Project 2, (SR89 Widening Road 3 North to Road 5 State North Design and Construction) for a more accurate cost on the overall project. Member Elters provided a supporting statement for Project 1.

MOTION

Member Palguta made a motion to approve the 2025 CYMPO/RTAC priority projects as presented. Secretary/Treasurer Goode seconded the motion.

VOTE

The motion passed unanimously.

10. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE THE MODIFICATION OF THE 2050 REGIONAL TRANSPORTATION PLAN (RTP) SCOPE OF WORK

*Bryn Stotler, CYMPO Planner
(Task #200)*

** This item was taken as #9 **

Executive Board – **Meeting Minutes**

June 26, 2024

Page 3 of 5

Ms. Stotler discussed the need to update the 2050 Regional Transportation Plan (RTP) scope of work, due to the CYMPO boundary expansion. She noted that the boundary expansion now includes southern and western Yavapai County, as well as State Route 169 to Interstate 17 and State Route 69 to I-17. She noted that the RTP plan update will ensure data and modeling are updated for the entire new CYMPO planning area.

MOTION

Chairman Brown made a motion to approve modifying the 2050 Regional Transportation Plan Scope of Work as presented. Member Palguta seconded the motion.

VOTE

The motion passed unanimously.

11. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO APPROVE AMENDMENT OF THE FY22-26 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) AND AMEND THE FY24-25 UNIFIED PLANNING WORK PROGRAM (UPWP)

Allison McCarthy, CYMPO Administrative Assistant

(Task #100)

Ms. McCarthy discussed the proposed amendments to the FY22-26 Metropolitan Transportation Improvement Program (MTIP) the FY24-25 Unified Planning Work Program (UPWP). She noted this will be the final amendment for the current fiscal year.

MOTION

Chairman Brown made a motion to approve amending the FY24-25 Unified Planning Work Program (UPWP) and FY22-26 Metropolitan Transportation Improvement Program (MTIP) as presented. Member Palguta seconded the motion.

VOTE

The motion passed unanimously.

12. TITLE VI PRESENTATION AND TRAINING

Desi Zurcher, CYMPO Program Coordinator / Title VI Coordinator

(Task #100)

Ms. Zurcher gave a presentation on Title VI and explained the need for annual training on the role of Title VI in the operations of CYMPO.

13. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO RECOMMEND APPROVAL OF THE FY2025 TITLE VI AND LIMITED ENGLISH PROFICIENCY PLAN, AND THE PUBLIC INVOLVEMENT PLAN

Desi Zurcher, CYMPO Program Coordinator / Title VI Coordinator

(Task #100)

Chairman Brown acknowledged that the Title VI documents are required to be updated and approved annually.

MOTION

Chairman Brown made a motion to approve the FY25 Title VI and Limited English Proficiency (LEP) Plan and Public Involvement Plan. Member Palguta seconded the motion.

Executive Board – **Meeting Minutes**

June 26, 2024

Page 4 of 5

VOTE

The motion passed unanimously.

14. TRANSIT UPDATE

*Michael Lamar, CYMPO Regional Development Manager
(Task #402)*

Mr. Lamar provided an update on transit. He discussed Prescott-specific data for the first 11 weeks of service. He discussed the top destinations within the Prescott service area. Chairman Brown requested that additional information be provided for the Yavapai-Apache Transit system.

15. PROJECT UPDATES

*Bryn Stotler, CYMPO Planner
(Task #200)*

This item was taken as number 8

Ms. Stotler highlighted the branding for the Regional Transportation Plan (RTP), known as “Move 2050”. She shared that the project is in the data gathering phase and that they are working with local GIS teams for base mapping. She noted the public roll-out is anticipated for late summer 2024, with adoption by the Executive Board next spring and acceptance by FHWA late spring 2025.

Ms. Stotler also discussed the State Route 69 Corridor Master Plan. She said that they are initiating design and innovation discussions and working with ADOT and local public works traffic teams to review options and viability. She noted that the current phase of the project involves targeted outreach to all SR69 facing businesses and said that they are currently gathering business data.

16. ADOT NORTHWEST DISTRICT REPORT

Anthony Brozich, ADOT Northwest District Administrator

Andy Roth provided the updates from the ADOT Northwest District. The updates provided are attached.

Mr. Roth noted that the I-17 flex lane project is estimated to be a year from completion. Chairman Brown expressed frustration at the delay in projects and how that delay is causing the cost of projects are increasing. He noted this is not the fault of ADOT and expressed hope that the Legislature would reevaluate transportation funding to help prevent future delays. Mr. Gallegos provided information regarding which projects that were included in the recently passed State budget. Chairman Brown requested a demonstration of how the wrong way driver detection system will work, and Mr. Roth agreed that he would see what he could do.

17. STATE TRANSPORTATION BOARD REPORT

Sam Elters, ADOT District 6 Representative

Member Elters discussed updates for District 6 and noted that the district will receive over \$900M for the entire district, more than any other in the State. He noted that District 6 has a lot of need. He said the State Transportation Board had a healthy discussion about funding, but he acknowledged that the State Transportation Board has limited ability to advocate for projects and is responsible for allocating funds. The State Transportation Board discussed the need for a revenue stream for planning and design, which can take 10-15 years on average to complete before a project can be delivered. Chairman Brown requested information regarding the future Interstate 11, and Member Elters provided some information regarding the project.

Executive Board – **Meeting Minutes**

June 26, 2024

Page 5 of 5

Secretary/Treasurer Goode noted his membership on the League Transportation Committee and discussed the complexities of electric vehicles and the impact on the road network, while also not having a revenue source to pay for their impact on roadways. He suggested a user fee for rapid charging stations and added that there are economic impacts to electric vehicle owners or users postponing or avoiding travel due to the unavailability of charging stations. He also noted how long it has been since the State updated the fuel tax, which is distributed throughout the State for transportation needs, and he noted that there is emerging support to revisit the issue within the Legislature.

18. ADJOURNMENT 2:08pm

CYMPO endeavors to make all public meetings accessible to persons in need of language assistance or with disabilities. Please call (928) 442-5730 or e-mail Desi.Zurcher@yavapaiaz.gov 72 hours prior to the meeting requesting reasonable accommodations.

CYMPO se esfuerza por hacer que todas las reuniones públicas sean accesibles para las personas que necesitan asistencia con el idioma o con discapacidades. Llame al (928) 442-5730 o envíe un correo electrónico a Desi.Zurcher@yavapaiaz.gov 72 horas antes de la reunión para solicitar adaptaciones razonables.

CYMPPO Executive Board
June 26, 2024
ADOT Northwest District Update

Information

1. ADOT Tentative 2025-2029 Five-Year Construction Plan: **Approved at State Transportation Board Meeting on 06/21/2024.**

Projects in Construction / Maintenance

1. F0294 I-17 at SR 169 TI UP
 - a. Deck Replacement
 - b. WB approach slab work on-going
2. F0519 SR 89 MP 339 to I-40
(Paulden to Ash Fork)
 - a. Centerline Rumble Strips
 - b. Project complete
3. F0371 I-40 Ash Fork Creek Bridges
 - a. 2nd half of scour floor complete
 - b. Working on outlet of Lewis Ave Box culvert structure
4. F0512 SR 169 Grant Woods Pkwy to I-17
Centerline Rumble Strips
 - a. Work start: night of 06/23/2024
5. H8739 SR 69 Prescott Lakes Pkwy to Heather Heights
 - a. Partnering Meeting scheduled 06/28/2024
 - b. Antic. start of work: week of 07/08/2024
6. T0355 YYV Old Hwy 66 at Fort Rock Rd
EB & WB Turn Lanes
 - a. Partnering Mtg: 06/19/2024
 - b. BNSF permit pending
 - c. Antic. start of work: week of 07/08/2024.
7. H6800 I-17 Anthem Way to Sunset Pt
 - a. 3rd lane and Flex Lanes
 - b. <http://improvingi17.com>

Projects in Design

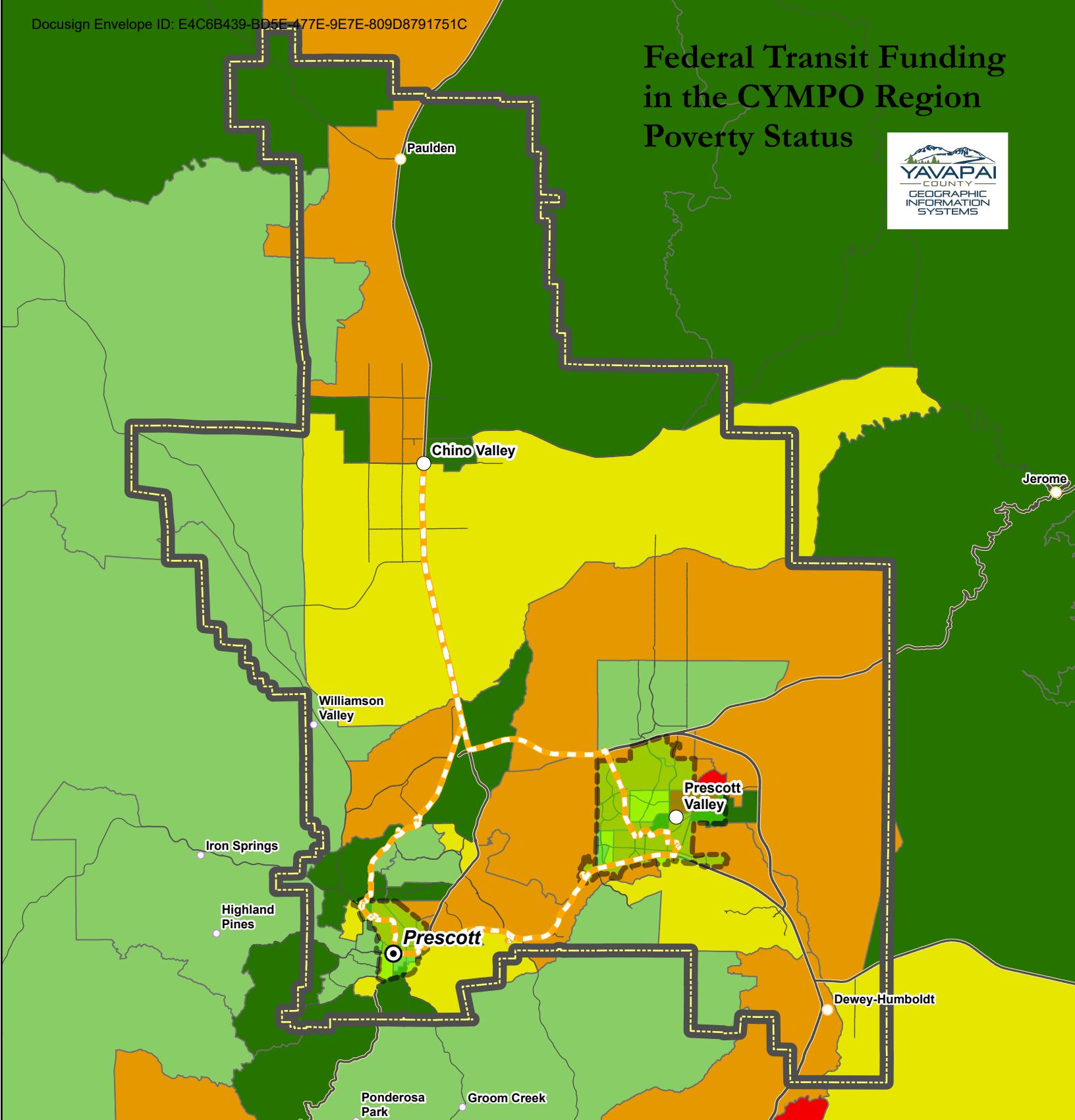
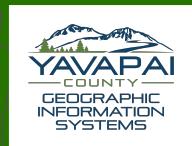
1. F0565 SR 89 at Little Ranch Rd (HSIP)
 - a. Left Turn Lane
 - b. Bid Opening: 08/23/2024
2. F0559 SR 89 MP 331 to 335
 - a. Centerline and Edge Line Rumble Strips
 - b. Bid Opening: 08/23/2024
3. F0695 SR 89A Spur (Fain Road: Robert Rd to Lynx Creek Bridge)
 - a. AC spot repairs and microsurface.
 - b. **Bid Opening 08/02/2024**
4. F0596 SR 89 at SR 89A TI On Ramp
 - a. Working on Stage IV (95%) design
 - b. Anticipate completion of design and shelf ready 4th Qtr FY 24
5. F0288 SR 69 at SR 169 Roundabout
 - a. Working on Stage IV (95%) design
6. F0515 I-17 Sunset Pt to I-40
 - a. Install Wrong Way Detection, CCTV cameras, DMS, RWIS
 - b. Antic. Bid Advertise: 2nd Qtr FY 25
7. F0633 SR 69: Lee Blvd to Walker Rd
 - a. Third Lane Extension and Raised Median
 - b. Antic. Bid Advertise: 3rd Qtr FY 25
8. F0696 I-17 & I-40 Truck Parking
 - a. Multiple Rest Area sites: including I-17 Sunset Point Rest Area
 - b. P3 Design Build

Attachment D

Demographic Maps of CYMPO Boundary

(Documents Attached)

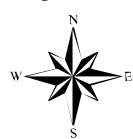
Federal Transit Funding in the CYMPO Region Poverty Status



- County Seat
- Incorporated City/ Town
- Towns
- Sm Communities
- CYMPO Plan Brdy
- Yav Connect Zones
- Yavapai Regional Transit Routes
- State Highway
- Other Roads

0 1.75 3.5 7
Miles

1 inch equals 5 miles



Census Tract 2020

Poverty Status In the Past 12 Months

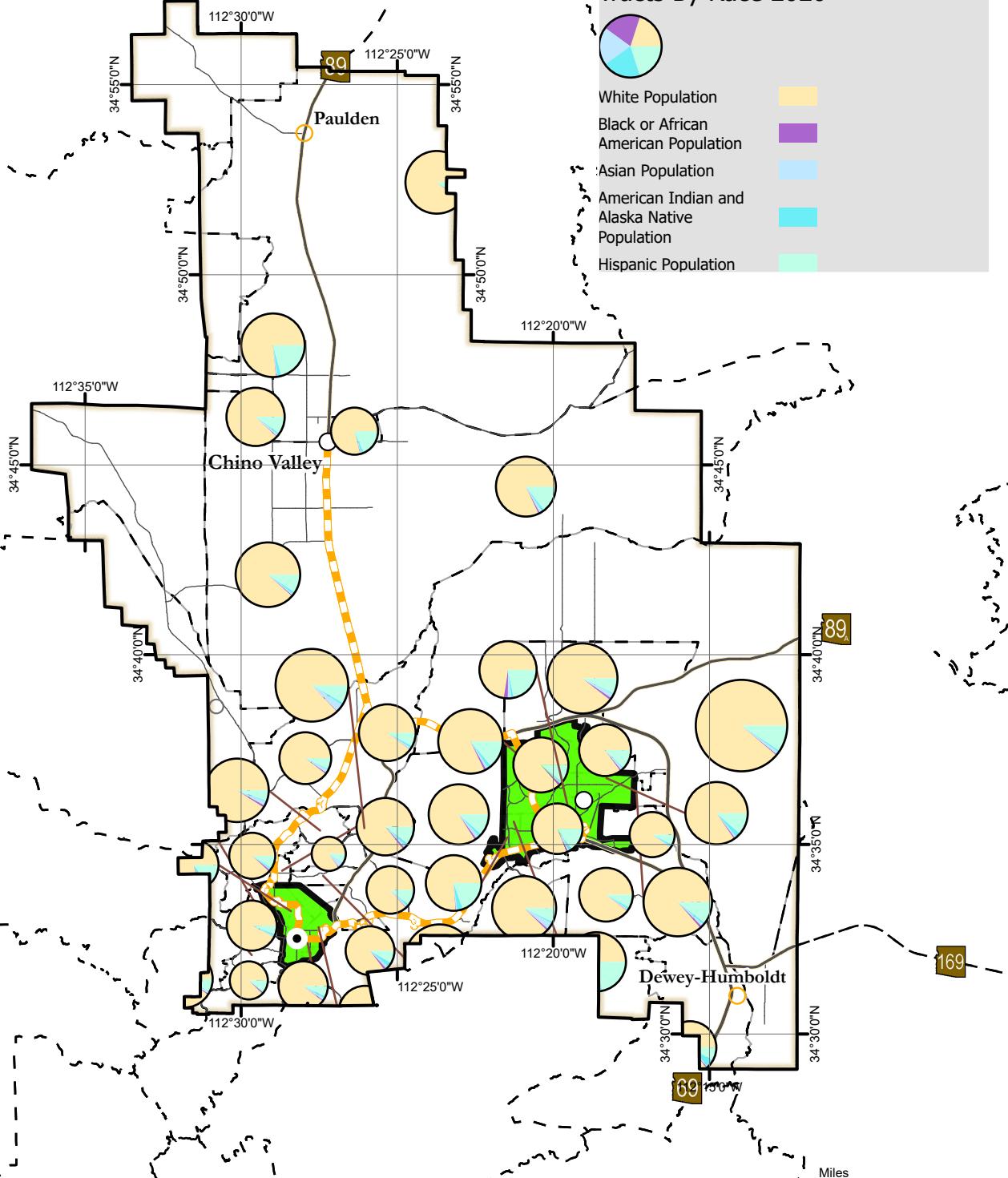
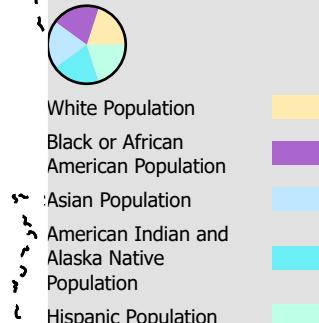
0-120
130-280
290-430
440-910
920-1500



Federal Transit Funding in the CYMPO Region Minority Populations

Legend

Tracts By Race 2020



Legend

Cities

- County Seat
- Incorporated Towns
- Towns
- Sm. Communities

Yavapai Regional Transit Routes
 Yavapai Regional Transit Routes

Yav Connect Zones
 Yav Connect Zones

Tracts outlines
 Tracts outlines

CYMPO Plan Boundary
 Major Roads

- State Highway
- Other Roads

0 1.5 3 6 9 12
 Miles
 1 inch equals 6 miles

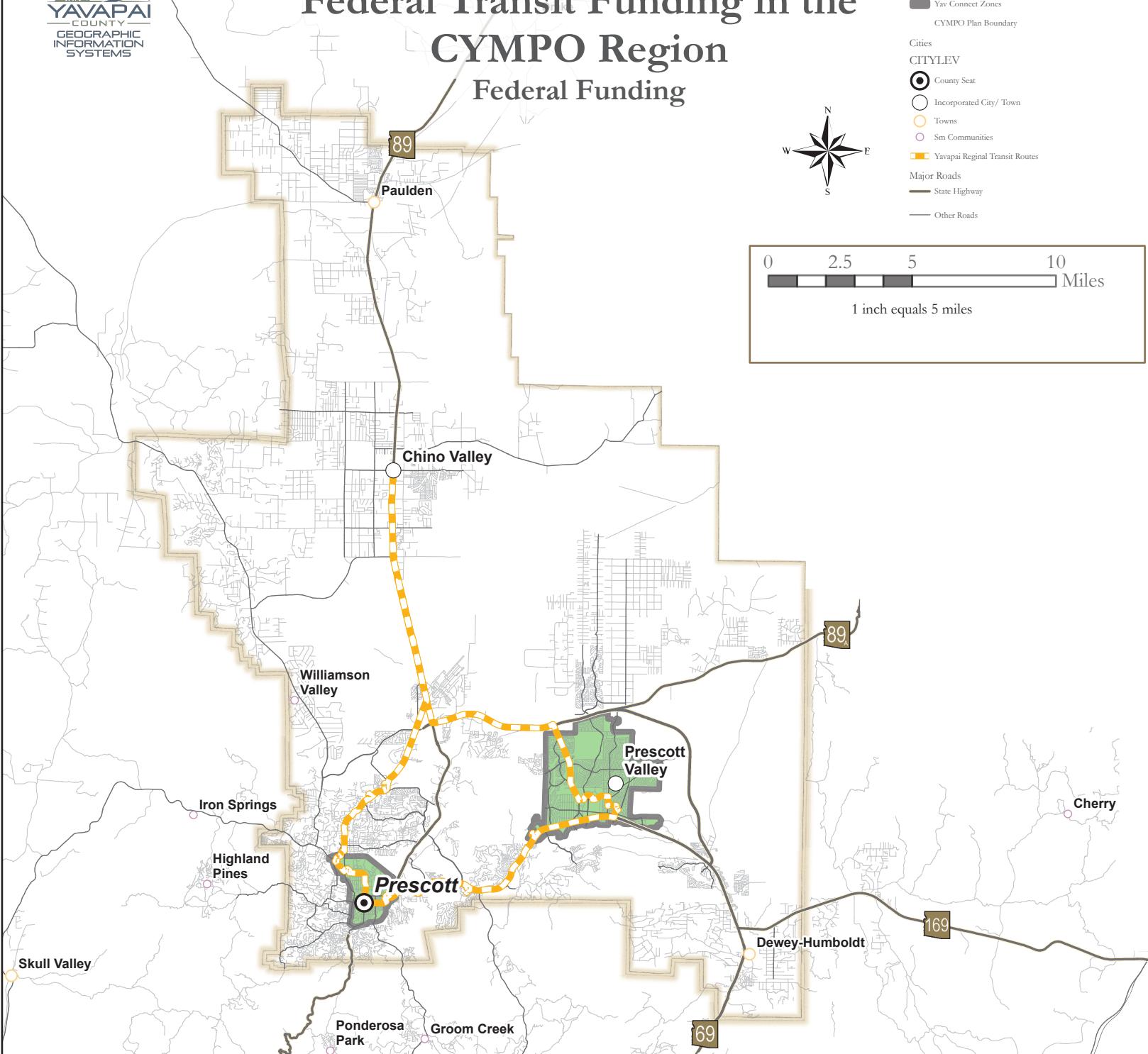


Federal Transit Funding in the CYMPO Region

Federal Funding



0 2.5 5 10 Miles
1 inch equals 5 miles



FTA Funding Distribution

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

- Central Yavapai Metropolitan Planning Organization: \$75,000 Federal Mobility Management Funding
- Central Yavapai Metropolitan Planning Organization: \$150,000 Planning / Program Support Administration
 - Adult Care Services: \$119,762 Federal Capital
 - Arizona Board of Regents: \$5,125 Federal Operating
- Central Yavapai Transit Foundation: \$3,000 Federal Travel Training Funding
- Helping Ourselves Pursue Enrichment Incorporated: \$4,336 Federal Preventive Maintenance
 - Hozhoni Foundation, Inc.: \$239,524 Federal Capital
- New Horizons Disability Empowerment Center: \$53,000 Federal Operating, \$24,840 Federal Preventative Maintenance
 - People Who Care: \$80,000 Federal Operating
 - West Yavapai Guidance Clinic: \$52,206 Federal Capital Funding
- Yavapai Regional Transit: \$203,000 Federal Operating, \$64,000 Federal Preventive Maintenance