

Mark Nexsen - Chair
Buster Johnson – Vice Chairman
Don Callahan – Secretary/Treasurer
Donna Brister-McCoy – Board Member
Deanna Beaver – Board Member



Lake Havasu City Police Facility
Meeting Room
2360 McCulloch Boulevard N.,
Lake Havasu City, AZ 86403
www.LHMPO.org

**LAKE HAVASU METROPOLITAN
PLANNING ORGANIZATION (LHMPO)
EXECUTIVE BOARD MEETING AGENDA
Tuesday, July 19, 2016, 2:00 PM**

One or More Executive Board Members May Attend Telephonically

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CALL TO THE PUBLIC:** This item is to provide an opportunity for citizens wishing to address the Executive Board on issues within the jurisdiction of the LHMPO planning area that are not on the Agenda. Your comments SHALL be limited to five (5) minutes or less. Please be advised that Executive Board Members may not respond to comments or questions brought up during call to the public.
- 5. CONSENT AGENDA**
 - 5.1** Approve the Executive Board Meeting Minutes of June 21, 2016
(Task #100)
- 6. ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS**
 - 6.1** ADOT Northwest District Update Report
 - 6.2** LHMPO Manager Report
- 7. PUBLIC HEARINGS**
 - 7.1** Discussion and Possible Action to Approve Addendum No. 1 to the Lake Havasu Metropolitan Planning Organization Manager Contract
(Task #102)
 - 7.2** Discussion and Possible Action to Approve the Title VI Plan and Limited English Proficiency Plan (LEP)
(Task # 102)
 - 7.3** Discussion and Possible Action to Approve the FY16 – 20 Transportation Improvement Program (TIP)
(Task #300)
- 8. FUTURE AGENDA ITEMS**

9. UPCOMING MEETING SCHEDULE

- LHMPO TAC Meeting: **August 16, 2016, 1:30 PM**, 900 London Bridge Rd, Bldg. B, Lake Havasu City, AZ 86404
- State Transportation Board Meeting: **July 15, 2016, Camp Verde, AZ**
- State Transportation Board Study Session: **August 30, 2016, Phoenix, AZ**
- State Transportation Board Meeting: **September 16, 2016, Bullhead, AZ**
- Executive Board Regular Meeting: **TBD**, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403

10. ADJOURNMENT

Pursuant to the Americans with Disabilities Act (ADA), the Lake Havasu Metropolitan Planning Organization endeavors to ensure the accessibility of all of its programs, projects and services to all persons with disabilities. If you need an accommodation for this meeting, please contact Jeanette Buckley, Lake Havasu MPO at (928) 453-2823 at least 48 hours prior to the meeting so that accommodations may be arranged.

**LAKE HAVASU MPO
REQUEST FOR ACTION
JULY 19, 2016**

SUBJECT: ACTION TO APPROVE THE CONSENT AGENDA

SUBMITTED BY: Jean Knight, MPO Manager

AGENDA TYPE: **CONSENT AGENDA**

ATTACHMENTS:

Executive Board Meeting minutes of June 21, 2016

SUMMARY/BACKGROUND:

Attached are the minutes from the Executive Board meeting held June 21, 2016

ACTION OPTION:

Motion to approve the Consent Agenda

OR

Motion to approve the Consent Agenda, with the noted changes

RECOMMENDATION:

Motion to approve the Consent Agenda

Mark Nexsen - Chair
Buster Johnson – Vice Chairman
Don Callahan – Secretary/Treasurer
Donna Brister-McCoy – Board Member
Deanna Beaver – Board Member



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Meeting Room
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**LAKE HAVASU METROPOLITAN
PLANNING ORGANIZATION (LHMPO)
EXECUTIVE BOARD MEETING MINUTES
Tuesday, June 21, 2016, 3:00 PM**

One or More Executive Board Members May Attend Telephonically

1. CALL TO ORDER

Chairman Nexsen called the meeting to order at 3:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chairman Nexsen led the Pledge of Allegiance.

3. ROLL CALL

The roll call was performed by Jeanette Buckley:

Present: Mark Nexsen, Deanna Beaver, Don Callahan; Buster Johnson participated telephonically.

Absent: Donna Brister

4. CALL TO THE PUBLIC:

There were no public comments.

5. CONSENT AGENDA

5.1 Approve the Executive Board Meeting Minutes of May 10, 2016

MOTION

Secretary/Treasurer Callahan presented a motion to approve the Consent Agenda as presented.

Motion was seconded by Member Beaver.

VOTE ON MOTION

The vote on the motion was unanimous.

6. ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS

6.1 ADOT Northwest District Update Report

Alvin Stump, ADOT Northwest District reported on the following:

- I-40 repairing bumps in the next week
- Approved for a SR95 Access Management Study in Bullhead City to Mohave Valley
- In the 5 year program Northwest District got approved for 2 projects
- US 93: "The Gap" Tegner Drive to State Route 89: This project, which will widen a three-mile stretch of US 93 near Wickenburg to a four-lane divided highway
- US 93: Carrow to Stephens: \$35.5 million allocated in FY 2021 to widen this three-mile section of US 93 north of Wikieup

6.2 LHMPO Manager Report

Jean Knight had nothing to report to the board.

7. PUBLIC HEARINGS

- 7.1** Discussion and Possible Action, if necessary, to comply with Arizona Open Meeting Law following the Executive Session regarding the Annual Evaluation of the MPO Manager. Possible actions include, but are not limited to, finding of satisfactory or unsatisfactory performance, salary adjustment, or any direction or action necessary to place an item on a future agenda relating to the MPO Manager's evaluation, salary adjustment, or employment agreement.

MOTION

Member Beaver presented a motion for the City Attorney to amend the contract for Jean Knight, MPO Manager, to reflect the discussion held in Executive Session based on the finding of satisfactory performance. Secretary/Treasurer Callahan seconded the motion.

VOTE ON MOTION

The vote on the motion was unanimous.

- 7.2** Discussion and Possible Action to Approve JPA 14-0004163-T Amendment 3: LHMPO Work Program Agreement Between the Arizona Department of Transportation (ADOT) and the Lake Havasu Metropolitan Planning Organization (LHMPO)

Jean Knight advised the Board that annually the LHMPO is required to sign a Joint Project Agreement (JPA) with ADOT. This year ADOT is amending the FY2014 JPA rather and requesting a new JPA.

The City Attorney has reviewed the JPA and did not have any issues, and signed it in DocuSign. Once the Board approves the JPA the Chairman signs it in DocuSign, and it goes to ADOT. Jean Knight indicated that this agreement states that the LHMPO will abide by the rules ADOT has set forth.

MOTION

Secretary/Treasurer Callahan presented a motion to approve the JPA #14-0004163-T Amendment 3 and authorize the Chairman to sign. Member Beaver seconded the motion.

VOTE ON MOTION

The vote on the motion was unanimous.

8. FUTURE AGENDA ITEMS

Chairman Nexsen requested any suggestions for future agenda items. No suggestions given.

9. UPCOMING MEETING SCHEDULE

- LHMPO TAC Meeting: **June 28, 2016, 12:30 PM**, 900 London Bridge Rd, Bldg. E, Lake Havasu City, AZ 86404 **PLEASE NOTE MEETING TIME CHANGE**
- State Transportation Board Meeting: **July 15, 2016, Camp Verde, AZ**
- Executive Board Regular Meeting: **July 12, 2:00 PM**, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403

10. ADJOURNMENT

Motion was presented by Secretary/Treasurer to adjourn and seconded by Member Beaver. Vote on the motion was unanimous. Meeting adjourned at 3:10 p.m.

**LAKE HAVASU MPO
REQUEST FOR ACTION
JULY 19, 2016**

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE ADDENDUM NO. 1
TO THE LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION
MANAGER EMPLOYMENT CONTRACT

SUBMITTED BY: Kelly Garry, MPO Attorney

AGENDA TYPE: **PUBLIC HEARING**

ATTACHMENTS:

Addendum No. 1 to the Lake Havasu Metropolitan Planning Organization Manager Employment Contract

SUMMARY/BACKGROUND:

Ms. Knight has been in the LHMPO Manager position since December 2013. Ms. Knight and the LHMPO entered into a 2-year Employment Contract May 12, 2015. In accordance with the Employment Contract, the LHMPO Manager was evaluated on June 21, 2016, and the Executive Board increased the annual compensation based upon a finding of favorable performance.

A change to the Employment Contract requires an Addendum. Please see attached Addendum No. 1 to the Lake Havasu Metropolitan Planning Organization Manager Employment Contract.

ACTION OPTION:

Motion to Approve Addendum No. 1 to the Lake Havasu MPO Manager Contract

RECOMMENDATION:

Motion to Approve Addendum No. 1 to the Lake Havasu MPO Manager Contract

**ADDENDUM NO. 1 TO
LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION
EMPLOYMENT CONTRACT
MPO MANAGER**

THIS ADDENDUM NO. 1 (“Addendum No. 1”) is entered into on July 19, 2016, by and between Mary Jean Knight (“MPO Manager”), and Lake Havasu Metropolitan Planning Organization, an Arizona corporation (“MPO”), collectively referred to as the “parties.” The parties agree as follows:

RECITALS, MPO Manager and MPO entered into a two (2) year Employment Contract dated May 12, 2015 (“Contract”). In accordance with the Contract, MPO Manager was evaluated on June 21, 2016, and the MPO Board directed the Contract be amended based upon a finding of favorable performance.

1. Section 4 and Subsection 4.1 of the Contract are amended as follows:

4. Compensation: Beginning July 1, 2016, and during the term of this Contract, MPO Manager will be compensated as follows:

4.1. Annual salary in the amount of \$75,000.00 paid in accordance with Lake Havasu City’s bi-weekly payroll schedule. See paragraph “4.3” below for annual salary adjustment after the initial twelve (12) months of contract approval and subsequent annual salary adjustments during the term of this Contract.

2. Reaffirmation of Unamended Provisions to Contract:

All other sections and provisions of the Contract not amended or restated by this Addendum No. 1 shall remain in full force and effect and shall be considered reaffirmed by the execution of this Addendum.

SIGNATURES ON FOLLOWING PAGE

3. Signatures

"MPO"

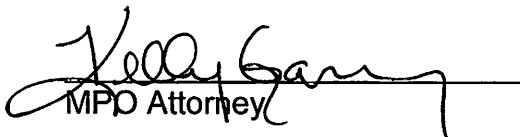
"MPO Manager"

Mark S. Nexsen, Chair



Mary Jean Knight

APPROVED AS TO FORM:



MPO Attorney

**LAKE HAVASU MPO
REQUEST FOR ACTION
JULY 19, 2016**

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE THE 2016 TITLE VI PLAN AND AMENDED LIMITED ENGLISH PROFICIENCY PLAN (LEP)

SUBMITTED BY: Jean Knight, Manager

AGENDA TYPE: PUBLIC HEARING

ATTACHMENTS:

Final Draft Title VI

Draft Amended Limited English Proficiency Plan

SUMMARY/BACKGROUND:

All recipients of Federal Aid funding are required to adhere to the Civil Rights Act of 1964 and subsequent authorities to insure that no person is discriminated against on the grounds of race, color, national origin, sex, age, disability, limited English proficient and low income. As an MPO we are required to develop a Title VI Plan and update every three (3) years or annually if there have been changes.

ADOT Title VI department required changes this year; consequently, the LHMPO revised the full Plan. Additionally, we made a few demographic data changes to the Limited English Proficiency Plan (LEP). These documents go hand-in-hand with one another. Most of the information in the Title VI Plan was in the previous Plan. The changes are the structure, inclusion of the Federal Assurances, inclusions rather than attachments of the Public Involvement Plan (PIP) & LEP and update of the demographic data.

Within the next 12 months the LHMPO will hold Title VI training for LHMPO staff and member agencies, which includes the TAC members and Executive Board members, if they choose to attend. The TAC has approved the Title VI and LEP.

ACTION OPTION:

Motion to approve the Title VI Plan and Amended LEP

RECOMMENDATION:

Motion to approve the Title VI Plan and Amended LEP



Lake Havasu Metropolitan Planning Organization
900 London Bridge Road – Transit Bldg. B
Lake Havasu City, AZ 86404
[www."LHMPO".org](http://www.LHMPO.org)

Title VI Plan

Nondiscrimination in Federally Assisted Programs

Endorsed and Approved on _____, by the:
Lake Havasu Metropolitan Planning Organization
Executive Board

Endorsed and Approved on June 28, 2016, by the:
Lake Havasu Metropolitan Planning Organization
Technical Advisory Committee

Contact:

Jean Knight, "LHMPO" Manager
Title VI Coordinator
900 London Bridge Road, Bldg. B
Lake Havasu City, AZ 86404
Phone: (928) 453-2824
Email: KnightJ@lhcaz.gov
[www."LHMPO".org](http://www.)

En Español:

Para más información, o si está interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asistencia con el idioma, por favor comuníquese:

Señora Jean Knight
Teléfono: (928) 453-2824
KnightJ@lhcaz.gov

Lake Havasu Metropolitan Planning Organization “LHMPO”

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I. INTRODUCTION

The **Lake Havasu Metropolitan Planning Organization “LHMPO”**, 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 subsequent authorities.

II. POLICY STATEMENT

The Lake Havasu Metropolitan Planning Organization “LHMPO” is committed to insure that no person is discriminated against on the grounds of race, color, national origin, sex, age, disability, limited proficiency in English, or low-income status 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 English Proficiency, Code of Federal Regulations 49 Part 21, Code of Federal Regulations 23 Part 200, and Code of Federal Regulations Part 303.

The “LHMPO” 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 “LHMPO” is responsible for initiating and monitoring Title VI activities and preparing required reports.

By: _____

Date: _____

Jean Knight, Manager
Title VI Coordinator
Lake Havasu Metropolitan
Planning Organization

III. CERTIFICATION and ASSURANCES

Lake Havasu Metropolitan Planning Organization Title VI Assurances

The Lake Havasu Metropolitan Planning Organization (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through *Federal Highway Administration and Arizona Department of Transportation*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation--Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- 23 C.F.R. Part 200 Subchapter C-Civil Rights (Title VI program implementation and related statutes)

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its *Federal Aid Highway Program*.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "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 **Lake Havasu 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 this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to a construct a facility or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

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

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

Lake Havasu 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.

By _____ Date _____
Mark S. Nexsen, Chairman
Lake Havasu Metropolitan
Planning Organization

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 **Lake Havasu 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 **Lake Havasu 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 **Lake Havasu 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 **Lake Havasu Metropolitan Planning Organization**, its successors and assigns.

The **Lake Havasu 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 **Lake Havasu 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 **Lake Havasu 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, **Lake Havasu 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, **Lake Havasu 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 **Lake Havasu 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 **Lake Havasu 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, **Lake Havasu 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, **Lake Havasu Metropolitan Planning Organization** will there upon revert to and vest in and become the absolute property of **Lake Havasu 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).

IV. 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. "LHMPO" 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 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."

The "LHMPO" 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, the "LHMPO" will make due preparation for persons requiring assistance, such as the hearing or visually impaired, upon request.

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

V. COMPLAINT PROCESS

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 may file a complaint. The complaint must be (a) unequal treatment because of race, color, national origin, gender, age, income status, limited English proficient and/or disability, or (b) noncompliance with Title VI rules or guidelines adopted thereunder.

The Arizona Department of Transportation (ADOT) has the principal responsibility for processing, investigating, and resolving any complaint arising as a result of operations of its subrecipients such as Lake Havasu Metropolitan Planning Organization ("LHMPO"). The "LHMPO" will be responsible for processing, investigating and resolving complaints of discrimination by its member agencies. The "LHMPO" contact information is as follows:

Jean Knight
LHMPO
Manager/Title VI Coordinator
900 London Bridge Road – Transit Bldg. B
Lake Havasu City, AZ 86404
Telephone 928-453-2824

The complaint process will follow the ADOT procedures. Complaints must be filed in writing to:

ADOT Civil Rights Office
206 S. 17th Avenue, Room 183, MD 155
Phoenix, AZ 85007
Telephone 602-712-8946

Complaints received by the "LHMPO" will be forwarded to the ADOT Civil Rights Office.

A formal complaint must be filed within 180 calendar days of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct. This timeframe is prescribed by 49 CFR 21.11(b).

The complaint must meet the following requirements:

- a. Complaint shall be in writing and signed by the complainant(s) and must include complainant(s) name, address and phone number. The Title VI Program Manager or a liaison will assist the complainant with documenting the issues if necessary.
- b. Present date of the alleged act of discrimination; date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct.
- c. Present a detailed description of the issues including names and job titles of those individuals perceived as parties in the complained-of-incident.

- d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity (ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for the Civil Rights Office (CRO) to be able to process it.
- e. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return to the CRO for processing.
- f. Within 45 calendar days of the acceptance of the complaint, the ADOT investigator will prepare a draft investigative report for the review of the ADOT CRO Deputy Administrator. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
- g. ADOT's final investigative report with the preliminary findings and a copy of the complaint will be forwarded by certified mail to either FHWA (Arizona Division office Civil Rights Specialist), FTA or FAA or NHTSA, within 60 calendar days of the acceptance of the complaint, per 23 CFR 200.9(b)(3).

A complainant dissatisfied with USDOT's Final Agency Decision may file action with the appropriate US District Court.

A complaint form can be obtained from "LHMPO" or downloaded from the "LHMPO" website. [Insert Link](#)

VI. 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 "LHMPO" be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

Laws and Policy

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency* is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals

who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

The following matrix illustrates legal and policy considerations:

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

Program Responsibility

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

- *Notify LEP customers of the availability of language assistance services*
LEP persons have the right to language assistance at no cost to them in their spoken language. Language identification cards or posting signs in public areas are methods that can be used to provide notice of the service.

- *Translation of vital documents in languages other than English*
It is appropriate to have written materials that have been historically provided in English to applicants, customers and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. "LHMPO" with indicate on its web site and newspaper publications that translation can be provided, with appropriate notice.

Vital Documents are documents that convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in

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

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

Section Five of the US Department of Transportation guidance on LEP requires a four-factor analysis to determine the need for translation services in order to ensure LEP populations are able to receive information about and can participate in the planning process in the language they best understand.

1. Demography: According to the U.S. Census Bureau, 2010-2014, American Community Survey five year estimates, 3.9% of the Lake Havasu MPO area population is considered to be Limited English Proficient. This equates to 2,028 individuals or 3.9% of the population five years of age or older who report speaking English less than “very well”. The predominate language spoken by these individuals is Spanish. Under the Department of Justice’s (DOJ) Safe Harbor provision, it is necessary to translate materials when five percent or 1,000 persons, whichever is less, speak English less than “very well”.
2. Frequency: Some government offices provide materials in English and Spanish but, because the general public comes in contact with “LHMPO” on an infrequent basis, only public notices and certain vital materials are available in both English and Spanish.
3. Importance: Transportation planning is an important facet of the community and affects all residents. All residents are encouraged to participate in public meetings.
4. Resources: Due to limited resources and small staff, interpretation and translation services are not available without advance notice; however, public notices are available in English and Spanish.

Based on the four—factor analysis, Lake Havasu MPO will continue to provide public notices in English and Spanish. Translation and interpretation services will be provided through public online translation sites, bilingual community members and, if not cost prohibit and funds permit, through a language interpretation and translation service. The goal of the “LHMPO” is to engage all community members in the planning process.

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 “LHMPO” will provide translation services, if requested, with 10-days’ notice prior to when the services are needed.

Persons with Limited English Proficiency (LEP)	Estimate	% of Persons 5 Yrs. & Over	% of Persons 5 Yrs. & Over With LEP
Total Persons 5 years & Over	51,366	100.0%	---
English Speaking Only	46,179	89.9%	---
Limited English Proficiency	2,028	3.9%	100.0%
Spanish with LEP	1,562	3.0%	77.0%
Other Indo-European languages with LEP	87	0.2%	4.3%
Asian & Pacific Island languages with LEP	357	0.7%	17.6%
Other Languages with LEP	22	0.0%	1.1%

*Source: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-year estimates
ACS data are based on a sample and are subject to sampling variability
Limited English Proficient (LEP) persons refers to persons age 5 years and over for who English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the Census they speak English less than very well, not well, or not at all.*

Program Areas

- Long Range Transportation Plan (2040 Plan)
- Transportation Improvement Program (TIP)
- Public Involvement Plan (PIP)
- Coordinated Public Transit-Human Services Transportation Plan
- Unified Planning Work Program

All persons living, working, conducting business and visiting the region are beneficiaries of the planning, coordination, and construction activities of the “LHMPO”. The “LHMPO” 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 provides oversight to the program areas through contract reviews and personal interaction in an effort to ensure their compliance with Title VI and other nondiscrimination related authorities.

VII. POPULATION AND DEMOGRAPHIC PROFILE OF LAKE HAVASU CITY AND MOHAVE COUNTY

2010 Census			
	Lake Havasu City	Mohave County	"LHMPO" Area
Total Population	52,527	200,186	55,503
Male	25,954	100,078	27,462
Female	26,573	100,108	28,041
White	44,119	159,378	46,644
Hispanic/Latino	6,356	29,569	6,708
African American/Black	329	1,715	342
Asian	486	2,016	501
Am. Indian/Alaskan Native	419	3,793	442
Native Hawaiian other Pacific Islander	54	316	56
Other Races	29	145	29
2 or More Races	735	3,254	781

Source: U.S. Census Bureau, 2010 Census

2010-2014 Area Estimates Population By Race		
	Lake Havasu City	Mohave County
Population	52,827	202,482
Male	25,408	101,778
Female	27,419	100,704
Hispanic/Latino	6,841	31,101
White	43,989	159,353
African American/Black	334	1,890
Asian	681	2,182
Am. Indian/Alaskan Native	282	3,140
Native Hawaiian other Pacific Islander	6	341
Other Races	24	95
2 or More Races	670	4,380

Source: U.S. Census Bureau, ALRIS, American Fact Finder

2010 – 2014 Estimates						
Population and Households			Census Tracts ^g			
Category	MPO		Number of tracts ≥ MPO Percentage ^d	% Tracts	Affected ^e Population	% of Affected Population Captured in Census Tracts
	Total	Percent				
Population Base (Defined Census	52,8	100.0	11	100%	-----	-----
Minority ^a	8,6	16.3	5	45.5%	4,29	49.6%
Age 60+ ^a	18,5	35.0	5	45.5%	9,25	49.9%
Age 65+ ^a	14,0	26.5	6	54.5%	8,50	60.7%
Age 75+ ^a	5,8	11.1	6	54.5%	3,61	61.5%
Below Poverty Level ^b	8,0	15.2	6	54.5%	5,23	64.8%
Population with a disability ^c	8,7	16.3	5	45.5%	4,36	50.2%
Limited English Proficient (LEP) Persons ^f	2,0 28	3.9 %	4	36.4%	923	45.5%

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

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

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

^b Percent of the population for whom poverty status is determined does not include institutionalized persons or persons under 5 years of age. Total population in the Census defined MPO area for whom poverty status is determined is 53,218. Data from 2014 ACS 5-Year estimates (Table B17001)

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

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

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

^f The guidance for Limited English Proficiency (LEP) for DOT recipients refers to persons age 5 years and over who speak English less than "very well." See

http://www.lep.gov/guidance/guidance_Fed_Guidance.html Data from 2014 ACS 5-Year estimates (Table B16005). 2014 estimate of total persons age 5 years and over for the defined Census geography is 51,366.

⁹ The Census Tracts used in this analysis include the best match using full Census Tracts where the majority of the population or the tract centroid is within the MPO boundary. The base numbers for all values in this table are for this Census-based defined area.

Demographic data obtained from the US Census Bureau, LEP.gov and collected during public meetings will be analyzed and used to ensure the minority and low income populations are considered in the planning process.

VIII. PUBLIC PARTICIPATION PROCESS – Public Involvement Plan (PIP)

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. Some of the reasons for encouraging this openness are:

1. Project leaders may gain new information.
2. Participants, who want a project to be completed, can provide additional resources in the form of assistance, goods, or services.
3. Public participation can be a forum for dispute resolution.
4. 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 about.
5. Input can be a warning mechanism for potential problems.
6. 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.

The goals of the “LHMPO” public involvement plan 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 “LHMPO” Public Involvement Plan (PIP) outlines the importance of, and specific guidelines for, involving community members, organizations, governments, transportation professionals and others in ongoing and future “LHMPO” projects, plans and programs. Included is information about the value of public participation, how it will be accomplished, and what will be done with the results.

The PIP contains background material, guidelines, and commitments that “LHMPO” is undertaking to incorporate an effective public process into future plans, projects, and programs. Specifically “LHMPO” 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/congestion problems and a shared sense of pride in the development of solutions to those problems.
- Helping form partnerships between member entities, and the private and public sectors to plan and implement transportation/congestion 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.

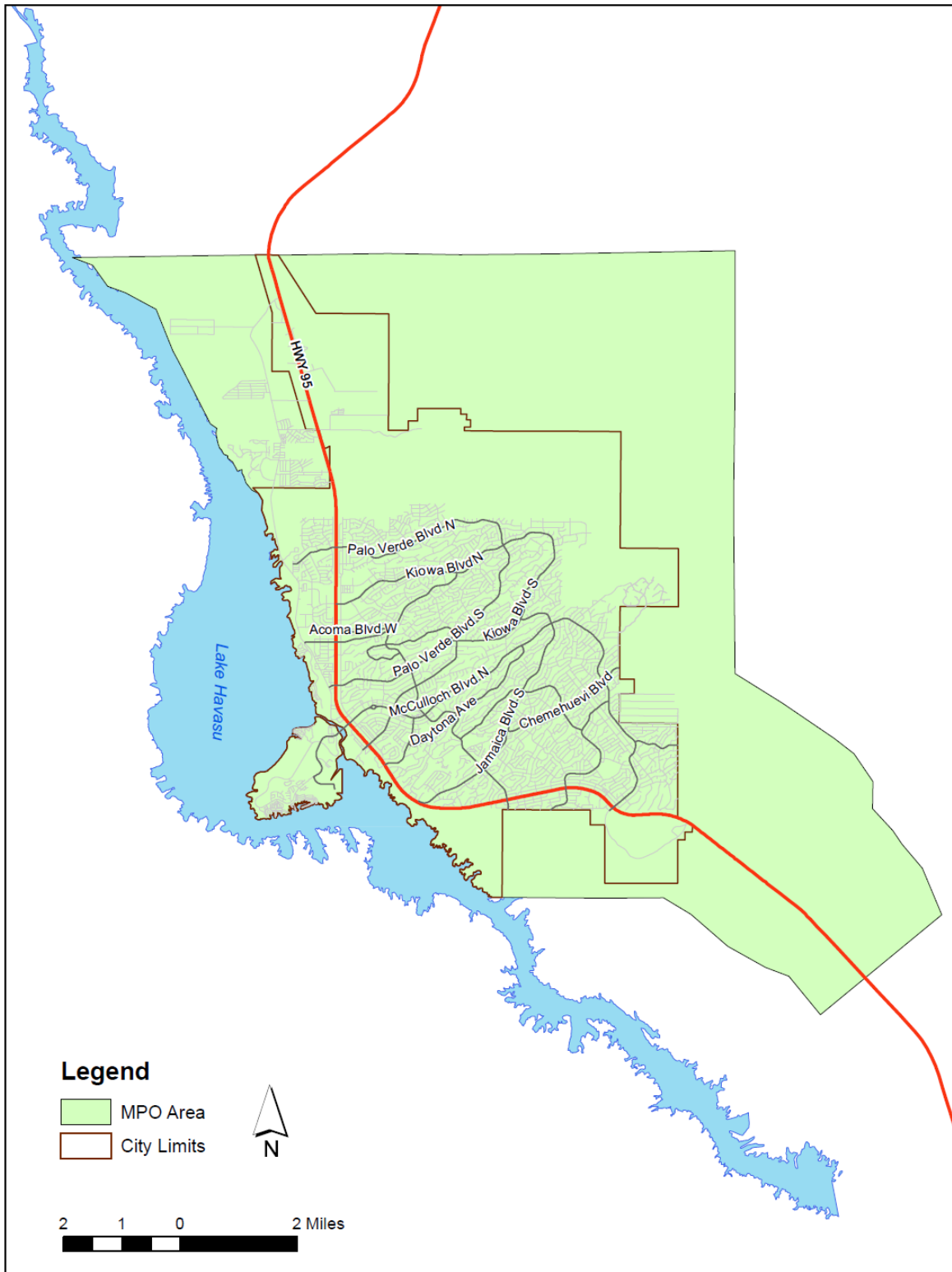
The “LHMPO” is committed to providing the public 30 – calendar days to review the following:

1. Regional Transportation Plan (RTP) – when Amended or updates are performed,
2. Transportation Improvement Program (TIP) Projects – when any changes or updates are prepared; and,
3. Public Involvement Plan (PIP) – when major changes are made to the Plan.

The above documents are available on the “LHMPO” web site, www.LHMPO.ORG or at the “LHMPO” location, 900 London Bridge Rd., Building B, Lake Havasu City, AZ. A notice shall be placed on the “LHMPO” web site and publicized in the Today’s News-Herald inviting public comment when the documents are being amended.

“LHMPO” Notice to the Public informs the public of their rights under Title VI. The notice is posted in “LHMPO”’s public offices, during public meetings and on the “LHMPO” website: <http://www.”LHMPO”.org/”LHMPO”/studies/title-vi-lep>.

IX. LAKE HAVASU MPO PLANNING BOUNDARY



X. “LHMPO” ORGANIZATIONAL & PROGRAM ADMINISTRATION

General Organization

The “LHMPO” was established in 2013 with the responsibility for transportation planning within the regional area. The regional area generally encompasses Lake Havasu City, a portion of Mohave County and the state highway system within its boundaries. Federal legislation requires 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. Lake Havasu City is the fiscal and administrative agent for the “LHMPO”.

“LHMPO” Title VI Coordination and Administration

Compliance is ongoing and falls under duties for the “LHMPO” Manager, which includes, but is not limited to activities such as reporting and data collection, as well as advising the administrative staff of Title VI changes. The Title VI Coordinator is also responsible for preparing and submitting Title VI Plans once every three years and an annual Title VI Accomplishment and Goals report.

The Title VI Coordinator will receive training from ADOT and will share the requirements of Title VI and related authorities with staff and committee members.

The Title VI Coordinator will develop strategies to include minority and low-income populations (including individuals with Limited English Proficiency) in the transportation planning and grant awards processes as outlined in the “LHMPO” Public Involvement Plan.

“LHMPO” Title VI Coordinator Contact Information:

Jean Knight, Manager
900 London Bridge Rd., Bldg. B
Lake Havasu City, AZ 86404
928-453-2824 office

“LHMPO” Membership

The **Executive Board** is the policy body of the “LHMPO” and consists of elected or appointed officials from the Lake Havasu City, Mohave County, one member from ADOT State Transportation Board (appointed by the Governor of the State of Arizona) and one ex-officio from Federal Highways Administration. As the policy body, the function of the Executive Board is to coordinate transportation planning and related implementation activities within the metropolitan area. The Board must approve all agreements and contracts and the Chairman, or designee, signs all

appropriate documents related to contracts and agreements. The Executive Board also reviews and approves the Title VI Plan.

Lake Havasu MPO Executive Board Representation

1. Lake Havasu City – Three Members
 2. Mohave County – One Member
 3. Arizona State Transportation Board – One Member
 4. Ex-Officio – Federal Highways Administration – One Member
-

The **Technical Advisory Committee (TAC)** is an advisory committee to the Executive Board. The six-member committee is comprised of: the Lake Havasu City Director of Operations, or designee; Lake Havasu City Project Manager, or designee; Mohave County Public Works Director, Western Arizona Council of Governments (WACOG) Transportation Program Manager as well as representatives from the Arizona Department of Transportation's Northwest District Engineering Office and Transportation Planning Division. In addition, there is an ex-officio non-voting member from Federal Highways Administration. The committee has the authority and primary responsibility to conduct technical reviews and analysis regarding all work activities of the Unified Planning Work Program and to advise the Executive Board on appropriate actions to be taken.

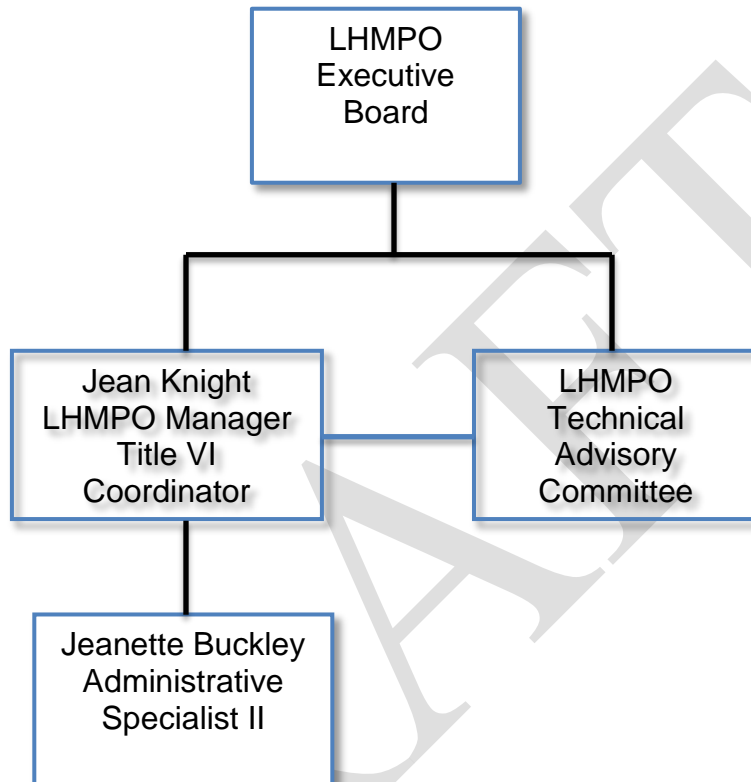
Lake Havasu MPO Technical Advisory Committee Representation

5. Lake Havasu City – Two Members
 6. Mohave County – One Member
 7. WACOG – One Member
 8. Arizona Department of Transportation – Two Members
 9. Ex-Officio – Federal Highways Administration – One Member
-

Lake Havasu MPO Committee Characteristics

LAKE HAVASU MPO COMMITTEES	RACE/Ethnicity	GENDER	
		Female	Male
Technical Advisory Committee	5 Caucasian 1 Hispanic	2	4

2016 “LHMPO” Organizational Chart



XI. LAWSUITS ALLEGING DISCRIMINATION

No investigations, lawsuits or complaints have been filed against the Lake Havasu MPO or its member agencies during the past three years. A copy of the Complaint Log is included as an attachment.

XII. COMPLIANCE AND ENFORCEMENT

A. Compliance

“LHMPO” is committed to Title VI and related authorities and will make every effort to identify, address and eliminate discrimination if it is found to exist in any of its programs and activities.

B. Subrecipient Review Procedures

The Title VI Coordinator is responsible for reviewing subrecipients for Title VI Compliance through review of training, onsite visits and personal interviews of staff. The Title VI Coordinator will also ensure its subrecipients receive Title VI training. At the current time, “LHMPO” does not have any subrecipients.

**EXHIBIT “A”
Complaint Log**

DRAFT



900 London Bridge Rd., Bldg. E
Lake Havasu City, AZ 86404

Annual Report Date: _____

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)				

*Specific category, i.e. Sex, Race, Disability, etc.

Report to be Submitted Annually to ADOT Title VI Department; a NIL Report is Required



Lake Havasu Metropolitan Planning Organization
900 London Bridge Road – Building “B”
Lake Havasu City, AZ 86404
www.LHMPO.org

Limited English Proficiency Plan

Amended July 19, 2016

Endorsed and Approved on July 8, 2014, by the:
Lake Havasu Metropolitan Planning Organization
Executive Board

Endorsed and Approved on June 24, 2014, by the:
Lake Havasu Metropolitan Planning Organization
Technical Advisory Committee

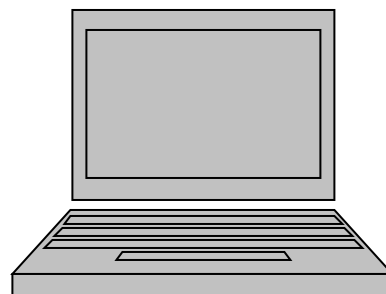
Contact:

Jean Knight, Metropolitan Planning Manager
900 London Bridge Road –Bldg. “B”
Lake Havasu City, AZ 86404
Phone: 928 – 453-2824
Email: KnightJ@lhcaz.gov

En Español:

Para más información, o si está interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asistencia con el idioma, por favor comuníquese:

Señora Jean Knight, Metropolitan Planning Manager
Teléfono: 928 – 453-2824
Email: KnightJ@lhcaz.gov



The Lake Havasu Metropolitan Planning Organization (LHMPO) is responsible for transportation planning within the regional area encompassing Lake Havasu City and a small portion of Mohave County. The region covered by LHMPO is approximately 100 square miles.

The planning process guidelines for the use of federal and state funds spent for existing and future transportation projects and programs require the Limited English Proficiency (LEP) Plan to play an essential role in the process.

Introduction

What is Limited English Proficiency

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be limited English proficient (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 LHMPO be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

Laws and Policy

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency* 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

Federal law

Enacted July 2, 1964

Limited English Proficiency Executive Order 13166

Federal policy

Signed August 11, 2000

Title VI of the Civil Rights Act of 1964

Limited English Proficiency Executive Order 13166

Considers all persons

Considers eligible population

Contains monitoring and oversight

Contains monitoring and oversight

Compliance review requirements

Requirements

Factor criteria is required, no numerical or percentage thresholds

Factor criteria is required, no numerical or percentage thresholds

Program Responsibility

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

- *Notify LEP customers of the availability of language assistance services*

LEP persons have the right to language assistance at no cost to them in their spoken language. Language identification cards or posting signs in public areas are methods that can be used to provide notice of the service.

- *Translation of vital documents in languages other than English*

It is appropriate to have written materials that have been historically provided in English to applicants, customers and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. LHMPO will indicate on its web site and newspaper publications that translation can be provided, with appropriate notice.

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

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

Section Five of the US Department of Transportation guidance on LEP requires a four-factor analysis to determine the need for translation services in order to ensure LEP populations are able to receive information about and can participate in the planning process in the language they best understand.

1. Demography: According to the U.S. Census Bureau, 2010-2014, American Community Survey five year estimates, 3.9% of the Lake Havasu MPO area population is considered to be Limited English Proficient. This equates to 2,028 individuals or 3.9% of the population five years of age or older who report speaking English less than “very well”. The predominate language spoken by these individuals is Spanish. Under the Department of Justice’s (DOJ) Safe Harbor provision, it is necessary to translate materials when five percent or 1,000 persons, whichever is less, speak English less than “very well”.
2. Frequency: Some government offices provide materials in English and Spanish but, because the general public comes in contact with “LHMPO” on an infrequent basis, only public notices and certain vital materials are available in both English and Spanish.
3. Importance: Transportation planning is an important facet of the community and affects all residents. All residents are encouraged to participate in public meetings.
4. Resources: Due to limited resources and small staff, interpretation and translation services are not available without advance notice; however, public notices are available in English and Spanish.

Based on the four—factor analysis, Lake Havasu MPO will continue to provide public notices in English and Spanish. Translation and interpretation services will be provided through public online translation sites, bilingual community members and, if not cost prohibit and funds permit, through a language interpretation and translation service. The goal of the “LHMPO” is to engage all community members in the planning process.

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 “LHMPO” will provide translation services, if requested, with 20-days’ notice prior to when the services are needed.

Persons with Limited English Proficiency (LEP)	Estimate	% of Persons 5 Yrs. & Over	% of Persons 5 Yrs. & Over With LEP
Total Persons 5 years & Over	51,366	100.0%	---
English Speaking Only	46,179	89.9%	---
Limited English Proficiency	2,028	3.9%	100.0%
Spanish with LEP	1,562	3.0%	77.0%
Other Indo-European languages with LEP	87	0.2%	4.3%
Asian & Pacific Island languages with LEP	357	0.7%	17.6%
Other Languages with LEP	22	0.0%	1.1%

Source: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-year estimates

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

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

Program Areas

- Long Range Transportation Plan (2040 Plan)
- Transportation Improvement Program (TIP)
- Public Involvement Plan (PIP)
- Coordinated Public Transit-Human Services Transportation Plan
- Unified Planning Work Program

All persons living, working, conducting business and visiting the region are beneficiaries of the planning, coordination, and construction activities of the "LHMPO". The "LHMPO" 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 provides oversight to the program areas through contract reviews and personal interaction in an effort to ensure their compliance with Title VI and other nondiscrimination related authorities.

POPULATION AND DEMOGRAPHIC PROFILE OF LAKE HAVASU CITY AND MOHAVE COUNTY

2010 Census			
	Lake Havasu City	Mohave County	"LHMPO" Area
Total Population	52,527	200,186	55,503
Male	25,954	100,078	27,462
Female	26,573	100,108	28,041
White	44,119	159,378	46,644
Hispanic/Latino	6,356	29,569	6,708
African American/Black	329	1,715	342
Asian	486	2,016	501
Am. Indian/Alaskan Native	419	3,793	442
Native Hawaiian other Pacific Islander	54	316	56
Other Races	29	145	29
2 or More Races	735	3,254	781

Source: U.S. Census Bureau, 2010 Census

2010-2014 Area Estimates Population By Race		
	Lake Havasu City	Mohave County
Population	52,827	202,482
Male	25,408	101,778
Female	27,419	100,704
Hispanic/Latino	6,841	31,101
White	43,989	159,353
African American/Black	334	1,890
Asian	681	2,182
Am. Indian/Alaskan Native	282	3,140
Native Hawaiian other Pacific Islander	6	341
Other Races	24	95
2 or More Races	670	4,380

Source: U.S. Census Bureau, ALRIS, American Fact Finder

Demographic data obtained from the US Census Bureau, LEP.gov and collected during public meetings will be analyzed and used to ensure the minority and low income populations are considered in the planning process.

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. LHMPPO will provide translation services, if requested, with 20-days' notice prior to when the services are needed.

**LAKE HAVASU MPO
REQUEST FOR ACTION
JULY 19, 2016**

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FY16 - 20 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

SUBMITTED BY: Jean Knight, MPO Manager

AGENDA TYPE: **PUBLIC HEARING**

ATTACHMENTS:

Draft FY16 – 20 TIP

SUMMARY/BACKGROUND:

This is the LHMPOs first TIP. Each year the TAC and LHMPO staff will review and make any necessary changes. We are required to post a notice in the newspaper that the draft is available for public comment and allow 30 – days for public comment. The public notice was posted in the News-Herald advising that the TIP was available for public comment. The 30 - day period ended June 6, 2016; and, there were no public comments.

The first few pages of the TIP talk about the LHMPO and its formation; discusses the Executive Board and TAC Committee and what their responsibilities are as well as the membership; an organizational chart of the LHMPO and types of funding the LHMPO receives and the anticipated dollar amount of funding. We have also included the TIP development process, which is required.

- Page 10 reflects the current transportation projects that have been programmed that are fiscally constraint.

- Page 11 is the LHMPO funding allocations and the fiscal year the funding is to be received.

- Page 12 & 13 are the Planned Future Projects Mid-Term; currently no funding is available. (Within the next 5-years)

- Page 14 is the Planned Future Projects Long - Term; currently no funding is available (Year 5 - 20)

- Page 15 is the Federal Certifications – Metropolitan Transportation Planning Process Self-Certification page. This is a federally required form that will be signed by the Chairman and forwarded along with the TIP to ADOT.

The LHMPO will need to amend the TIP as we move forward with the 2nd Bridge feasibility study and any FTA 5310 awards to the human service providers in the LHMPO region. We will have additional information on the feasibility study within the next couple of months and will receive notification of any FTA 5310 awards.

The TAC has approved the TIP being presented. After Executive Board approval the TIP it will be forwarded to ADOT prior to August 1, 2016.

ACTION OPTION:

Motion to approve the FY16 – 20 Transportation Improvement Program

OR

Motion to approve the FY16 – 20 Transportation Improvement Program, with the noted changes

RECOMMENDATION:

Motion to approve the FY16 – 20 Transportation Improvement Program



LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION

Transportation Improvement Program

Fiscal Year 2016 – 2020

900 London Bridge Road, Building B
Lake Havasu City, AZ 86404

Telephone (928) 453-2823
WWW.LHMPO.org

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I. INTRODUCTION

In 2010, the United States Census reflected that Lake Havasu City population surpassed the 50,000 threshold; thus, requiring the establishment of a Metropolitan Planning Organization (MPO).

The Lake Havasu Metropolitan Planning Organization (LHMPO) planning area boundary encompasses all areas within the Lake Havasu City limits, the Mohave County area north of the City limits known as Desert Hills, Havasu Gardens, Crystal Beach and the Mohave County area southeast of the City known as Horizon Six. The planning boundary of the LHMPO is approximately 100 square miles.

Mission Statement

The mission of the Lake Havasu Metropolitan Planning Organization (LHMPO) is to provide open leadership and guidance for regional transportation planning through a cooperative effort that will result in a practical and positive growth model beneficial to residents, visitors and businesses.

Executive Board

The Executive Board is the policy body of the LHMPO coordinating the transportation planning activities. The Executive Board consists of elected officials from Lake Havasu City, Mohave County; one member from Arizona Department of Transportation State Transportation Board (appointed by the Governor of the State of Arizona) and one ex-officio non-voting representative of Federal Highways Administration.

Technical Advisory Committee (TAC)

The TAC consists of six (6) technical and managerial representatives from: Lake Havasu City (2); Mohave County (1); Western Arizona Council of Governments (WACOG) (1); the Arizona Department of Transportation (ADOT) (2); and, Federal Highways Administration ex-officio (1) as members.

The primary responsibility of the TAC is to perform technical reviews and analysis regarding project related activity if the TIP and make recommendations to the Executive Board.

Figure 1: LHMPPO Urbanized Area



Geographic Area

The LHMPO is responsible for the continuous, cooperative and comprehensive transportation planning process for the Lake Havasu Metropolitan Planning Organization Urbanized Area.

Requirements

The TIP is a multi-year (4 – 10 years) program of transportation projects that is consistent with and implements the goals and objectives described in the **2040 Regional Transportation Plan**. The TIP is required to be prepared in complete detail identifying projects, assign projects in appropriate periods, and to identify costs associated with each project as well as funding source. The TIP needs to be reviewed annually and revised as necessary. Years 1 – 4 **must** be fiscally constraint.

II. PUBLIC INVOLVEMENT PROCESS

Federal legislation requires a public involvement process that provides comprehensive information, timely public notice, and full public access to key decisions and is supportive of early and continuing involvement of the public in all areas of the transportation planning process.

The Public Involvement Plan adopted by the Executive Board July 8, 2014, contains background material, guidelines, and commitments that LHMPO is undertaking to incorporate an effective public process into future plans, projects, and programs. Specifically LHMPO 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/congestion problems and a shared sense of pride in the development of solutions to those problems.
- Helping form partnerships between member entities, and the private and public sectors to plan and implement transportation/congestion 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.

Public Process

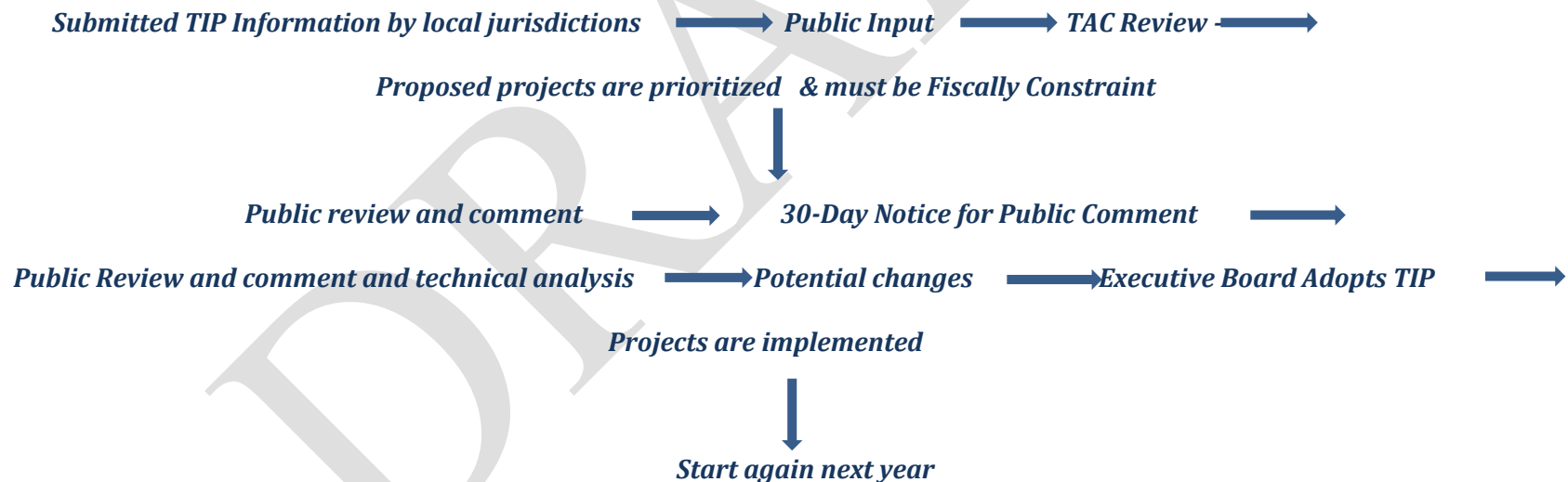
The LHMPO will update the TIP on a regular basis and will strive to include as much public input as possible. Annually the TAC will submit projects for inclusion in the TIP. The review of the projects will occur by the TAC in a public meeting; and, each project submitted must be fiscally

constrained. The draft document will be available for public comment for not less than 30-days and will be available at the LHMPO Office and LHMPO web site.

After the public comment period has ended the draft document will be presented to the TAC for approval and forwarded to the Executive Board for final approval. The Executive Board has the option of continuing with the approval process or move to a future date to allow for additional comments or discussion.

The LHMPO follows and adheres to the approved Title VI Plan and the Public Involvement Plan (PIP) to ensure the greatest amount of public participation is received during the TIP development process.

The Public Involvement Process:



III. FUNDING SOURCE AND BUDGET

The LHMPPO is dependent on federal funding for the operation of the MPO; and, to perform planning activities used to deliver a variety of projects in the Urbanized Area. Below is a detailed list of the types of funding the LHMPPO receives as well as what the funding is utilized for.

Planning Funds (PL) and State Planning & Research Funds (SPR)

The Arizona Department of Transportation (ADOT) is the designated recipient of the **Federal-Aid Highway Funds** used for planning and research purposes. ADOT receives State Planning and Research (SPR) funds **from Federal Highways Administration (FHWA)** and utilizes some of these funds with planning agencies to conduct transportation planning activities. Planning Funds (PL) is apportioned to states on the basis of population in urbanized areas and relative to the amount of highway construction funds the state receives.

SPR funds are discretionary and are typically administered by ADOT to carry out specific technical activities. In the LHMPPO region SPR funds will be used to conduct transportation planning activities and administration of the program. SPR funds require a 20% local match and PL funds require a 5.7% local match. The below amounts reflect the Obligation Authority amounts, which is also the apportionment.

Total Estimated PL Funding Annual	\$116,548
Total Estimated SPR Funding Annually	\$125,000

Surface Transportation Program Funds (STP)

STP is a federal-aid highway flexible funding program that funds a broad range of surface transportation capital needs including roads, transit, airport access, vanpool, and bicycle and pedestrian facilities. Transit related planning; research and development activities are also eligible for the use of STP funds. The LHMPPO entered into an agreement in to provide the Obligation Authority amount to Western Arizona Council of Governments (WACOG) for 2014 – 2020 in exchange for two (2) projects in Lake Havasu City. These projects were planned by WACOG prior to the formation of the LHMPPO. These funds require a 5.7% local match. The below amounts reflect the Obligation Authority amounts, not apportionments.

Total Estimated STP Funding Annually	\$289,145
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Highway Safety Improvement program Funds (HSIP)

The specific purpose of the HSIP is to reduce traffic fatalities and incapacitating injuries on public road ways. This is to be accomplished through the development and implementation of a Strategic Transportation Safety Plan (STSP), which has become a statewide-coordinated safety plan that provides a comprehensive framework for reducing highway fatalities and incapacitating injuries on all public roads.

The LHMPPO has programmed a portion of funding apportionment for fiscal year 2015 - 2017 to Lake Havasu City for a sign replacement project. The project consists of replacing and installing regulatory, warning, street name, object marker and roadside delineator signs. For fiscal year 2015 the LHMPPO utilized the majority of funding for a Strategic Transportation Safety Plan. This project began in June 2015.

For fiscal year 2016 – 2019 the LHMPPO has programmed a significant portion of funding for a joint project with ADOT Northwest District for an intersection improvement project. The project was approved and the design should begin in the early part of 2016. Beginning in FY2019 the HSIP process will become a statewide competitive process and an automatic allocation will not be provided to the MPOs and COGs. These funds require a 0% - 5.7% local match. The below amount reflects Obligation Authority, not Apportionment.

Total Estimated HSIP Funding Annually	\$488,061
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Federal Transit Administration Funding (FTA) – Section 5305

These funds are utilized for transit planning purposes in the LHMPPO region. The use of these funds is allowed for planning and technical studies related to transit. FTA provides funding to ADOT for the regional planning agencies with the State. These funds require a 20% local match. The below amount reflects the Apportionment.

Total Estimated FTA Section 5305 Funding Annually	\$23,300
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Federal Transit Administration Funding (FTA) – Section 5304

The FTA Section 5304 funding is provided to ADOT via FTA for transit planning. The funding became available with Federal Fiscal Year 2016 and is available on a competitive basis.

IV. TRANSIT PROJECTS

The FTA Section 5310 funding is filtered through ADOT Transit Division to those not for profit and profit human service transit providers who qualify. To qualify for the funding, the organizations must be listed in the Western Arizona Council of Governments (WACOG) Human Service Transportation Coordination Plan prepared and provided by (WACOG). Those within the LHMPPO region are: Achieve Human Services, Inc.; Havasu Mobility; and, New Horizons. The funding amount available is provided by ADOT at the beginning of the grant cycle. Any Awarded amounts will be included into the LHMPPO TIP.

LHMPO
TRANSPORTATION IMPROVEMENT PROGRAM
FISCAL YEAR 2016 - 2020

TIP ID # /TRACS#	SPONSOR	PROJECT NAME/LOCATION	TYPE OF WORK	TYPE OF FUNDING	FUNCTIONAL CLASS	FEDERAL FUNDS					ADOT REVIEW FEES	LOCAL MATCH FUNDS	LOCAL ADDTL FUNDS	PROJECT TOTAL
						FY16	FY17	FY18	FY19	FY20				
SURFACE TRANSPORTATION FUNDS (STP)														
LHV-12-104C /SS85901D	LHC/WACOG/LHMPO	Lake Havasu Ave, LHC	Construction	STP	Rural Prin Artrl	\$ -	\$ -	\$ 994,319	\$ -	\$ -	\$ -	\$ 59,800	\$ -	\$ 1,054,119
LHV-13-101C /SZ11403D	LHC/WACOG/LHMPO	Swanson Ave, LHC	Construction	STP	Urban Coll	\$ -	\$ -	\$ -	\$ 1,845,240	\$ -	\$ -	\$ 111,234	\$ -	\$ 1,956,474
TOTAL STP						\$ -	\$ -	\$ 994,319	\$ 1,845,240	\$ -	\$ -	\$ 171,034	\$ -	\$ 3,010,593
HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS (HSIP)														
LHM-15-102C	Lake Havasu City	Sign Project Phase II, III, IV	Construction	HSIP	Varies	\$ 113,295	\$ 133,730	\$ 107,616	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 354,641
LHM-16-101D /F0029 01D	ADOT/LHMPO	SR95/Kiowa Ave, LHC	Design	HSIP	Urban Prin Other	\$ 265,926	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 265,926
LHM-16-101C	ADOT/LHMPO	SR95/Kiowa Ave, LHC	Construction	HSIP	Urban Prin Other	\$ -	\$ 420,182	\$ 532,743	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 952,925
TOTAL HSIP						\$ 379,221	\$ 553,912	\$ 640,359	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,573,492
RECREATIONAL TRAILS/AZ STATE PARKS														
LHM-16-102C	Friends of the Fair/Mohave County	Horizon Six Equestrian Trail, MC	Construction	Trails	Varies	\$ 28,856	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,493	\$ 39,349
TOTAL TRAILS						\$ 28,856	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,493	\$ 39,349
TRANSIT PROJECTS (5310)														
						\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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						\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL TRANSIT (5310)						\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

ADOT: Arizona Department of Transportation
LHMPO: Lake Havasu Metropolitan Planning Organization
WACOG: Western Arizona Council of Governments
LHC: Lake Havasu City
MC: Mohave County

Lake Havasu MPO
Federal Funding Allocations

LAKE HAVASU MPO ANNUAL FEDERAL ALLOCATIONS (Estimated)							
Surface Transportation Program (STP)							
	FY16	FY17	FY18	FY19	FY20	FY21	
Apportionment	\$ 302,770.00	\$ 302,770.00	\$ 302,770.00	\$ 302,770.00	\$ 302,770.00	\$ 302,770.00	
Obligation Authority*	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	
Transfer Obligation - WACOG	\$ 289,145.00	\$ 289,145.00	\$ 289,145.00	\$ 289,145.00	\$ 289,145.00	\$ -	
Total OA	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	\$ 287,328.73	
Net OA Available	\$ (1,816.27)	\$ (1,816.27)	\$ (1,816.27)	\$ (1,816.27)	\$ (1,816.27)	\$ 287,328.73	
Highway Safety Improvement Program (HSIP)							
Apportionment	\$ 519,767.00	\$ 519,767.00	\$ 519,767.00	BECOMES COMPETITIVE PROCESS			
Obligation Authority*	\$ 479,477.00	\$ 479,476.88	\$ 479,476.88				
Programmed	\$ 379,221.00	\$ 553,912.00	\$ 640,359.00				
Loan/Transfer In (OA)**	\$ -	\$ 85,256.00	\$ 171,743.00				
Loan/Transfer Out (OA)***	\$ (100,256.00)	\$ -	\$ 532,783.00				
Total OA	\$ 479,477.00	\$ 564,732.88	\$ 651,219.88				
Net OA Available	\$ -	\$ 10,820.88	\$ 10,860.88				
* For FY16 the OA Rate is 94.9% and is subject to change each year							
** Loan Repayment from WACOG/Transfer from ADOT							
*** Transfer to ADOT for SR95/Kiowa Project/LHC Sign Project							

Lake Havasu MPO
Planned Future Projects Mid-Term

PROJECT	FUNDING TYPE	DESCRIPTON	AMOUNT	ENTITY
Alternative Bridge Crossing to Island	SPR (?)	Feasibility study for 2nd Multimodal Bridge to Island	\$50K - \$100K	LHMPO/ADOT/LHC
Phase I Bicycle Striping & Signage	TA	Bicycle striping & signage	\$380,000	LHC/ADOT
McCulloch Blvd N: SR-95 to Jamaica Blvd		4.3 Miles (\$107,500)		
Lake Havasu Ave: Palo Verde Blvd S to Jamaica Blvd S		2.5 Miles (\$62,500)		
Jamaica Blvd S: Lake Havasu Ave to Kiowa Blvd S		4.9 Miles (\$122,500)		
Palo Verde Blvd S: Kiowa Blvd N to Lake Havasu Ave N		2.1 Miles (\$52,500)		
Kiowa Blvd S: Jamaica Blvd N to Palo Verde Blvd S		1.4 Miles (\$35,000)		
Lake Havasu Ave – Mesquite to Mulberry (Smoketree (?))	SPR	Conduct Traffic Study	\$80,000	LHMPO
Phase I Sidewalk Project	TA	Build Sidewalks	\$330,000	LHC/ADOT
Acoma Blvd W: Lake Havasu Ave N to Havasupai Blvd		.9 Miles (\$135,000)		
Acoma Blvd S: Paso Dr to Tonto Dr		.3 Miles (\$45,000)		
Palo Verde Blvd S: Hummingbird Dr to Starlite Ln		.2 Miles (\$30,000)		
Jamaica Blvd S: Monte Carlo Ave to Tahiti Ln		.2 Miles (\$30,000)		
Jamaica Blvd S: Power Dr to Chemehuevi Blvd		.1 Miles (\$15,000)		
Thunderbolt Ave: Roanoke Dr to Broken Arrow Dr		.3 Miles (\$45,000)		
London Bridge Rd: Alley 22 to Palo Verde Blvd S		.2 Miles (\$30,000)		
SR95 & Pima Wash Trail to Aquatic Center	TBD	Pedestrian Crossing Study	\$250,000	ADOT
Traffic Study	TBD	SR95 - Mesquite to Mulberry/London Bridge Rd to McCulloch S.	TBD	ADOT/LHMPO
Conduct Roadway Safety Assessments			TBD	LHMPO/ADOT/LHC
SR-95 and Palo Verde Blvd N				
SR-95 and Mesquite Ave				
SR-95 and Swanson Ave				
SR-95 and Smoketree Ave				
SR-95 and Mulberry Ave				
SR-95 and Oro Grande Blvd				
SR 95 MP 178 to MP 190 (Various Sections)	TBD	Major Pavement Rehabilitation	\$25K-\$150 Per Mile	ADOT
London Bridge Rd	STP/CIP	Major Pavement Rehabilitation	TBD	LHMPO/MC/LHC
Unincorporated Mohave County - Between City Limits				
Sailing Hawks to South of Arnold Palmer Dr.				
West of Showplace to SR95				

Lake Havasu MPO
Planned Future Projects Mid-Term

PROJECT	FUNDING TYPE	DESCRIPTON	AMOUNT	ENTITY
Conduct Roadway Safety Assessments				
Mesquite Ave and Riviera Dr	TBD		TBD	LHC
Lake Havasu Ave N and Acoma Blvd W	TBD		TBD	LHC
New Trail on the Island	Trails Grant	Construct new trail 1.3 Miles	\$26,000	LHC/ADOT Trails
El Dorado Wash Trail Extension	Trails Grant	Construct new trail 2 components 2.8 & 1.3 Miles	\$82,000	LHC/ADOT Trails
City Roadway Projects				
Acoma Blvd S: Daytona Ave to Saratoga Ave	CIP	Widen road to 4-Lanes with a center turn lane	\$500K - \$1M	LHC
Palo Verde Blvd S: Acoma Blvd N to Kiowa Blvd S	CIP	Widen road to 4-Lanes with a center turn lane	Per Mile	LHC
Ride Share/ Van Pool Services-with Park & Ride Study	5305	Transit - Study	\$40K-\$80K	LHMPO
Provide comprehensive information-about transportation service options	IP	Transit/Havasus Mobility	0	LHC
Identify potential regional routes	TBD	Transit	TBD	LHC
Build partnerships with other transportation providers in the region	IP	Transit/Havasus Mobility	0	LHC
Investigate options for regional transit mgment, working with Bullhead City & Kingman, for joint operations	5305	Transit - Study	TBD	LHMPO/Entities
Provide current transportation service to the same constituents (demand response service to the elderly, disable and low income population) but with:	IP	Transit/Havasus Mobility	0	LHC
• longer hours of service (7 am to 7 pm)				
• ability to reliably reserve rides the day before service is needed				

All dollar amounts are estimates

IP: In Process

LHC: Lake Havasu City

LHMPO: Lake Havasu Metropolitan Planning Organization

ADOT: Arizona Department of Transportation

Entities: Lake Havasu City, Kingman, Bullhead & Mohave County

TBD: To be determined

CIP: Capital Improvement Program

TA: Transportation Alternatives Funding

Section 5305: FTA Section 5305 Transit Funding

SPR: State Planning & Research Funds

STP: Surface Transportation Program Funds

Lake Havasu MPO
Planned Future Projects - Long Term

PROJECT	FUNDING TYPE	DESCRIPTON	AMOUNT	ENTITY
Phase II Bicycle Striping & Signage	TA	Bicycle striping & signage	\$325,000	LHC/ADOT
McCulloch Blvd S: Jamaica Blvd to SR-95		4.4 Miles (\$110,000)		
Kiowa Blvd N: Jamaica Blvd to Lake Havasu Ave N		5.7 Miles (\$142,500)		
Palo Verde Blvd S: Kiowa Blvd S to Kiowa Blvd N		2.1 Miles (\$52,500)		
Smoketree Ave N: Pima Dr to Kiowa Blvd S		.8 Miles (\$20,000)		
Phase III Bicycle Striping & Signage	TA	Bicycle striping & signage	\$262,500	LHC/ADOT
Palo Verde Blvd N: Aviation Dr to N. Kiowa Blvd N		4.1 Miles (\$102,500)		
Thunderbolt Ave: Chemehuevi Blvd to Oro Grande Blvd		1.2 Miles (\$30,000)		
Havasupai Blvd: Acoma Blvd N to Kiowa Blvd N		1.6 Miles (\$40,000)		
Lake Havasu Ave N: Kiowa Blvd N to Palo Verde Blvd S		1.4 Miles (\$35,000)		
Oro Grande Blvd: SR-95 to McCulloch Blvd S		2.2 Miles (\$55,000)		
Traffic Study Implementation	TBD	SR95 - Mesquite to Mulberry/London Bridge Rd to McCulloch Blvd South	TBD	ADOT/LHMPO
SR-95 and Pima Wash Trail/Aquatic Center	TBD	Implement Findings from Pedestrian Crossing Study	TBD	ADOT
Implement Study Findings from Traffic Study	TBD	Lake Havasu Ave – Mesquite to Mulberry (Smoketree (?))	TBD	LHC
SR-95 Realignment / Alternative Emergency Route	TBD	Conduct feasibility study for SR-95 realign with potential interchanges at Bentley, Bison, Cherry Tree, Arizona Blvd	TBD	LHC/ADOT
Havasupai Wash Trail: Palo Verde Blvd N to Lake Shore Trail (north)	CIP/Trails Grant	Construct New Trail - 3.9 Miles	\$78,000	LHC/Trails
El Dorado Wash Trail: Pima Wash Trail to Powerline Trail-align	“	Construct New Trail - 2.8 Miles	\$56,000	LHC/Trails
Chemehuevi Wash Trail: McCulloch Blvd N to SR-95	“	Construct New Trail - 2.5 Miles	\$50,000	LHC/Trails
Lake Shore Trail (north): City Limits to Shoreline Promenade	“	Construct New Trail - Two Components 4.0 & 5.7 Miles	\$ 194,000	LHC/Trails
Lake Shore Trail (south): Rotary Park to SR-95	“	\$20,000 per mile		
City Roadway Projects			\$500K - \$1M	LHC
Acoma Blvd S: Saratoga Ave to SR-95	CIP	Widen road to 4-Lanes with a center turn lane	Per Mile	LHC
Palo Verde Blvd S: SR-95 to Acoma Blvd N	CIP	Widen road to 4-Lanes with a center turn lane	Per Mile	LHC
Jamaica Blvd S: Lake Havasu Ave to Chemehuevi Blvd	CIP	Widen road to 4-Lanes with a center turn lane	“	LHC
Lake Havasu Ave N: Palo Verde Blvd S to Industrial Blvd	CIP	Widen road to 4-Lanes with a center turn lane	“	LHC

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FEDERAL CERTIFICATIONS

METROPOLITAN TRANSPORTATION PLANNING PROCESS SELF-CERTIFICATION

This document was prepared in cooperation with the U.S. Department of Transportation, the Federal Highway Administration, and the Arizona Department of Transportation.

The Lake Havasu Metropolitan Planning Organization (LHMPO) and the Arizona Department of Transportation hereby certify that the transportation planning process addresses the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 USC 134 and 135 , 49 USC 5303 and 5304 and 23 CFR Part 450;
2. 23 CFR Part 230, regarding the implementation of an equal opportunity program on Federal and Federal-aid highway construction contracts;
3. Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 USC 7504, 7506(c) and (d)) and 40 CFR Part 93;
4. Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR Part 21.
5. 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
6. Section 1101(b) of the FAST Act (Publ. L. 114-94) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in U.S. DOT-funded projects;
7. The provisions of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
8. The Older Americans Act, as amended (42 USC 6101), prohibiting discrimination on the basis of age in programs or activities receiving financial assistance;
9. Section 324 of title 23 USC regarding the prohibition of discrimination based on gender;
10. Section 504 of the Rehabilitation Act of 1973 (20 USC 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities;
11. Anti-lobbying restrictions found in 49 USC Part 20. No appropriated funds may be expended by a recipient to influence or attempt to influence an officer or employee of any agency, or a member of Congress, in connection with the awarding of any federal contract.

Mark S. Nexsen, Chairman
Lake Havasu Metropolitan
Planning Organization

Date

Michael Kies, Assistant Director
Multimodal Planning Division
Arizona Department of Transportation

Date