



**Lake Havasu Metropolitan Planning Organization (LHMPO)
Executive Board Meeting Agenda
Tuesday August 11, 2020, 2:00 P.M.**

**In-Person Attendance is Suspended for this Meeting.
This meeting will be held through technological means.**

Call in Information: 1-669-900-6833 Meeting ID: 895 4350 4409

The Lake Havasu MPO Executive Board may vote to hold an Executive Session for the purposes of obtaining legal advice from the Attorney on any matter listed on the agenda under A.R.S §38-431.03(A)(3)

1. Call to Order

2. Roll Call

3. Title VI – Notice to the Public (Jeanette Buckley)

4. Call to the Public

This item is provide an opportunity for presentation of comments by the public on subjects not on the agenda. Individuals wishing to address the Board will need to submit comments by Tuesday August 11, 2020 at 12:00pm in advance by email or phone to gallegosv@lhcaz.gov or 928-453-2823 (Email is highly recommended). Any written comments received in advance of the meeting will be entered into the record for the meeting and be kept in the meeting minutes.

5. Consent Agenda

The following items will be considered as one item by the Executive Board and will be enacted with one motion with no separate discussion unless a board member requests to so, in that event the item will be removed.

5.1 Approve the Executive Board Meeting Minutes of June 9, 2020

6. Announcements, Communications, Update Reports

6.1 LHMPO Director's Report (Information Only)
Vinny Gallegos, LHMPO Director

6.2 Agency Announcements and Updates (Information Only)
ADOT, Lake Havasu City, and Mohave County

7. Regular Meeting Agenda

7.1 Discussion and Possible Approval of the Title VI Nondiscrimination Program 2021 Implementation Plan
Vinny Gallegos, LHMPO Director
Joanna Lucero, ADOT Title VI Office

- 7.2** Discussion and Update on Pedestrian Hybrid Beacon for Acoma Blvd. & Pima Dr. North
(Discussion Only)
Vinny Gallegos, LHMPO Director
Greg Frosbie, LHC Public Works Director
- 7.3** Discussion and Update on Traffic Signal for Swanson Ave. and Acoma Blvd.
(Discussion Only)
Vinny Gallegos, LHMPO Director
Mike Blankenship, Greenlight Traffic Engineering
- 7.4** Discussion and Update on the 2045 Regional Transportation Plan (RTP)
(Discussion Only)
Vinny Gallegos, LHMPO Director
Phyllis Davis, RTP Project Manager
- 7.5** WACOG Regional Transit Implementation Plan (RTIP)
(Discussion Only)
Vinny Gallegos, LHMPO Director
Justine Hembree, WACOG Transportation Manager
- 7.6** Discussion and Update of the Arizona State Transportation Board Activities
(Discussion Only)
Gary Knight, State Board District 6 Representative

8. Future Agenda Items

9. Upcoming Meetings Schedule

- State Transportation Board Meeting: **August 21, 2020, 9:00 AM**
- LHMPO Technical Advisory Committee Meeting: **August 25, 2020, 1:30 PM**
- LHMPO Executive Board Meeting: **September 8, 2020 2:00 PM**

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 Vinny Gallegos at 928-453-2823 at least 48 hours prior to the meeting so that accommodations may be arranged.

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: Action to Approve the Consent Agenda

SUBMITTED BY: Vinny Gallegos, MPO Director

AGENDA TYPE: Consent Agenda

ATTACHMENTS:

Executive Board Meeting minutes of June 9, 2020

SUMMARY/BACKGROUND:

Approve the minutes from the Executive Board meeting held June 9, 2020

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



**Lake Havasu Metropolitan Planning Organization (LHMPO)
Executive Board Meeting Minutes
Tuesday June 9, 2020, 2:00 P.M.**

**In-Person Attendance is Suspended for this Meeting.
This meeting will be held through technological means.**

Call in Information: 1-669-900-6833 Meeting ID: 240 624 4759

The Lake Havasu MPO Executive Board may vote to hold an Executive Session for the purposes of obtaining legal advice from the Attorney on any matter listed on the agenda under A.R.S §38-431.03(A)(3)

1. Call to Order

Chairman Sheehy called the meeting to order at 2:00 p.m.

2. Roll Call

The roll call was performed by Jeanette Buckley.

Present: Cal Sheehy, Donna McCoy, David Lane, Garry Knight and Buster Johnson.

3. Title VI – Notice to the Public

The Title VI Notice to the public was read by Jeanette Buckley.

4. Call to the Public

No public comments were received prior to this virtual meeting.

5. Consent Agenda

The following items will be considered as one item by the Executive Board and will be enacted with one motion with no separate discussion unless a board member requests to so, in that event the item will be removed.

6.1 Approve the Executive Board Meeting Minutes of January 14, 2020

6.2 Approve the Executive Board Meeting Minutes of March 10, 2020

6.3 Call for Executive Session Pursuant to A.R.S. § 38-431.03(A), 1:00 p.m., Tuesday, August 11, 2020

Motion

Member Lane presented a motion to approve the Consent Agenda as presented.

Motion was seconded by Secretary/Treasurer McCoy.

Vote on Motion

Roll call vote taken. The vote on the motion was unanimous.

7. Announcements, Communications, Update Reports

7.1 LHMPO Director's Report (Information Only)

Vinny Gallegos advised the Executive board that attached to the agenda are the progress reports showing the activities of the MPO staff.

7.2 Agency Announcements and Updates (Information Only)

ADOT, Lake Havasu City, and Mohave County

Alvin Stump, ADOT Northwest District Engineer updated the Executive Board on the following:

- ADOT has completed the signal warrant study for the third driveway north of Kiowa
- The study shows that the intersection does meet warrants
- TSMO is currently reviewing the study to make a determination

Member Lane responded that now that the intersection project is completed that it looks good. In addition, Member Lane expressed gratitude for the hard work and for extending the pavement on this project.

8. Discussion / Possible Action

8.1 Discussion and Possible Action to Approve the 2045 Regional Transportation Plan (RTP) Professional Services Agreement with Kittleson & Associates.

Vinny Gallegos advised the Executive Board that there were three proposals for the 2045 Regional Transportation Plan. The review committee chose Kittleson & Associates proposal. Kittleson & Associates proposal is bringing on a team of other agencies Greenlight Traffic Engineering and Aecom. The Regional Transportation Plan needs to be done every five years. This plan will look at the transportation system for the next 25 years this includes road infrastructure, safety, transit, bicycle and pedestrians. The Professional Services agreement is in the agenda packet. The MPO will be moving forward with Kittleson & Associates, Phyllis Davis will be the Project Manager.

Chairman Sheehy asked Vinny Gallegos what process did the review committee go through to evaluate the three proposals. Vinny Gallegos responded that he opened up the committee to TAC members that were available there was representation from all the jurisdictions. The proposals were evaluated and scored by the quality of the proposal and how it relates to the needs of the region. Kittleson & Associates scored the highest and had the best proposal.

Chairman Sheehy asked what was the time frame for this plan. Vinny Gallegos responded that this was an eleven-month plan.

Chairman Sheehy asked if there was any public comment on this item. Jeanette Buckley responded that there was no public comments on this item.

Motion

Secretary/Treasurer McCoy presented a motion that the Executive Board approve the Professional Services Agreement for the 2045 Regional Transportation Plan. Motion was seconded by Member Lane.

Vote on Motion

Roll call vote taken. The vote on the motion was unanimous.

- 8.2 Discussion and Update: MPO Involvement with Transit Implementation / CARES Act**
Vinny Gallegos advised the Executive Board that since the completion of the Transit Implementation Plan Lake Havasu City is now a direct recipient for FTA funds since the transit plan was completed. There are one-time CARES Act funds available to Lake Havasu City for \$2,329,937. These funds are to help with economic recovery for transit agencies. Casa Grande and Prescott-Prescott Valley are looking for partnership with a direct recipient. The MPO can support Lake Havasu City with the federal process since this is an activity that MPO does on a daily basis. Collaborating with another agency would take discussions with all parties involved and would possibly bring more funding or administrative costs to Lake Havasu City. In the intern, Lake Havasu MPO is willing to collaborate with Lake Havasu City to find a solution but there would need to be a long-term solution. Vinny Gallegos indicated that he just wanted to the Executive Board to be aware in case there had to be more discussions how the MPO can be of assistance.

Chairman Sheehy asked Vinny Gallegos if the CARES Act funding was guaranteed or is Lake Havasu City going to have to apply for the funding. Vinny Gallegos responded that these funds are allocated and has to be applied for but the \$2,329,937 is set aside for Lake Havasu City. Chairman Sheehy asked Vinny Gallegos if the application has to be submitted to the State or the Federal Government. Vinny Gallegos replied that this application would be with the Federal Government.

Member Lane asked Vinny Gallegos on the CARES Act funding if there was a timeline to use the funding. Vinny Gallegos responded that as of right now there is no expiration of the funding. There have been a couple of recovery acts in the past that have not had expiration dates on them and then the Federal Government did put an expiration date on them. Vinny Gallegos also advised the Executive Board that this funding has no match required.

Member Lane indicated that why Casa Grande and Prescott have reached out to Lake Havasu City is because they are now a direct recipient. Member Lane asked has Casa Grande and Prescott told us what they would want from Lake Havasu City, and why would they be giving us their funds if there is no match and expiration date. Vinny Gallegos answered that these areas are cautious they are not sure what transit will look like for their areas and how they will sustain a transit system. Casa Grande is looking at only using \$500,000 at this time. The MPO Manager for Casa Grande stated they have a lack of confidence of where transit will be in their region and they do not want to over commit themselves. Casa Grande is looking for Lake Havasu City to lead the application process and there would need to be an agreement with Lake Havasu City and Casa Grande.

Jess Knudson, Lake Havasu City Manager, advised the Executive Board that he wanted to thank the MPO and the ADOT Transit Manager for advising Lake Havasu City of this opportunity. Jess Knudson will be reaching out to the Casa Grande City Manager Larry

Rains to see what kind of assistance they need. Casa Grande has a different history than Lake Havasu City regarding transit. Jess Knudson is under the understanding that they are looking for these funds to do an updated Transit Study for their area.

Chairman Sheehy asked if there were any public comments regarding this item. Jeanette Buckley responded that there were no public comment received.

8.3 Discussion and Update from Rural Transportation Advocacy Council (RTAC)

Kevin Adam, RTAC Executive Director gave the Executive Board an update:

- The most recent reports from Washington and the State has not been as bad as predicted.
- The Bureau of Labor statistics predicted a higher unemployment rate that what has been reported
- It looks like the economy is getting back on track
- The impact of COVIG wasn't as bad as expected
- ADOT has to submit their 5 year construction program by July 1st
- ADOT last scheduled meeting is June 19th
- ADOT is required to submit a fiscally restrained plan
- The ADOT financial team was estimating a \$711 million dollar loss of revenue in the next 3 years
- This will cause a drastic cut of construction projects
- There is a good chance that ADOT could amend the projects back into the plan in September or August if the revenue comes up
- There is still a lot of debate in Washington of a another relief package and hopefully if there is one that road infrastructure will get addressed

Chairman Sheehy asked if there were any public comments regarding this item. Jeanette Buckley responded that there were no public comment received.

9. Future Agenda Items

Chairman Sheehy asked if there were any future agenda items. No future items were given.

10. Upcoming Meetings Schedule

- State Transportation Board Meeting: **June 19, 2020, 9:00 AM**
- LHMPPO Executive Board Meeting: **August 11, 2020 2:00 PM**, 2360 McCulloch Boulevard, Police Facility Meeting Room, Lake Havasu City, AZ 86403
- LHMPPO Technical Advisory Committee Meeting: **August 25, 2020, 1:30 PM**, 900 London Bridge Road, Building B, Lake Havasu City, AZ 86403

11. Adjournment

Motion to adjourn was presented by Member Lane, seconded by Secretary/Treasurer McCoy.

Vote on the motion was unanimous. Meeting adjourned at 2:45 p.m.

DRAFT

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: Discussion and Possible Approval of the Title VI Nondiscrimination Program 2021 Implementation Plan

SUBMITTED BY: Vinny Gallegos, LHMPO Director

AGENDA TYPE: Action Item

ATTACHMENTS:

Title VI Nondiscrimination Program 2021 Implementation Plan

SUMMARY/BACKGROUND:

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 other nondiscrimination authorities. LHMPO assures through its policies and procedures that no person 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 LHMPO sponsored program or activity. LHMPO contractors and consultants must also comply with this policy. LHMPO receives funding to deliver various federal and state programs. LHMPO makes no distinction between funding sources to ensure nondiscrimination in all programs and activities. The LHMPO is required to annually develop a Title VI Nondiscrimination Program Implementation Plan

ACTION OPTION:

Approve the Title VI Nondiscrimination Program 2021 Implementation Plan

OR

Approve the Title VI Nondiscrimination Program 2021 Implementation Plan with noted changes

RECOMMENDATION:

Approve the Title VI Nondiscrimination Program 2021 Implementation Plan



Title VI Nondiscrimination Program 2021 Implementation Plan

Approved by LHMPO Executive Board
August 11, 2020

Prepared by: Vincent Gallegos, LHMPO Director &
Title VI Nondiscrimination Program Coordinator
900 London Bridge Road, Bldg. B
Lake Havasu City, AZ 86404
Phone: (928) 453-2823
Email: GallegosV@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:

Señor Gallegos
Teléfono: (928) 453-2823
GallegosV@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 other nondiscrimination authorities. LHMPO assures through its policies and procedures that no person 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 LHMPO sponsored program or activity. LHMPO contractors and consultants must also comply with this policy. LHMPO receives funding to deliver various federal and state programs. LHMPO makes no distinction between funding sources to ensure nondiscrimination in all programs and activities. Questions regarding LHMPO’s Title VI Program may be directed to:

LHMPO Title VI Program
Vincent Gallegos, Title VI Nondiscrimination Program Coordinator
900 London Bridge Road
Lake Havasu City, AZ 86404
928-453-2824
928-854-7702 (Fax)
Email: GallegosV@lhcaz.gov

II. Title VI / Americans with Disabilities (ADA) Nondiscrimination Policy Statement

The Lake Havasu Metropolitan Planning Organization (LHMPO), as policy, assures compliance on the grounds of race, color, national origin, and/or disability, 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.

No person will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any LHMPO program or activity. Every effort will be made to ensure nondiscrimination in all LHMPO programs and activities, whether those programs and activities are federally funded or not. LHMPO contractors / consultants must also comply with this policy.

By:_____

Date:_____

Vincent Gallegos, Director
Lake Havasu MPO

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 Appendix A and E 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 _____
Vincent Gallegos, Director / Title VI Nondiscrimination Program Coordinator
Lake Havasu Metropolitan Planning Organization

III-b Federal Transit Administration Assurances

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

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

V-c Certification

Lake Havasu Metropolitan Planning Organization (LHMPO) 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:_____ **DATED:**_____

Vincent Gallegos, Director / Title VI Nondiscrimination Program Coordinator
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. This is accomplished by involving the public in developing transportation projects that fit within their communities without sacrificing equity, environmental justice, and safety.

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

"No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

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

The LHMPO will consider environmental justice through planning activity according to Federal legislation noted above. 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.

Data Collection

The Lake Havasu MPO is required by federal regulations to collect statistical data on the race, color, and national origin of participants in its programs. Data is

collected from the U.S. Census Bureau, Executive Board and Technical Advisory Committee meetings, public meetings, planning study surveys, and procurement contracts. Data collection efforts specific to each program area are described on an annual basis in the Lake Havasu MPO Title VI Implementation Plan. Annually, the data collection findings from each program area are reported in the Lake Havasu MPO Goals and Accomplishment Report. The data will be maintained for the purpose of planning projects and programs. Demographic Maps can be viewed as an attachment (Exhibit “C”) of this document.

LHMPO will record data reflecting the extent to which members of Title VI Protected classes participate in planning activities and any significant issues raised by those participants. As a regional planning agency, LHMPO’s planning activities benefit all populations equally, including Title VI protected populations. LHMPO will attempt to identify opportunities to gather data reflecting the extent to which members of Title VI protected populations benefit LHMPO’s planning activities.

Executive Board & Technical Advisory Committee Meetings – Self-Identification Surveys in both English and Spanish are made available at each Executive Board and Technical Advisory Committee meeting. The data collected from these surveys allows for the analysis to ensure that all persons have an equal opportunity to benefit from or have access to the activities of the MPO and to avoid any disproportionate impacts from those activities.

Public Meetings - Self-Identification Surveys in both English and Spanish are made available at each public meeting. Public involvement materials including meeting notices, project fact sheets and/or flyers and other documents are made available in both English and Spanish to ensure LEP requirements are being met. The data collected from the surveys allows for the analysis to determine if Title VI neighborhoods are receiving equal benefit and not a disproportionate burden.

Planning Studies – As part of the public outreach process, surveys are made available to the public either on-line and/or in hard copy to collect a variety of data for planning studies. Statistical data such as race, color, and national origin are captured during these surveys. The data collected from these surveys allows for the analysis to determine if Title VI neighborhoods are receiving equal benefit and not a disproportionate burden. The Limited English Proficiency (LEP) Four Factor Analyses is conducted on the planning study area to determine if study documents need to be provided in both English and Spanish.

Procurement – AZ UTRACS is utilized to collect race and sex of all bidders and contract awardees, to ensure DBE compliance.

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 as they related to any Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) funded program or activity administered by LHMPO, its sub-recipients, consultants, and contractors may file a complaint. The complaint must be (a) unequal treatment because of race, color, or national origin or (b) noncompliance with Title VI rules or guidelines adopted thereunder. The complaint form in both English and Spanish can be found at the LHMPO website at [Title VI Complaint Process](#) Or as an attachment (page 45) of this document.

Vincent Gallegos, Director / Title VI Nondiscrimination Program Coordinator
Lake Havasu Metropolitan Planning Organization
900 London Bridge Road
Lake Havasu City, AZ 86404
928-453-2824 / 928-854-7702 (Fax)
Email: GallegosV@lhcaz.gov

Complaints Filed Against LHMPO

The required procedures for FHWA and FTA Title VI / ADA Non-discrimination Complaints filed against LHMPO are listed below:

No complaints have been filed to date

A. FHWA Title VI Complaint Procedures

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any FHWA program or activity administered by the Lake Havasu MPO, its sub recipients, consultants and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

Required procedures for FHWA Title VI Complaints filed against the Lake Havasu MPO, the Lake Havasu MPO's subrecipients, contractors or consultants:

1. Any person, specific class of persons or entity that believes they have been subjected to discrimination on an FHWA-related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color,

- national origin, can file a formal complaint with the Lake Havasu MPO. A copy of the Complaint Form may be accessed electronically at: <http://www.lhmpo.org/LHMPO/studies/title-vi-lep>
2. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.
 3. Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the Lake Havasu MPO and provide the allegations by telephone for transcription. Once transcribed the Lake Havasu MPO will send the written complaint to the complainant for correction and signature.
 4. A complaint should contain at least the following information:
 - a. A written explanation of what has happened;
 - b. A way to contact the complainant;
 - c. The basis of the complaint (e.g., race, color, national origin);
 - d. The identification of a specific person/people and the respondent (e.g., Lake Havasu MPO/organization) alleged to have discriminated;
 - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal Highway Administration financial assistance; and is a consultant, contractor or subrecipient of the Lake Havasu MPO and
 - f. The date(s) of the alleged discriminatory act(s).
 5. Upon receipt of a completed complaint, the Lake Havasu MPO will forward all FHWA Title VI complaints to Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) within 72 hours.
 6. ADOT CRO will forward all FHWA Title VI complaints to the FHWA Division Office.
 7. All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Office of Civil Rights for processing and potential investigation.
 8. If the FHWA Office of Civil Rights determines a Title VI complaint against a subrecipient can be investigated by ADOT CRO, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to ADOT CRO. ADOT CRO will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.

9. The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the FHWA Division Office.
10. The complainant may also file a discrimination related complaint on an FHWA program or activity directly with ADOT or with the Federal Highway Administration by contacting the agencies at:

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

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

Vincent Gallegos, MPO Director
Lake Havasu Metropolitan Planning Organization
900 London Bridge Road
Lake Havasu City, AZ 86404
928-453-2824 / 928-854-7702 (Fax)
Email: GallegosV@lhcaz.gov

AND OR:

<p>ADOT Civil Rights Office</p> <p>206 S. 17th Avenue, Mail Drop 155-A Phoenix, AZ 85007 602.712.8946 602.239.6257 FAX Email: CivilRightsOffice@azdot.gov</p>	<p>FTA Office of Civil Rights 1200 New Jersey Avenue SE. Washington, DC 20590.</p>
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If information is needed in another language, please contact the Lake Havasu MPO at (928)-453-2823. Si se necesita información en Español, por favor comuníquese con la Oficina de Lake Havasu MPO al (928) 453-2823.

VI. *Limited English Proficiency (LEP)*

The LHMPO will be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses throughout its program and activities. A Limited English Proficiency (LEP) individual is an individual who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. ADOT's LEP / Language Access Plan is designed to comply with Title VI and EO 13166 which prohibit recipients of Federal financial assistance from discrimination based on natural origin.

Authorities

The following matrix illustrates the authorities that require LHMPO to provide LEP persons with meaningful access to programs, activities, and services.

<u>Title VI of the Civil Rights Act of 1964</u>	<u>Limited English Proficiency Executive Order 13166</u>
<ul style="list-style-type: none">• Federal law• Enacted July 2, 1964• Considers all persons• Contains monitoring and oversight compliance review requirements• Factor criteria is required, no numerical or percentage thresholds• Provides protection on the basis of race, color, and national origin. Focuses on eliminating discrimination in federally-funded programs• Annual Accomplishments and Upcoming Goals Report to FHWA• Provides protection on the bases of race, color, and national origin.	<ul style="list-style-type: none">• Federal policy• Signed August 11, 2000• Considers eligible population• Contains monitoring and oversight requirements• Factor criteria is required, no numerical or percentage thresholds• Provides protection on the basis of national origin; focuses on providing LEP persons' federally-funded programs with meaningful access to services using factor criteria• Annual Accomplishments and Upcoming Goals Report to FHWA• Provides protection on the bases of national origin.

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. Classification of a document as "vital," depends upon the importance of the program, information, encounter, or service involved, and/or the consequence to the LEP community if the information in question is not provided in an accurate or timely manner. 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. The determination of what documents are considered "vital" is left to the discretion of individual components, which are in the best position to evaluate their circumstances, services, and resources.

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. Factor 1 Demography – The number and proportion of LEP persons served or encountered in the eligible service population:

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. Factor 2 Frequency – The frequency in which LEP Persons Encounter LHMPO:

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. Factor 3 Importance – The importance of Services Provided by LHMPO programs:

Transportation planning is an important facet of the community and affects all residents. All residents are encouraged to participate in public meetings.

4. Factor 4 Resources – Available resources, including language assistance services varying from limited to wide ranging with varying costs:

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.

LHMPO understands that language needs will change as the population changes. Further LHMPO will comply with requirement to assess its programs and services each year to determine compliance with various nondiscrimination regulations. As such LHMPO will revisit the LEP plan each year and make appropriate changes, as needed. For questions or concerns regarding the LHMPO’s commitment to nondiscrimination or to request additional information about LEP services, contact Vincent Gallegos, Title VI Nondiscrimination Program Coordinator at GallegosV@lhcaz.gov, 928-453-2824

2013-2017 Area Estimates			
Persons with Limited English Proficiency (LEP)	Estimate	% of Persons 5 Yrs. & Over	% of Persons 5 Yrs. & Over With LEP
Total Persons 5 years & Over	54,950	100.0%	---
English Speaking Only	49,530	90.1%	---
Limited English Proficiency	2,169	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, 2013-2017 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 (2045 Plan)
- Transportation Improvement Program (TIP)
- Public Involvement Plan (PIP)
- Coordinated Public Transit-Human Services Transportation Plan
- Unified Planning Work Program

The Title VI Nondiscrimination Program Coordinator provides oversight to the program areas. This Coordinator will be responsible for overseeing the preparation and execution of all planning study contracts for consultants to ensure Title VI compliance.

FHWA Funded Contracts will be reviewed for the following:

- Include the most recent signed assurances;
- Include subrecipient signed assurances; and
- Ensure the consultant is complying with Title VI assurances.

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

2013-2017 Area Estimates Population By Race		
	Lake Havasu City	Mohave County
Population	56,647	204,691
Male	25,408	103,175
Female	27,419	101,516
Hispanic/Latino	6,841	32,591
White	46,633	159,694
African American/Black	172	1,997
Asian	586	2,371
Am. Indian/Alaskan Native	394	4,292
Native Hawaiian other Pacific Islander	0	258
Other Races	24	149
2 or More Races	643	3,339

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

2013 - 2017 Estimates						
Population and Households			Census Tracts ^g			
Category	MPO		Number of tracts >= MPO	% Tracts	Affected ^e Population	% of Affected Population Captured in Census Tracts
	Total	Percent				
Population Base (Defined Census	56,647	100.0%	36	100%	-----	-----
Minority ^a	10,014	16.3%	18	50%	8,048	80.4%
Age 65+ ^a	18,002	26.5%	21	58.3%	12,099	67.2%
Below Poverty Level ^b	6,672	15.2%	15	41.7%	4,726	70.8%
Population with a disability ^c	10,496	16.3%	18	50%	5,853	55.8%
Limited English Proficient	2,169	3.9%	8	22.2%	1,628	75.1%

Sources: U.S. Census Bureau, 2013-2017 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.

^g The Census Tracts used in this analysis include the best match using full Census Tracts where the

majority of the population or the tract centroid is within the MPO boundary. The base numbers for all values in this table are for this Census-based defined area.

Demographic data obtained from the 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

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

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

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 has developed a Limited English Proficiency Plan (LEP) which is incorporated in section VI of this document.

Greater attention and effort has been given to outreach for minorities and low income populations. Notices for community outreach have been posted at places where these populations may frequent such as the library, adult center, coffee shops, post offices, government buildings, and in the newspaper.

Public Meetings

LHMPO's Executive Board meets the 2nd Tuesday of every month. Their Technical Advisory Committee meets the 4th Tuesday of the month. The upcoming Annual Meeting Schedules are posted on the LHMPO website: www.LHMPO.org. Agendas for each meeting are posted at LHMPO's office, 900 London Bridge Road, Building B, Lake Havasu City, AZ 86404. LHMPO website a minimum of 48 hours in advance of each meeting. Executive Board Agendas are also posted at the Lake Havasu Police Department 2360 McCulloch Blvd. N. Lake Havasu City, AZ 86403.

The following statement is conveyed on each Meeting Schedule as well as on each agenda, *"LHMPO endeavors to make all public meetings accessible to persons in need of foreign language assistance or with disabilities. Please call (928)453-2824 or e-mail GallegosV@lhcaz.gov 72 hours prior to the meeting requesting reasonable accommodations."* To date, no request has been made.

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

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

In an effort to keep the Title VI Plan a reasonable size, the section of the PPP specifically relevant to Title VI is included below.

Excerpts from the Public Involvement Plan

The goals of this Public Involvement Plan are to ensure that:

- The public body is 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.

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.

This plan 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.

This plan 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.

Guidelines

❖ Techniques:

There are numerous and varied techniques/activities to provide the opportunity for public participation. Any combination and number of these may be used depending on the specific plan, program or project. LHMPO will select from the various activities to provide the most effective public participation in each particular situation.

❖ Welcoming Attitude:

Public participation is welcomed and encouraged by LHMPO. All questions and statements are valuable and will be treated as such. Participants will be treated with respect. Meetings will abide by basic ground rules that enforce civil discussion. Anyone who feels that these rules have not been followed should contact LHMPO staff at (928) 453-2823.

❖ Meeting Schedules and Locations:

Meetings and hearings, which are open for public involvement, will be scheduled to allow the best opportunity for attendance by the general public and other entities. The meeting locations will be convenient and ADA accessible.

In addition to general meetings, events and activities, reasonable special efforts will be made to reach those who are particularly affected, the underserved or others who request LHMPO come to them. These options are open to any group or individual and it is the policy of LHMPO to “go where people are” whenever possible. Locations and meeting times for these activities will be designed according to the specific needs.

❖ Notification:

Notices will follow the general Open Meeting Law of the State of Arizona. Information about meetings, events and other opportunities for participation will be made in a timely manner. (This is especially important for the physically and mentally challenged as extra time may be needed to arrange for accommodations to meet their needs.) This notification will be easy to understand and provide adequate information or explain where the information can be obtained.

❖ **Presentation of Information:**

In order to help citizens better understand Transportation Planning, efforts will be made to show how presented information specifically relates to the public in both the near future as well as long term. Visualization enhancements such as color, animation, physical props, pictures, 3-D models, etc. will be incorporated as appropriate and as budgets allow.

❖ **Written and Personal Communications from LHMPO:**

Technical and policy information from LHMPO will be written so that it is clear and understandable to the public. All relevant information will be open for public consideration. Knowledgeable people will be available to answer questions at meetings and respond to phone questions in a timely manner.

❖ **Ongoing Communications:**

LHMPO will use mailings, media and electronic technology such as e-mail and web sites to have ongoing communication with the public and other entities. Members of the staff are also available via the phone for questions, concerns and suggestions.

❖ **Other Entities:**

The needs and interests of other public and governmental entities will be solicited as appropriate. Coordination, cooperation and teamwork among all the agencies are vital to the success of any plan, program or project.

❖ **Transportation Interests:**

LHMPO will solicit input from transportation-related groups such as freight interests, City transportation provider, private providers of transportation, chambers of commerce, and others.

❖ **Opportunities for Input:**

Opportunities for input will vary depending on the project, program or plan. For larger projects, such as the 25-year Regional Transportation Plans, there could be several rounds of public participation. There would be the opportunity for initial comments on what projects citizens would like their transportation system to include, prior to the start of any work. Comments on the first draft would be collected and incorporated as appropriate in the final draft. Finally, if there were significant changes to the final draft, there could be another call for input. In each of these stages a variety of techniques would be used to involve all the stakeholders. This will be determined by the extent and nature of the project.

❖ **Use of Public Comments:**

A complete record of public comments will be retained for public review. In specific cases, identified by federal regulations, the public comments could be a

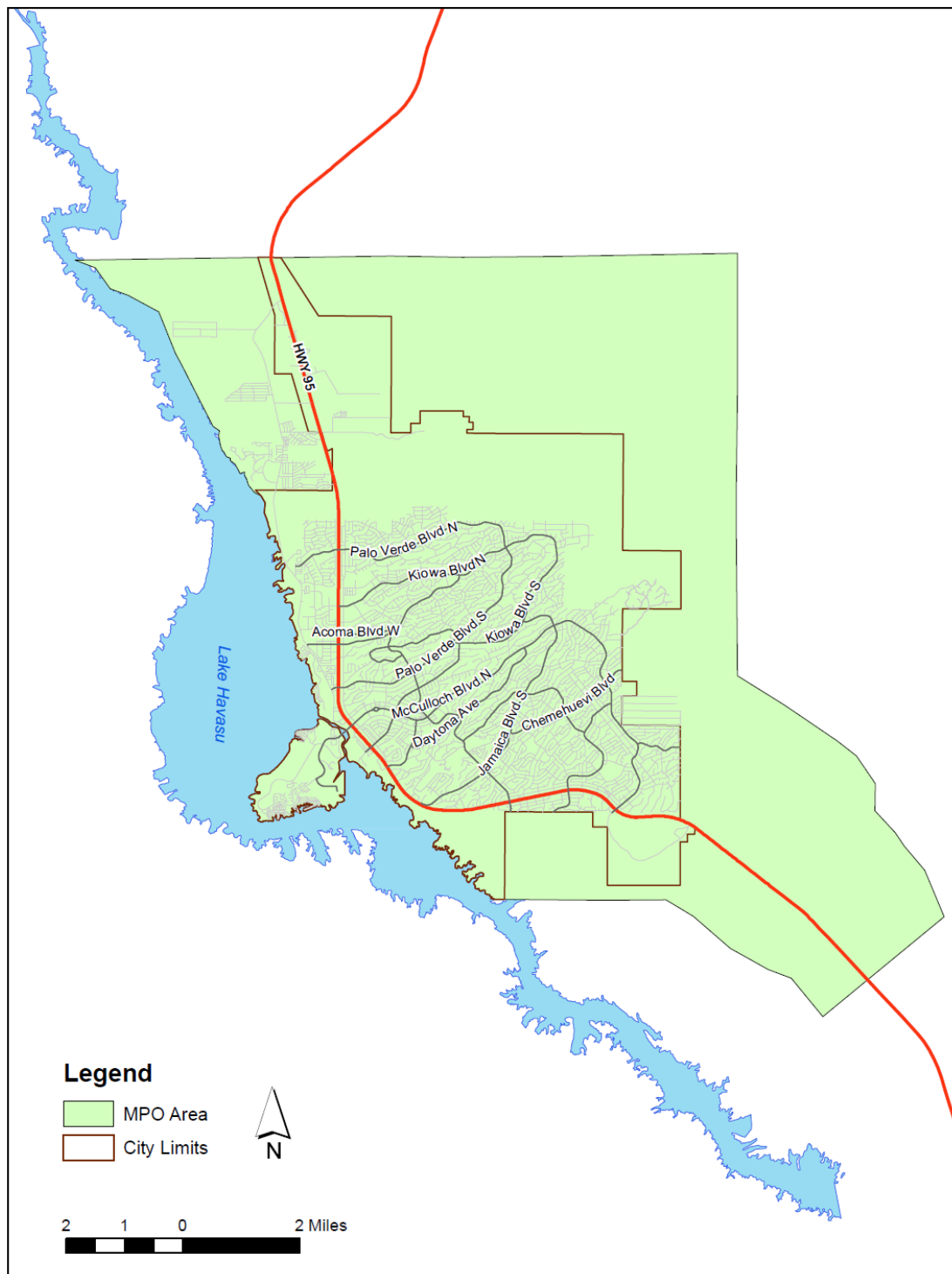
part of the final document, as is the case with the Regional Transportation Plans and the Transportation Improvement Program. Additionally, individual questions will receive a response in a timely manner.

❖ **Decision Making:**

All final transportation decisions (other than those requiring a vote of the people) are made by one or more groups of elected or appointed officials. Public meetings allow comments to be collected and may identify a consensus. The final decision, however, will be up to the elected and/or appointed officials based on a consideration of all related information.

Prior to each key decision point, ample opportunity will be offered for input and that input will be shared with the decision-makers.

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” Director aka 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 Nondiscrimination Program Coordinator is also responsible for preparing and submitting Title VI Plans once a year and an annual Title VI Accomplishment and Goals report.

The Title VI Nondiscrimination Program Coordinator will receive training from ADOT and will share the requirements of Title VI and related authorities with staff and committee members. The coordinator will also be responsible for developing the Title VI Plan and related reports and overseeing the implementation of the Plan.

Strategies to include disadvantaged populations (including individuals with Limited English Proficiency) in the transportation planning and grant awards processes are outlined in the LHMPO Public Involvement Plan

“LHMPO” Title VI Nondiscrimination Program Coordinator Contact Information:

Vincent Gallegos, Director /
Title VI Nondiscrimination Program Coordinator
900 London Bridge Rd., Bldg. B
Lake Havasu City, AZ 86404
928-453-2824 office

“LHMPO” Membership - When and where possible the LHMPO strongly encourages and promotes participation of minorities on its committees. Membership is ultimately controlled and guided by the Lake Havasu MPO Bylaws. These bylaws dictate from where and who the membership can be so while

minorities are promoted, it is also limited to those people that are available from which people may be recruited or appointed.

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 these members are either elected or appointed to serve on their respective County / City Boards / Councils, it is outside the LHMPO’s area of influence to promote minority participation. 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 Nondiscrimination Program Plan.

Lake Havasu MPO Executive Board Representation

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

The **Technical Advisory Committee (TAC)** is an advisory committee to the Executive Board. The eight-member committee is comprised of: the Lake Havasu City Manager or designee; Lake Havasu City Public Works Director or designee; Lake Havasu City Development Services Director or designee; Mohave County Public Works Director, or designee; Mohave County Development Services Director, or designee; 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. Each of these agencies are asked to consider minorities where possible to represent their respective agencies on the TAC. 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.

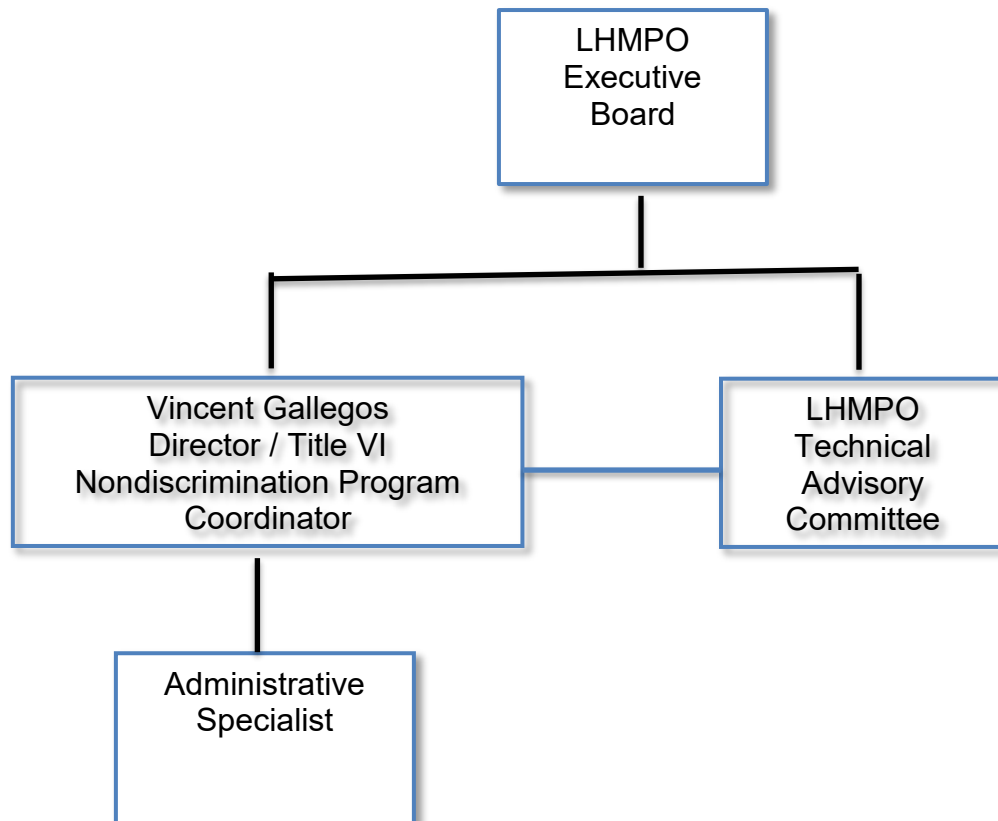
Lake Havasu MPO Technical Advisory Committee

Lake Havasu City – Three (3) Members
Mohave County – One (1) Member
Western Arizona Council of Governments – One (1) Member
Arizona State Transportation – Two (2) Member
Ex-Officio Federal Highways Administration – One (1) Member

Lake Havasu MPO Board / Committee Characteristics

LAKE HAVASU MPO Board / Committee	RACE/Ethnicity	GENDER	
		Female	Male
Executive Board	5 Caucasian	1	4
Technical Advisory Committee	7 Caucasian 1 Multiracial		8
Technical Advisory Committee Alternates	2 Caucasian	0	2

2021 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. Title VI Training

Compliance for the Lake Havasu MPO transportation planning program is ongoing and falls under the duties of the Lake Havasu MPO Director & Title VI Nondiscrimination Program Coordinator. Title VI nondiscrimination training will be offered to the Lake Havasu MPO Staff, Executive Board, Technical Advisory Committee, and subrecipients annually.

LHMPO Staff – Annually, request ADOT Civil Rights Office to offer Title VI Training / Overview for staff. Staff will also participate in FTA / FHWA Title VI and Environmental Justice Training that is made available throughout the year.

Executive Board – This training will occur annually and functions as part training and debriefing regarding highlights from the previous reporting year. The training portion is high-level and is tailored to identify and address major challenges and special emphasis areas findings from the Title VI Nondiscrimination Program Plan.

Technical Advisory Committee (TAC) - This training will occur annually and functions as part training and debriefing regarding highlights from the previous reporting year. The training portion is high-level and is tailored to identify and address major challenges and special emphasis areas findings from the Title VI Nondiscrimination Program Plan.

Subrecipients – Contracts will be reviewed to ensure that the assurances are being followed, which will be followed by training. The content of the training is developed specifically to address the issues / challenges facing each subrecipient as communicated through the subrecipient review. At the current time, the LHMPO does not have any subrecipients.

XIII. Compliance and Enforcement

The LHMPO is a recipient of federal financial assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 (Title VI).

The LHMPO and its subrecipients of federal-aid funds must ensure that all of its programs and activities are operated in a nondiscriminatory manner. Subrecipients will provide an annual report describing Title VI data findings from the agency and subcontractors, outreach methods, Title VI implementation changes and upcoming Title VI program goals. Annual reports are analyzed and categorized based on a high / low risk assessment. Compliance reviews of program areas, subrecipients, and consultant contracts of federal financial assistance will be conducted to determine level of compliance with Title VI requirements. The Title VI Nondiscrimination Program Coordinator will conduct compliance reviews annually to:

- Ensure compliance with Title VI;
- Provide technical assistance; and
- Correct deficiencies.

Program Area Review

The Title VI Nondiscrimination Program Coordinator will review program areas for Title VI compliance. This will be done by examining data collection methods, public notification practices, and public participation practices. If deficiencies are found then staff will look at best practices being used by other MPO's and / or ADOT.

Subrecipient Review

The Title VI Nondiscrimination Program Coordinator is responsible for reviewing subrecipient contracts and planning agreements for Title VI compliance. This is accomplished through contract review, training, onsite visits, and personal interviews of staff. At the current time, LHMPO does not have any subrecipients.

Consultant Contract Review

The Title VI Nondiscrimination Program Coordinator is responsible for overseeing the preparation and execution of all planning study contracts for consultants to ensure Title VI compliance.

FHWA / FTA Funded Contracts will be reviewed for the following:

- Include the most recently signed assurances;
- Include subrecipient signed assurances; and
- Ensure the consultant is complying with Title VI Assurances.

Exhibit A
Notice to the Public

The following “Notice to the Public” is posted in the LHMPO Office and on the LHMPO website (www.LHMPO.org).

NOTICE TO THE PUBLIC

PUBLIC NOTICE

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

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

EL AVISO PUBLICO

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

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

Lake Havasu Metropolitan Planning Organization
Vincent Gallegos, Director / Title VI Nondiscrimination Program Coordinator
900 London Bridge Road
Lake Havasu City, AZ 86404
Phone: 928-453-2424 / Fax: 928-844-7702
Email: GallegosV@LHCAZ.gov
Website: www.LHMPO.org

Exhibit B
Non-Discrimination Complaint Forms in English and Spanish



ADA/Title VI Discrimination Complaint Form

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

Complainant's Information:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Alternate Phone Number: _____

Person discriminated against (someone other than complainant):

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone Number: _____ Alternate Phone Number: _____

Which of the following best describes the reason you believe the discrimination took place?
Please be specific.

☐ Race _____ ☐ Color _____ ☐ National Origin _____

☐ Disability _____

☐ Limited English Proficiency (LEP) _____

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

Where did the alleged discrimination take place? _____

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

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



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

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

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

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Alternate Phone Number: _____

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

Complainant Signature _____ Date Number of attachments: _____

Lake Havasu MPO

GallegosV@lhcaz.gov

ATTN: Vincent Gallegos, Program Coordinator 900 London Bridge Rd. Bldg. B

Lake Havasu City, AZ 86404

Phone: 928.453.2823 FAX: 928.854.7702 www.LHMPO.org

LHMPO Submission: print form and then email to
GallegosV@lhcaz.gov

If information is needed in another language, please contact Lake Havasu MPO at (928-453-2823). Si se necesita información end Español, pro favor comuníquese con la Oficina de Lake Havasu MPO al (928) 453-2823.



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

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

Información de la persona que está poniendo la queja:

Nombre: _____
Dirección: _____
Ciudad/Estado/Código Postal: _____
Teléfono (Casa): _____
Teléfono (Trabajo): _____

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

Nombre: _____
Dirección: _____
Ciudad/Estado/Código Postal: _____
Teléfono (Casa): _____
Teléfono (Trabajo): _____

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

Raza (Especifique) _____ Nacionalidad (Especifique) _____

Color (Especifique) _____ Discapacidad (Especifique) _____

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

¿En dónde sucedió la discriminación? _____

¿Cuál es el nombre y ti de la persona(s) que usted siente que cometió la discriminación contra usted (si lo sabe)? _____

Describa la presunta discriminación. Explique qué sucedió y quién cree usted que fue responsable (si necesita más espacio, agregue otra hoja).

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

Si ha presentado esta queja con otra agencia federal, estatal o local, o con cualquier corte federal o estatal, marque todas las que apliquen.

Agencia Federal _____ Corte Federal _____ Agencia Estatal _____
Corte Estatal _____ Agencia Local _____

Por favor proporcione información de la persona a la que presentó su queja en la agencia/corte.

Nombre: _____
Dirección: _____
Ciudad/Estado/Código Postal: _____
Teléfono (Casa): _____
Teléfono (Trabajo): _____

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

Firma de la Persona que presenta la queja Fecha

Número de: _____

Someta la forma y cualquier información adicional a:

ADOT Civil Rights Office
CivilRightsOffice@azdot.gov
ATTN: ADA/Title VI Nondiscrimination Program Coordinator
206 S. 17th Avenue, Room 183, MD155
Phoenix, AZ 85007
Phone: 602.712.8946 Fax: 602.239.6257
www.azdot.gov

Lake Havasu MPO
Attn: Vincent Gallegos – Title VI Coordinator
900 London Bridge Road, Building B
Lake Havasu City, AZ 86404
928-854-2824
GallegosV@lhcaz.gov

Exhibit C

Complaint Log

LAKE HAVASU METROPOLITAN
PLANNING ORGANIZATION

ADA/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

A:\City Operations and Development\LHMPO\Administration\Federal & State Required Documents\Title VI\Annual Complaint Log\Title_VI_Complaint_Log_Template.xlsx 11/28/2018

Exhibit D

Demographic Maps

Source: United States Census Bureau, American Community Survey 2012-2016 5 year Estimates:

Race and Ethnicity

- Asian
- Black
- Hispanic or Latino
- Native American
- Other Race
- Pacific Islander
- Two or More Races
- White

Select Age Group

- 65 years and over

Ability to Speak English

- Percent Limited English Proficiency (LEP)

Poverty Status in the Past 12 Months

- Percent of Families Below Poverty Level

Person – Poverty

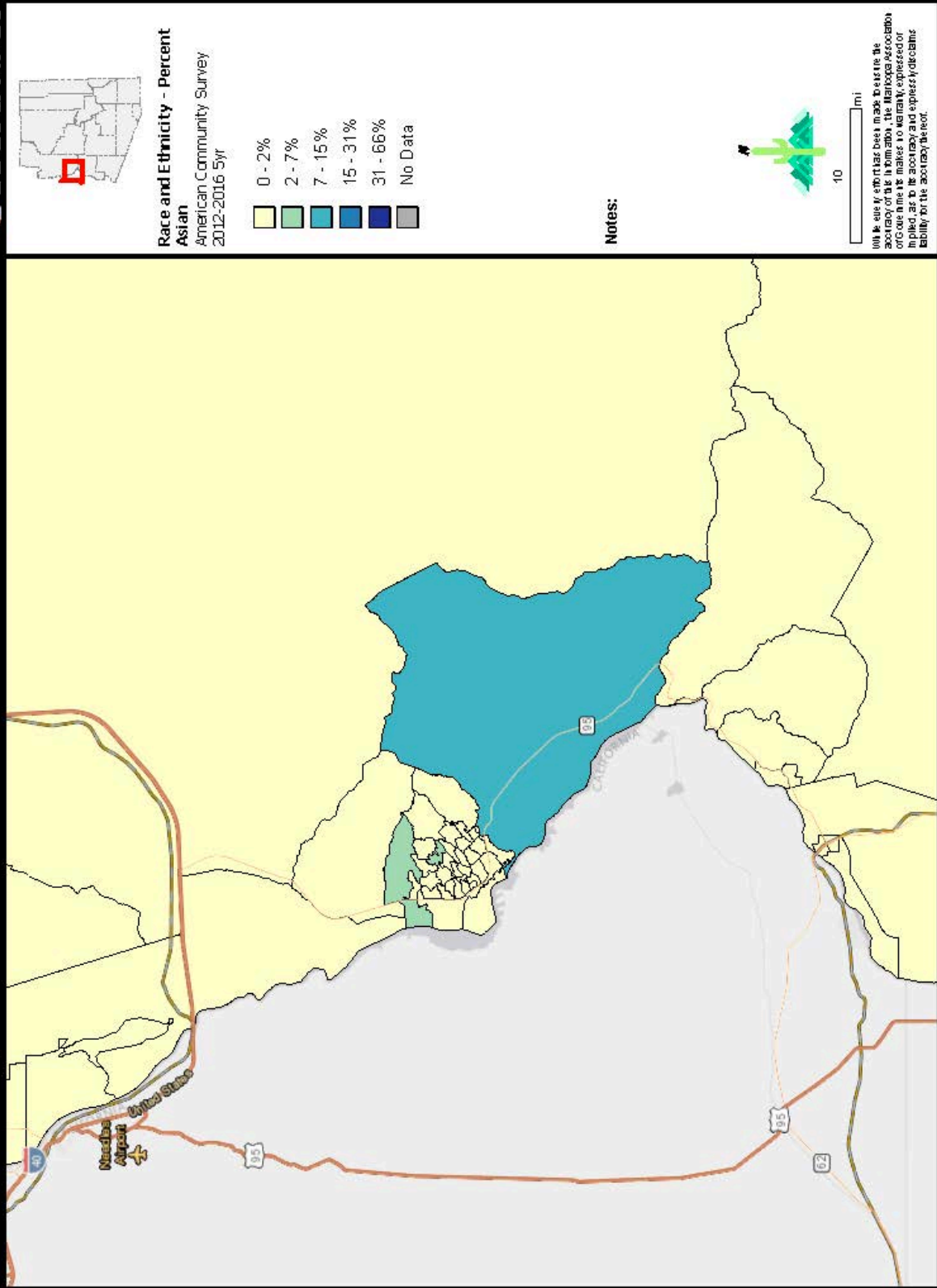
- Persons – Percent Below Poverty Level
- Percent Persons with income below 150% of Poverty Level
- Percent Persons with income below 200% of Poverty Level

Vehicles Available

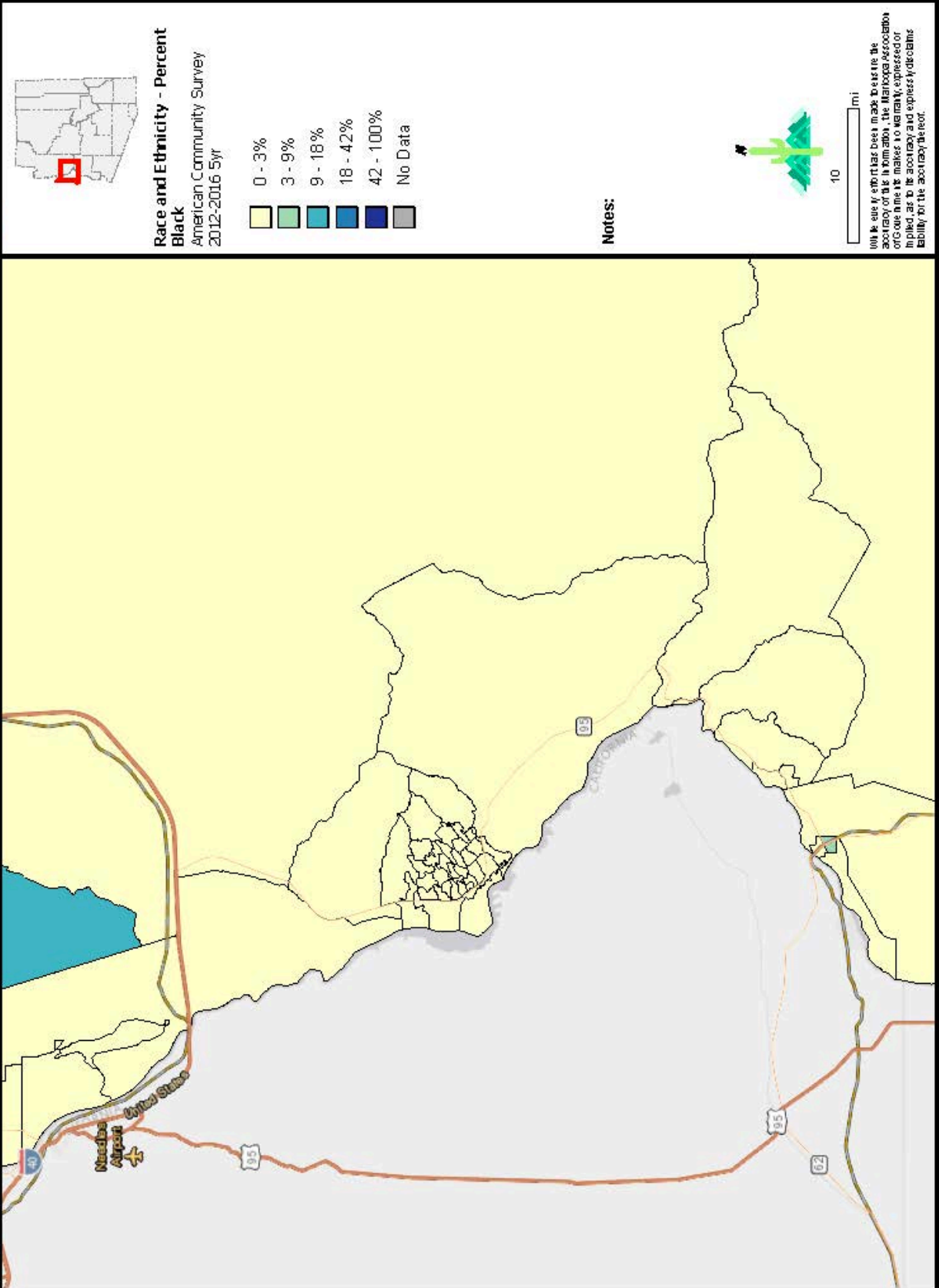
- Percent No Vehicles Available
- Percent One Vehicle Available
- Percent Two Vehicle Available
- Percent Three Vehicle Available (#9)

It should be noted that the current transit plan that is taking place at the time of the adoption of the Title VI plan covers the MPO area evenly and throughout, which includes all peoples in the area.

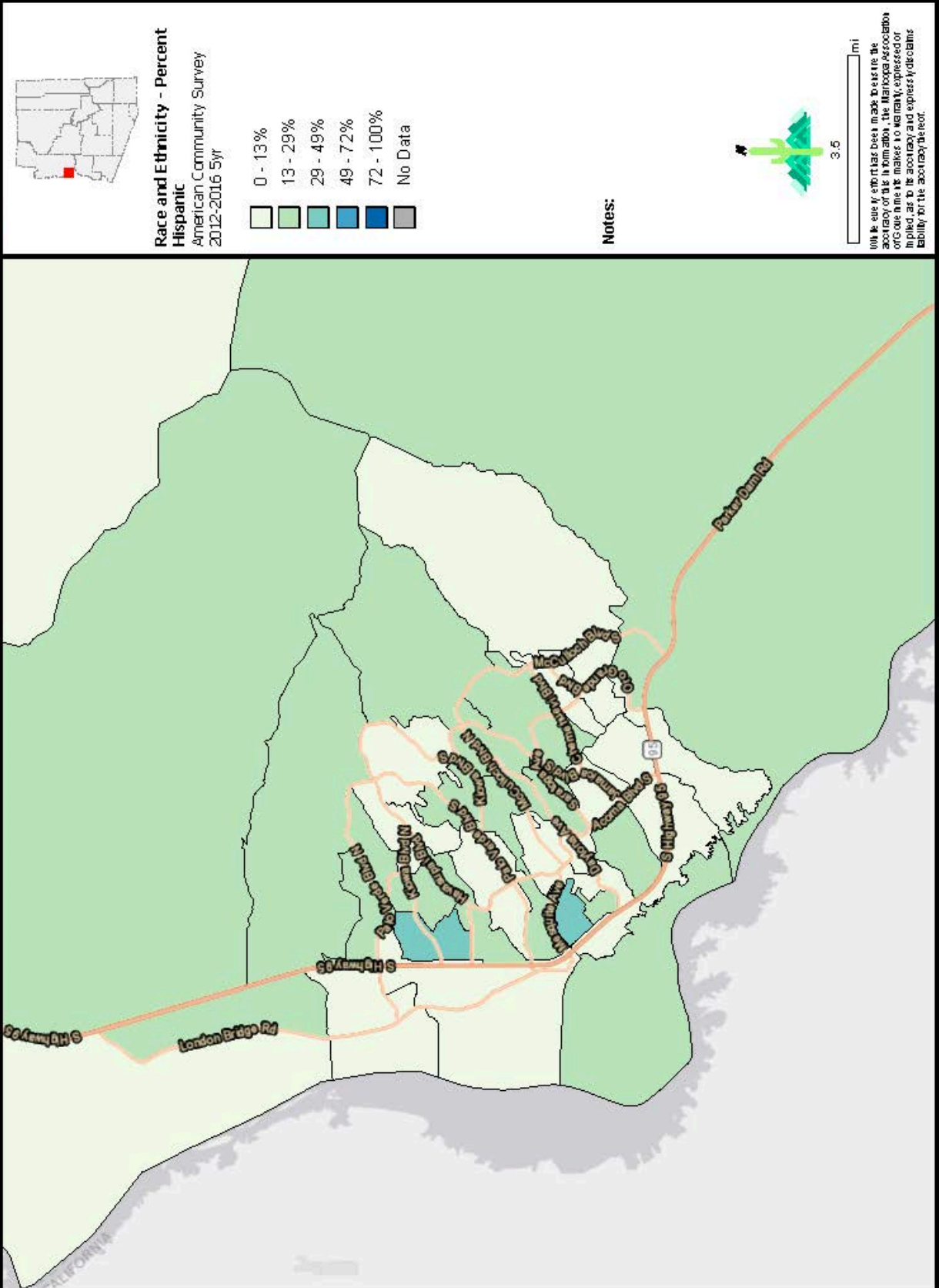
Race and Ethnicity - Percent Asian



Race and Ethnicity - Percent Black

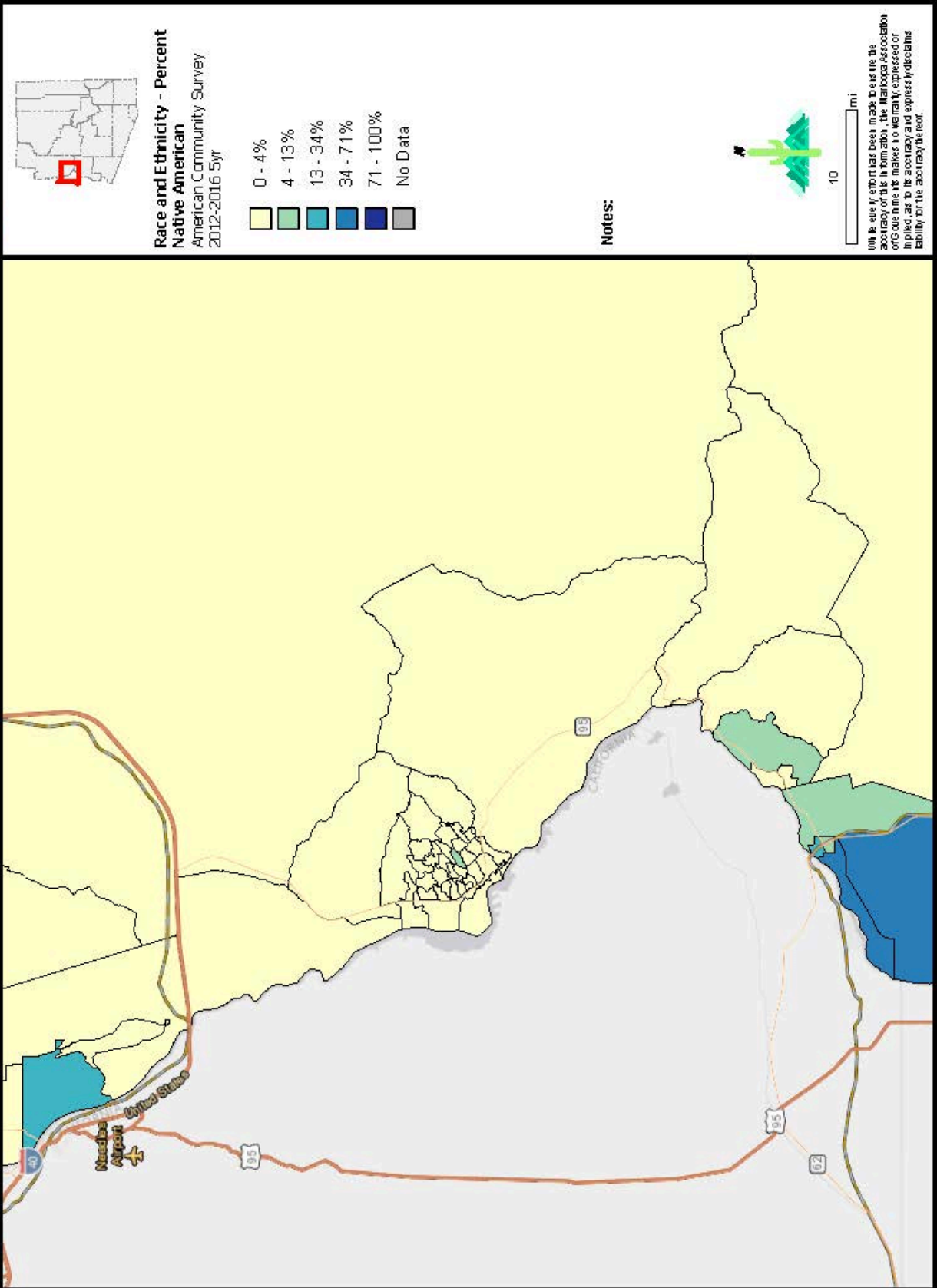


Race and Ethnicity - Percent Hispanic

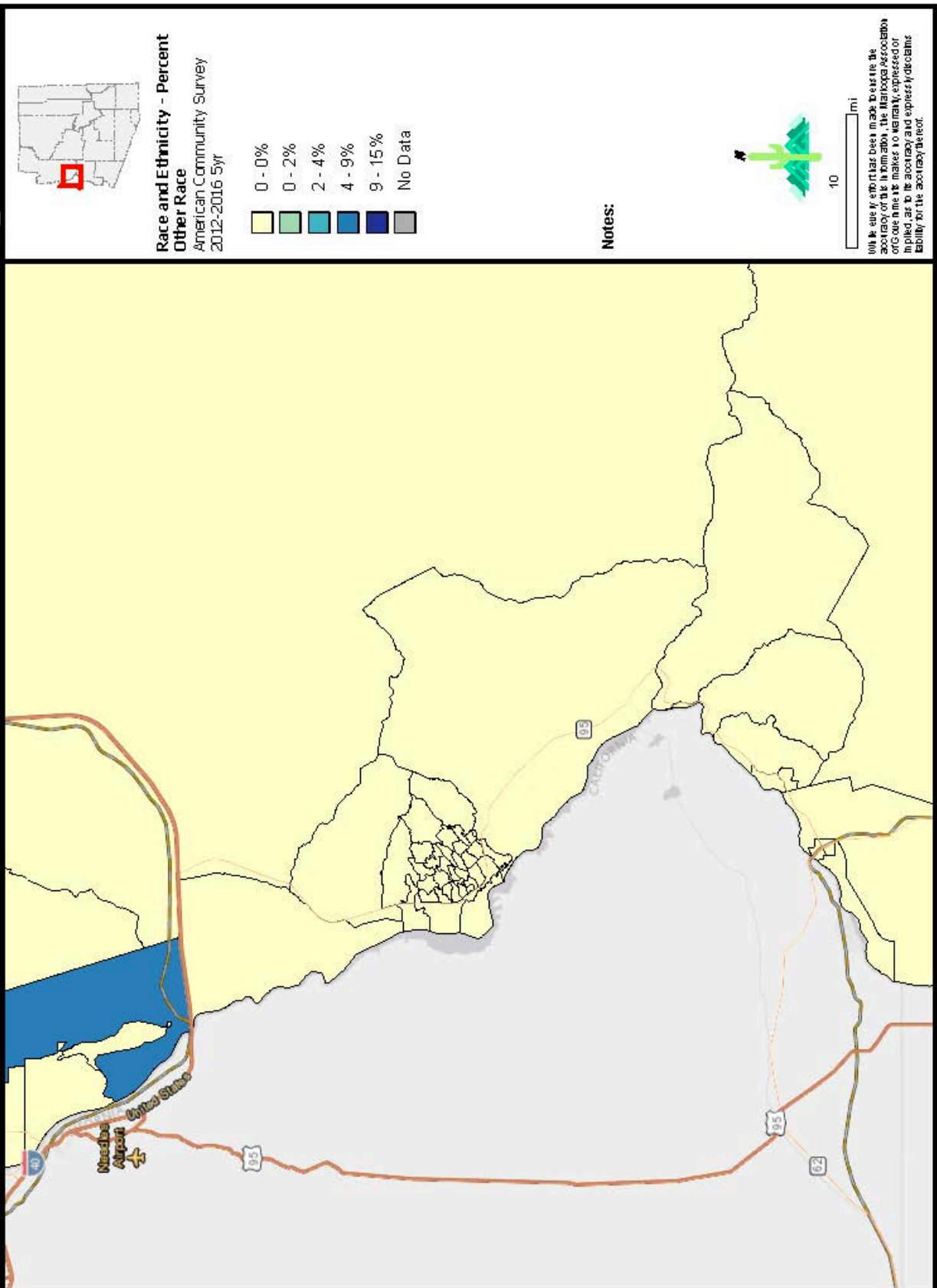


Date: 11/28/2018

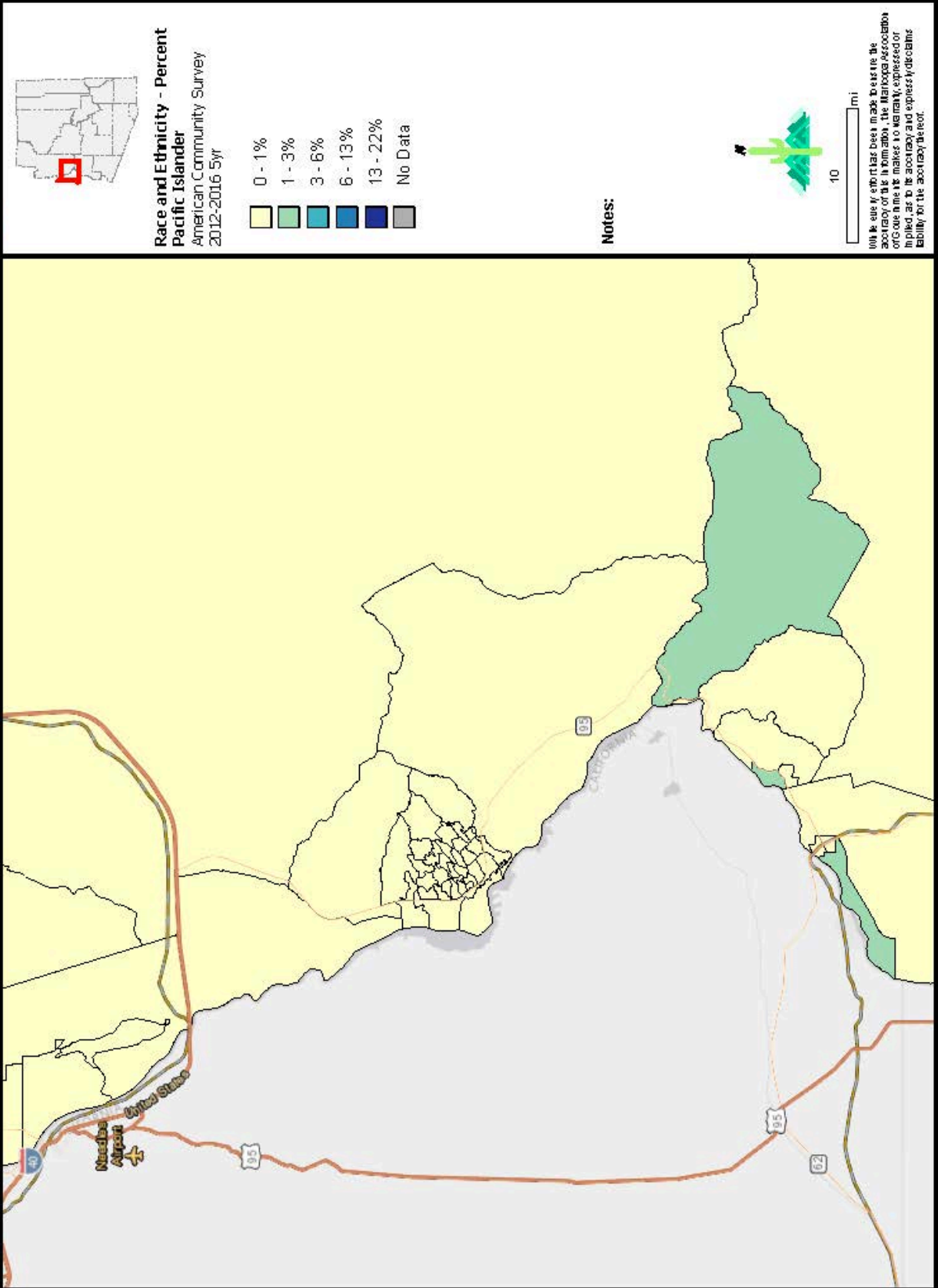
Race and Ethnicity - Percent Native American



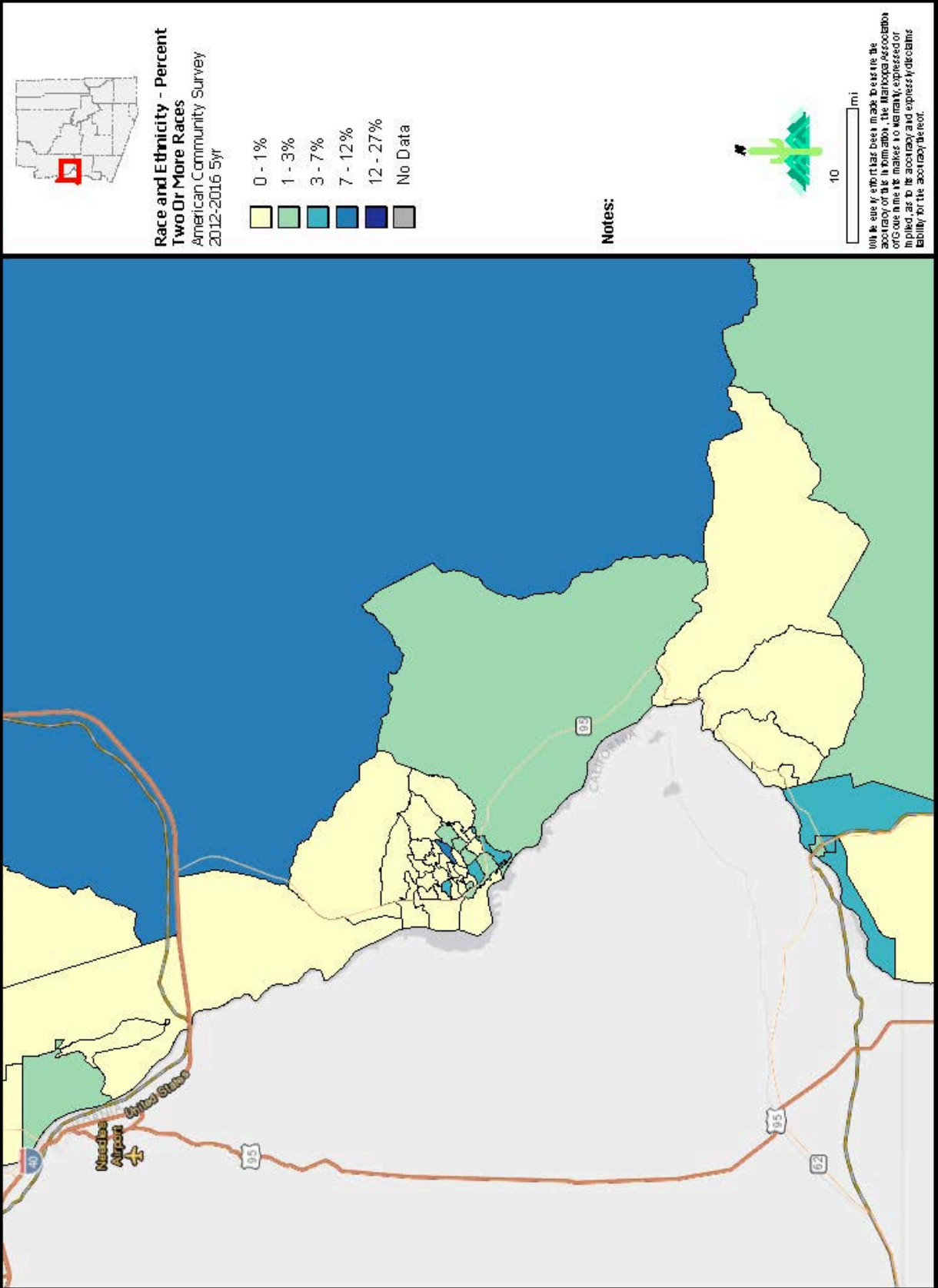
Race and Ethnicity - Percent Other Race



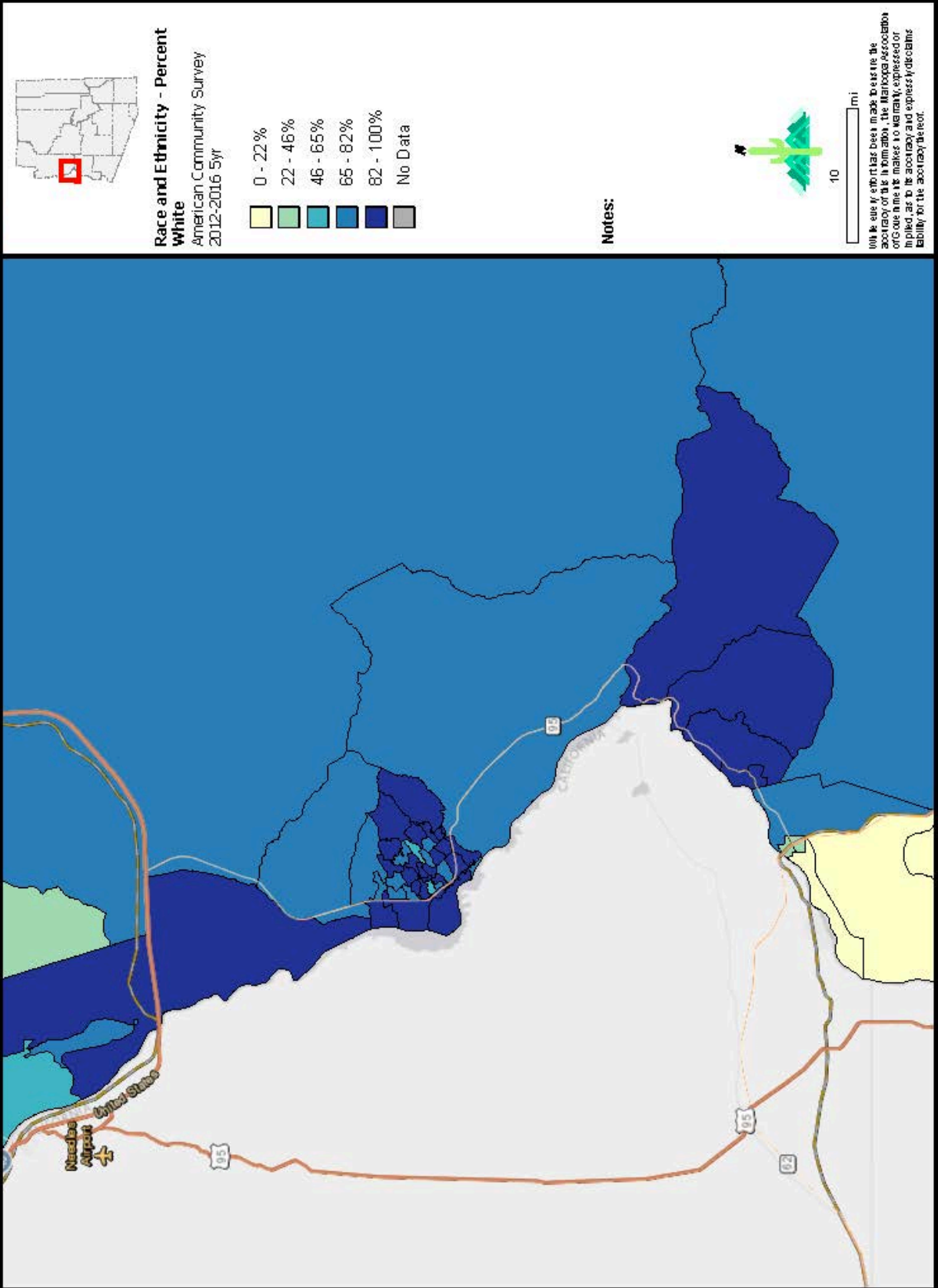
Race and Ethnicity - Percent Pacific Islander



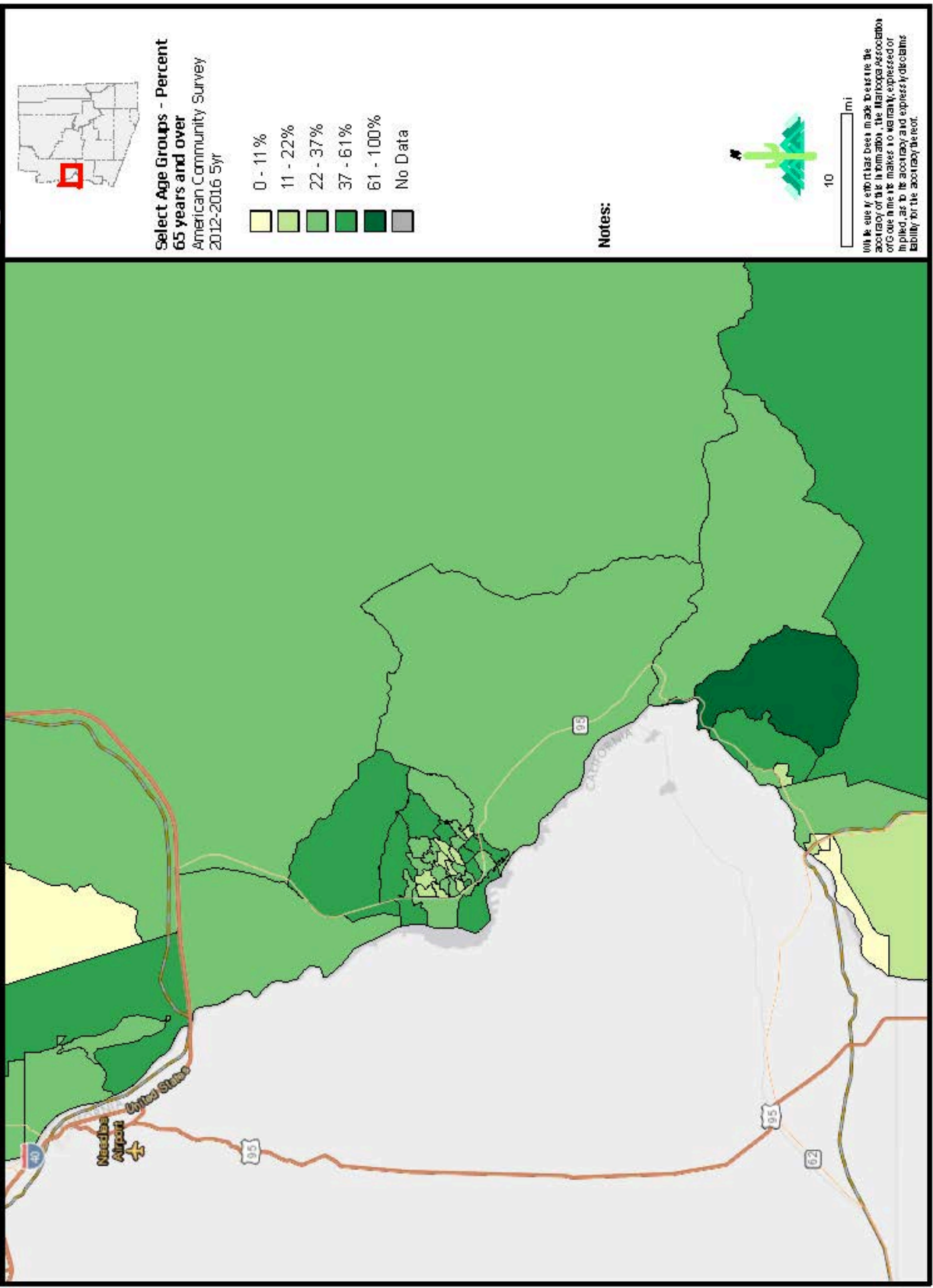
Race and Ethnicity - Percent Two Or More Races



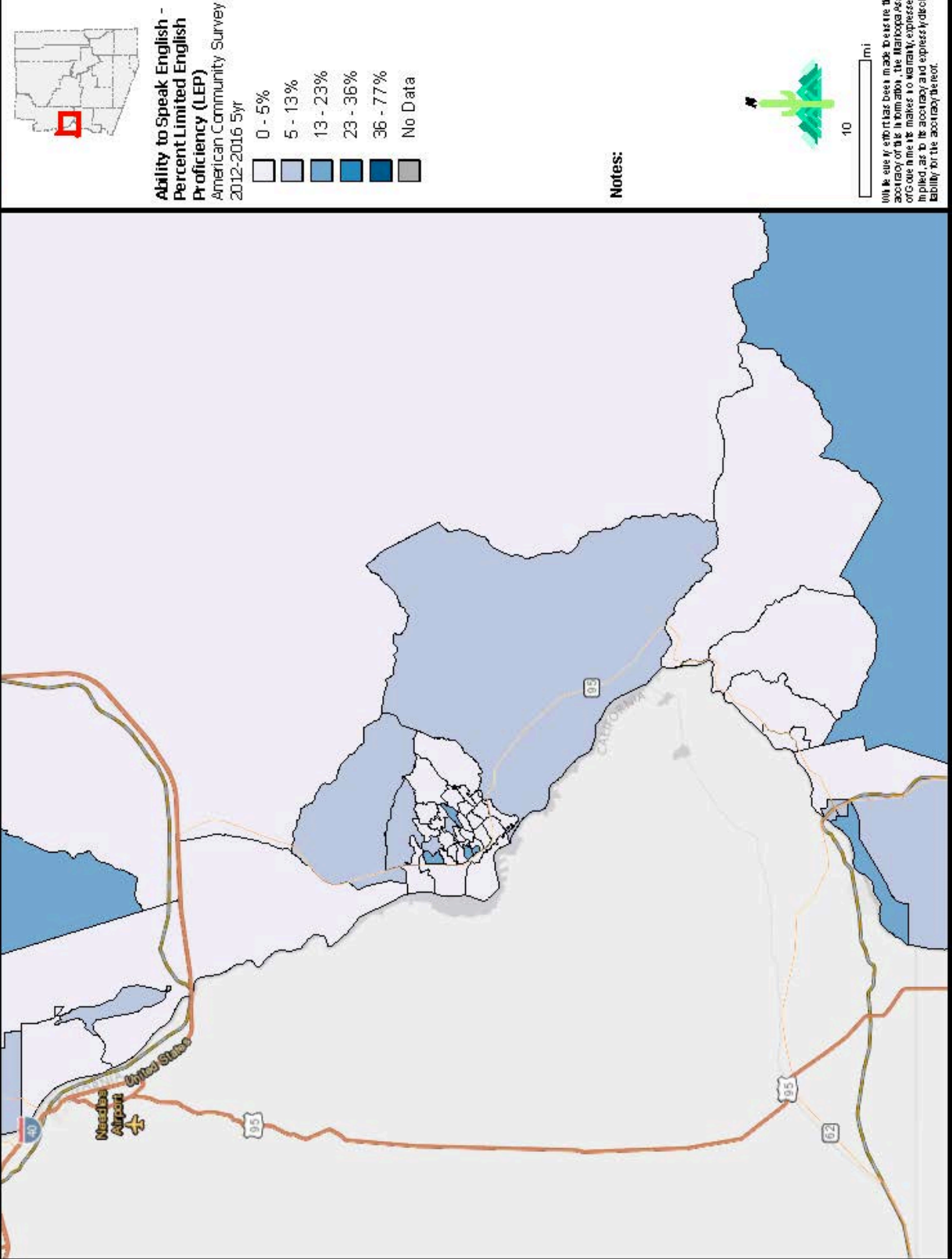
Race and Ethnicity - Percent White



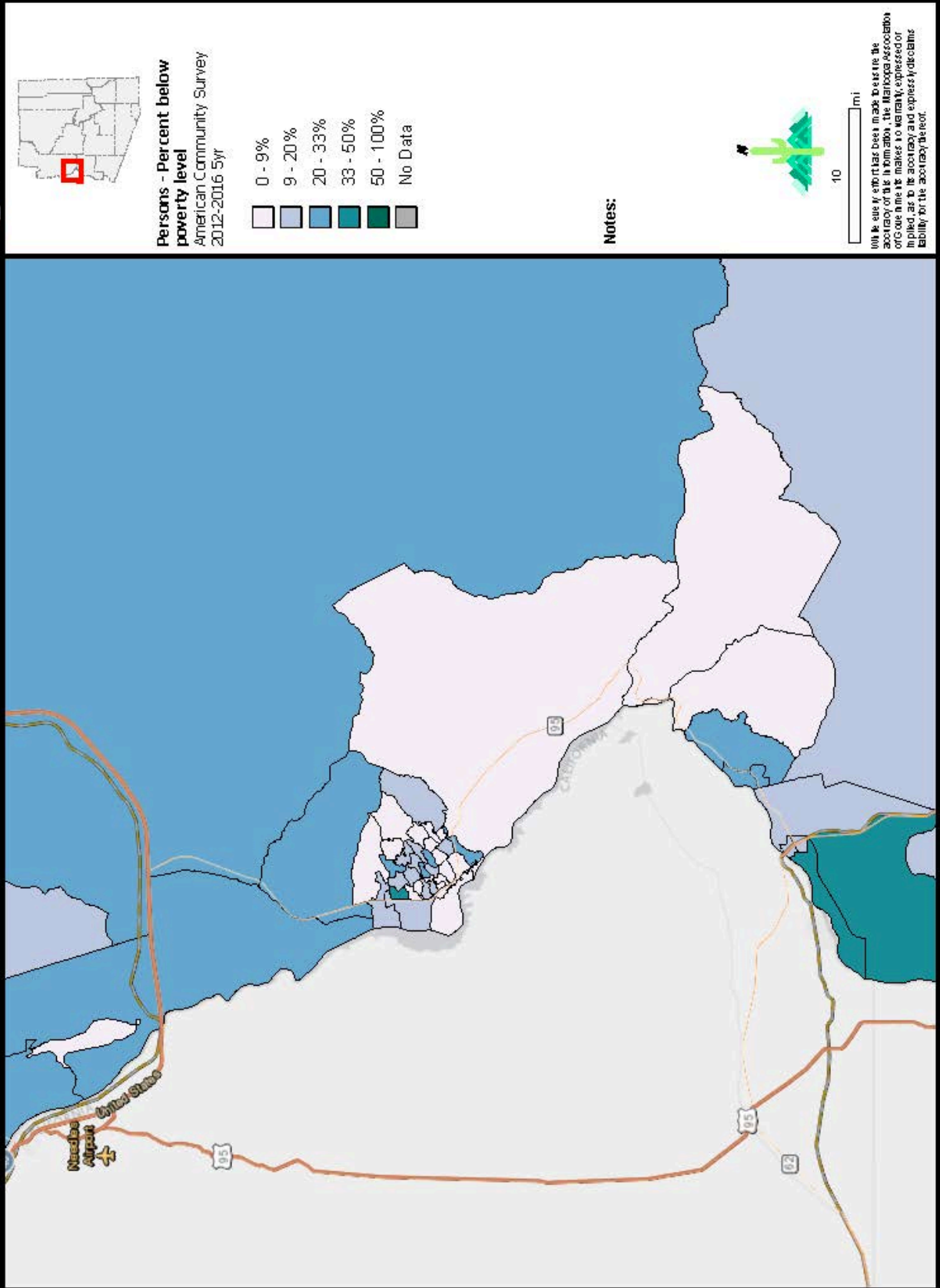
Select Age Groups - Percent 65 years and over



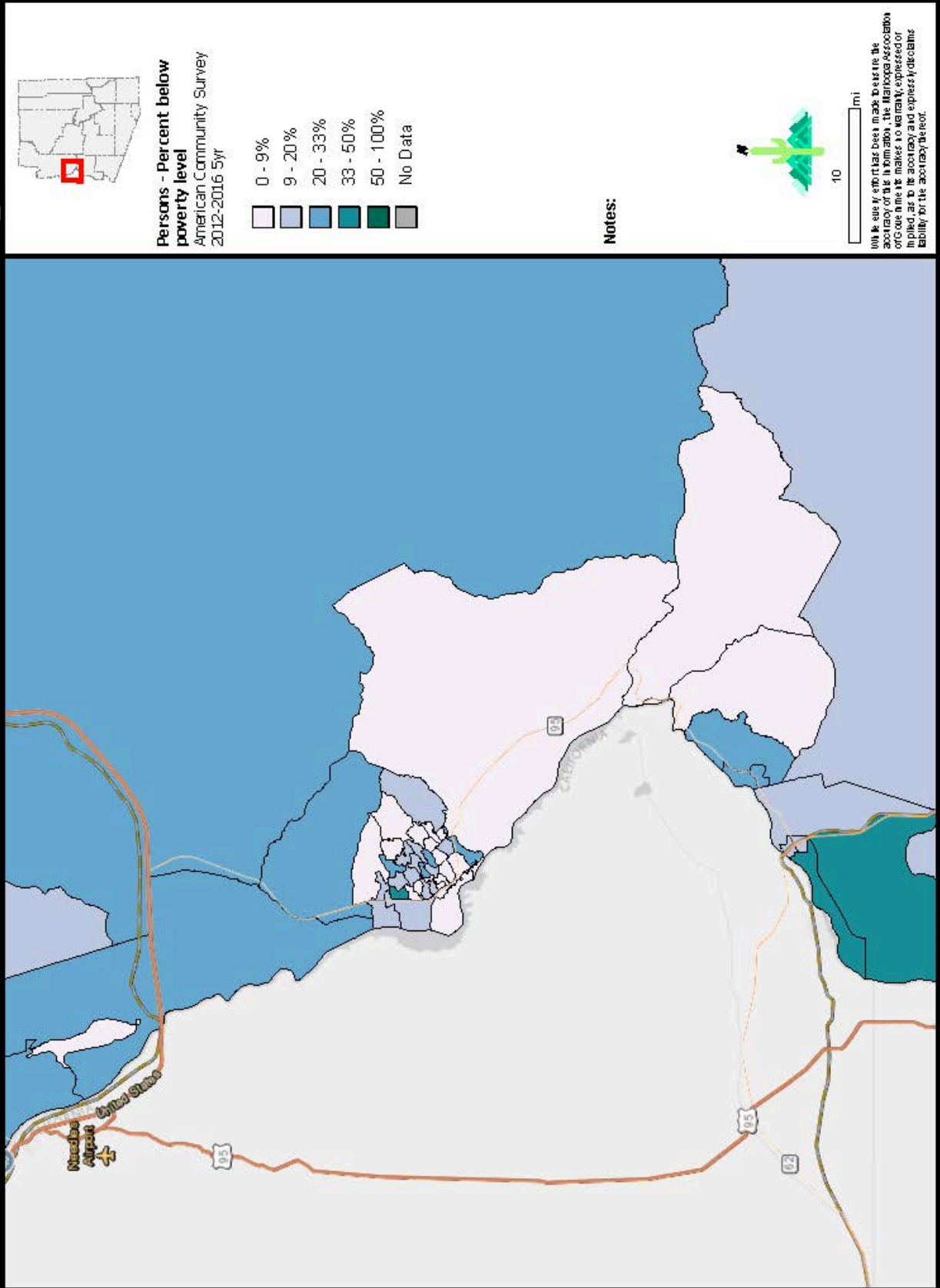
Ability to Speak English - Percent Limited English Proficiency (LEP)



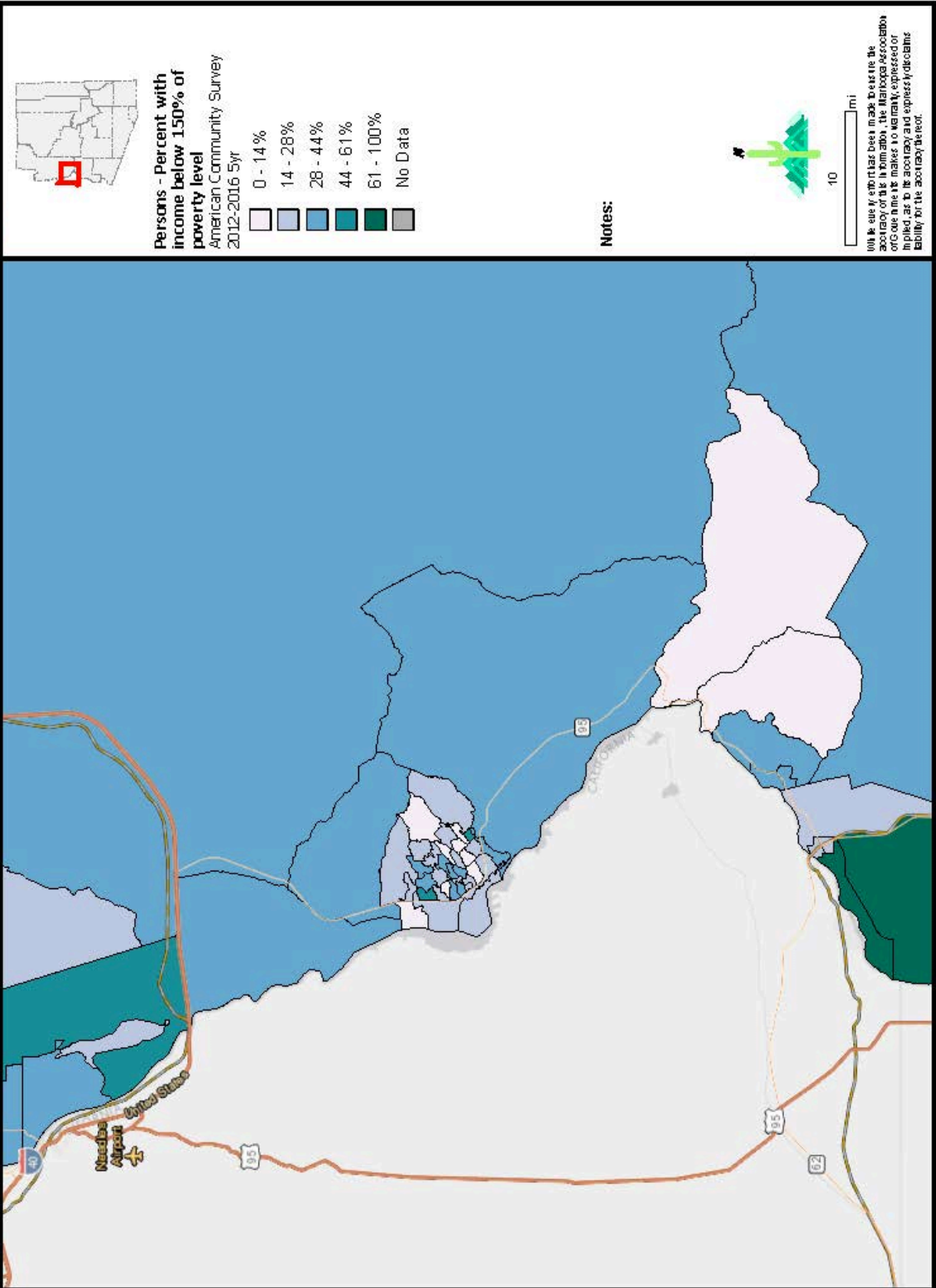
Persons - Percent below poverty level



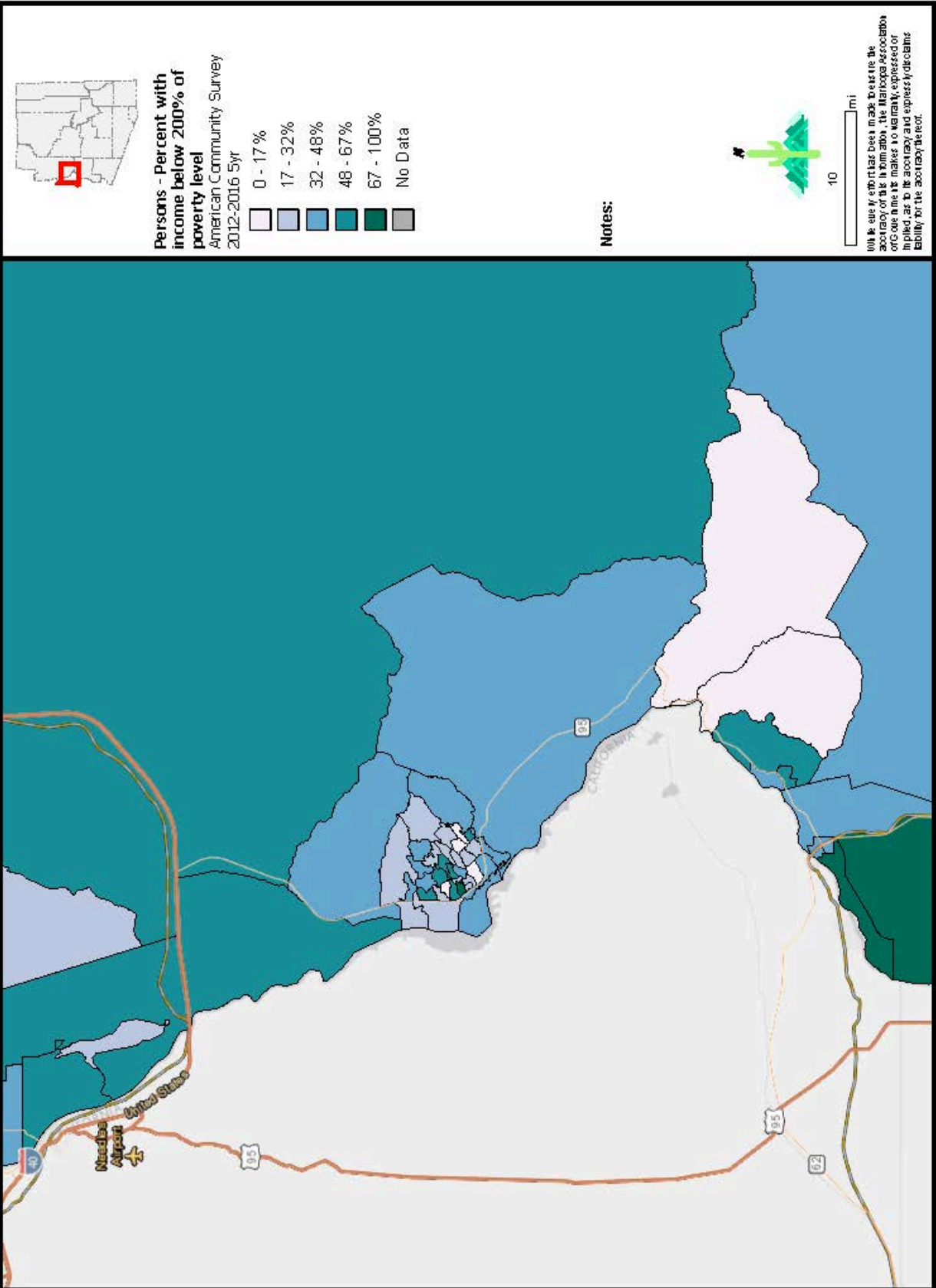
Persons - Percent below poverty level



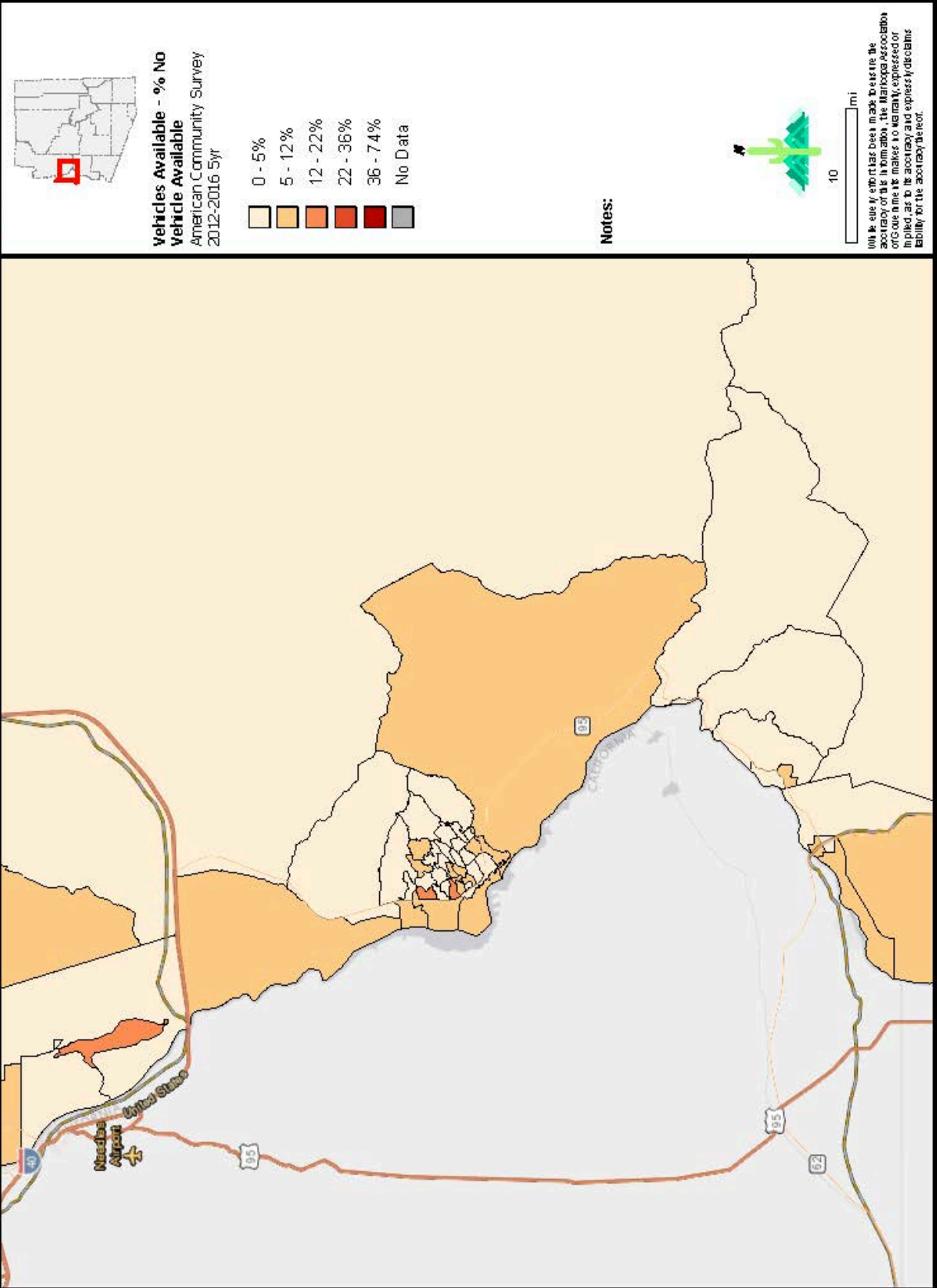
Persons - Percent with income below 150% of poverty level



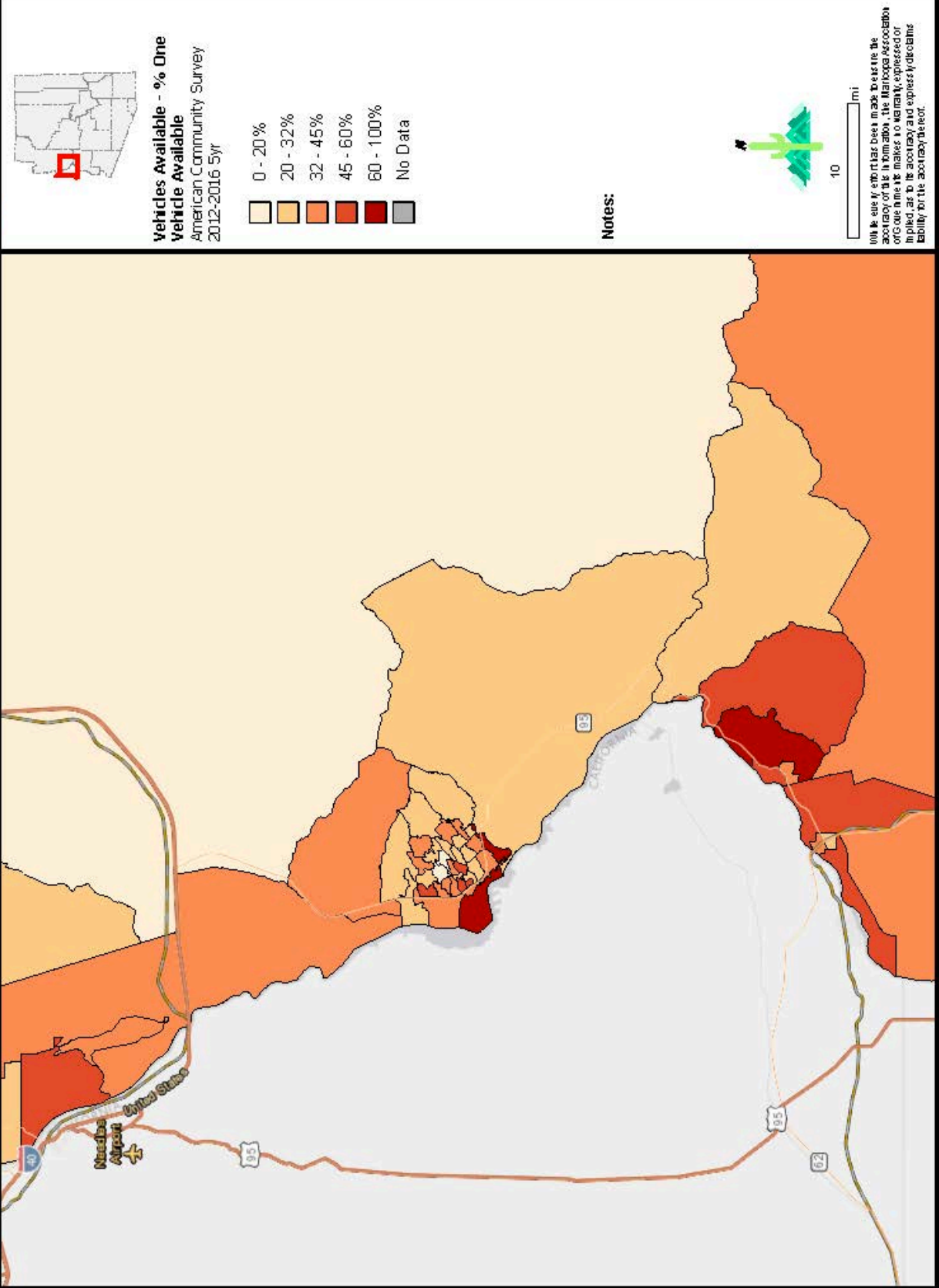
Persons - Percent with income below 200% of poverty level



Vehicles Available - % No Vehicle Available

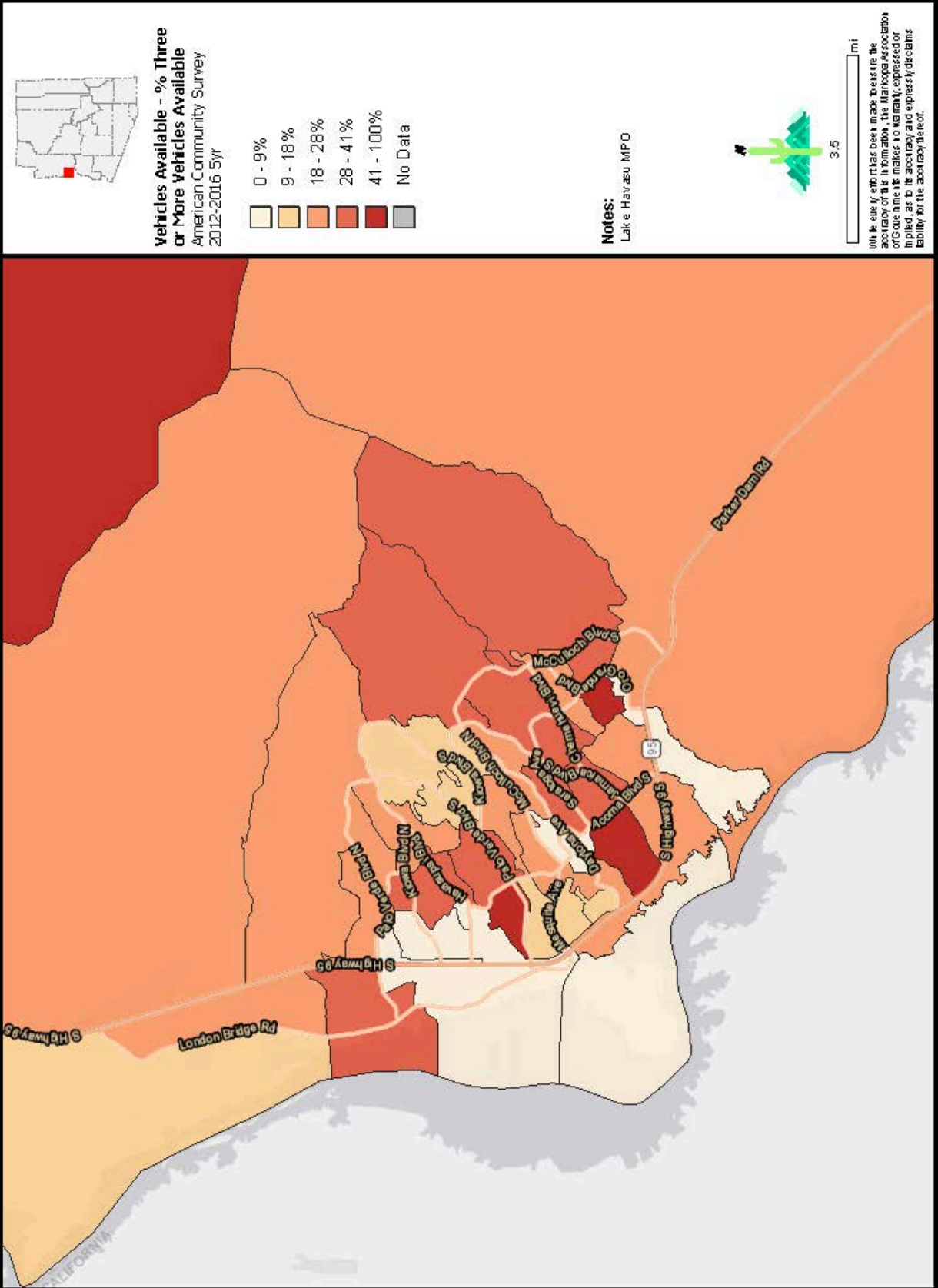


Vehicles Available - % One Vehicle Available





Vehicles Available - % Three or More Vehicles Available



Date: 11/28/2018

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: Discussion and Update on Pedestrian Hybrid Beacon for Acoma Blvd. & Pima Dr. North

SUBMITTED BY: Vinny Gallegos, LHMPO Director

AGENDA TYPE: Discussion Only

ATTACHMENTS:

No Attachments

SUMMARY/BACKGROUND:

The Lake Havasu MPO made application on behalf of Lake Havasu City for Highway Safety Improvement Program (HSIP) funds to improve pedestrian and vehicle safety at the intersection of Acoma Blvd. & Pima Dr. North. The project application identified that a pedestrian Hybrid Beacon (aka HAWK) would provide the greatest benefit for this particular intersection. ADOT awarded \$460,000 for the design and construction of this project.

ADOT estimated the construction for this project to be \$267,491.50. ADOT received two (2) bids for the construction of this project. The Arizona State Transportation Board at their July 2020 meeting awarded K.A.Z. Construction Inc. their bid amount of \$304,000.00. This bid was 13.6% or \$36,508.50 above the estimated cost. The additional cost is being covered through HSIP.

This is a 100% federally funded project and no local match is required at this time for the project.

ACTION OPTION:

Discussion Only

RECOMMENDATION:

Discussion Only

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: Discussion and Update on Traffic Signal for Swanson Ave. and Acoma Blvd.

SUBMITTED BY: Vinny Gallegos, LHMPO Director

AGENDA TYPE: Discussion Only

ATTACHMENTS:

No Attachments

SUMMARY/BACKGROUND:

The Lake Havasu MPO on behalf of Lake Havasu City (LHC) made application for Highway Safety Improvement Program (HSIP) funds for FY21 (Design) and FY22 (Construction) to improve safety at the intersection of Swanson Ave. and Acoma Blvd. The application described that a traffic signal would provide the greatest safety benefit for this intersection. ADOT awarded HSIP funds in the amount of \$724,750 for the design and construction of this project. LHC in cooperation with ADOT and LHMPO proactively identified a need for a revised project scope and updated cost estimates. LHC and LHMPO met with ADOT to determine availability of additional HSIP federal funds for the project should it be needed. ADOT offered to support the project up to and not exceeding \$1,000,000. In an effort to secure an updated project scope and cost estimate, the LHMPO hired Greenlight Traffic Engineering to provide technical assistance.

LHMPO and Greenlight Traffic Engineering now estimate the design and construction of the project to be \$999,105. The additional \$275,000 will be federal HSIP funds and an addition of \$200 local match. Through a creative and innovative approach the project was expanded to include speed feedback signs, pedestrian beacons, in addition to the traffic signal.

ACTION OPTION:

Discussion Only

RECOMMENDATION:

Discussion Only

Agenda Item # 7.4

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: Discussion and Update on the 2045 Regional Transportation Plan (RTP)

SUBMITTED BY: Vinny Gallegos, LHMPO Director

AGENDA TYPE: Discussion Only

ATTACHMENTS:

Scope of Work and Schedule

SUMMARY/BACKGROUND:

At the June 2020 LHMPO Executive Board meeting a contract was awarded to Kittelson and Associates to support the LHMPO in completing the 2045 Regional Transportation Plan (RTP). See attached scope of work and schedule for additional information.

ACTION OPTION:

Discussion Only

RECOMMENDATION:

Discussion Only

EXHIBIT “A” – SCOPE OF WORK



Lake Havasu Metropolitan Planning Organization (LHMPO) Regional Transportation Plan (RTP)

Scope of Work

May 2020

Task 1: Project Management and Coordination

The CONSULTANT Project Manager, Phyllis Davis, will be your primary point of contact and will personally oversee quality assurance, study proceedings, and document preparation throughout the study.

- **Project Management Team (PMT).** A PMT, including key representatives from Lake Havasu Metropolitan Planning Organization (LHMPO), will be established. The PMT will meet once a month to review study progress, provide technical guidance, and assist with coordination and outreach efforts. Most PMT meetings will be conducted via Skype/phone. The CONSULTANT will maintain regular communication with the LHMPO project manager, provide a written status report and invoice on a monthly basis.
- **Project Kick-off and Refined Work Plan.** Following Notice to Proceed, the CONSULTANT will host a Project Kick-off Meeting with key representatives from LHMPO, Lake Havasu City, and Mohave County. The meeting will include discussion on:
 - Project expectations and goals
 - Local issues, potential challenges, and opportunities
 - Defining Regionally Significant Routes to serve as the study network
 - Confirmation of project scope and timeline
 - Potential stakeholders and outreach efforts
 - Schedule, budget, staffing, and QA/QC Plan

The Scope of Work will be revised to include feedback received from the kick-off meeting for final approval.

- **Project Management Plan.** The CONSULTANT will develop a Project Management Plan that will include a refined scope of work based on feedback from the kick-off meeting; a detailed schedule that will clearly outline key study milestones, meetings, and deliverables; staffing and communication plan; and a QA/QC plan.
- **Technical Working Group (TWG).** The TWG will provide input, oversight, and champion the goals and objectives of the study. The CONSULTANT will schedule and conduct progress meetings with the TWG during key milestones of the project. The TWG will be established with input from the PMT and is expected to include representatives from: LHMPO; Lake Havasu City; Mohave County; Western Arizona Council of Governments (WACOG); and Arizona Department of Transportation (ADOT). Meetings will be held in-person and/or via conference call. The CONSULTANT will lead the TWG meetings, including developing meeting materials.
- **Quality Assurance/Quality Control (QA/QC).** The CONSULTANT will submit monthly invoices and progress reports to LHMPO. Appropriate technical staff will check data accuracy in the Level 1 reviews; Vamshi Yellisetty will check for technical completeness and soundness of the analysis in the Level 2 reviews; and Phyllis Davis will check for contractual compliance during the Level 3 reviews.

Deliverables and Meetings: 12 PMT Meetings, 3 TWG Meetings, Project Management Plan, Kick-Off Meeting, Monthly Invoices, and Status Reports

Task 2: Update Existing 2040 Regional Transportation Plan

During this task, the CONSULTANT will collect readily available data and update the existing 2040 Regional Transportation Plan (RTP) to reflect these changes. Findings from this task will be used in Task 3 and 4 to inform and update the project selection process.

- **Federal and State Compliance Checklist.** The CONSULTANT will develop a Regulatory Framework Compliance Checklist outlining current state and federal RTP requirements. The checklist will be used to determine areas of the RTP that need to be refined to meet policies and requirements. The checklist will serve as a guide throughout the plan update to track compliance.
- **LHMPO 2040 Regional Transportation Plan Review.** The CONSULTANT will work with the TWG to review the 2040 RTP to determine:
 - Projects that moved forward, projects that no longer apply, and gaps within the RTP
 - Potential changes to Vision, Goals, and Objectives
 - Compliance to federal and state requirements
- **Update Socioeconomic Trends and Population Forecasts.** The CONSULTANT will review current and future population and employment forecasts. The CONSULTANT will also review and update the Title VI and regional demographic information as necessary.
- **State of the Transportation System.** Using the most current data, the CONSULTANT will update Chapter 3 to include updated:
 - Roadway characteristics
 - Functional classifications based on ADOT's functional classification update
 - Bridge and structure conditions
 - Pavement conditions
 - Travel conditions, including:
 - Traffic counts based on Streetlight data (if available) or through traffic count data collection. If Streetlight data is not available, the CONSULTANT will collect traffic counts at up to 10 key intersection or corridor locations.
 - **Travel Demand Model.** Using updated roadway characteristics, socioeconomic data, and traffic counts, the Travel Demand Model will be updated. The Travel Demand Model will be used to evaluate existing and future "no-build" traffic conditions.
 - **Existing and Future Traffic Conditions.** Using the model and other data, the CONSULTANT will assess systemwide traffic characteristics such as level of service and travel time reliability for existing and future conditions.
 - **Safety Assessment.** Building off safety assessments completed from the LHMPO Strategic Safety Plan and recent analysis by Greenlight Engineering, the CONSULTANT will evaluate corridors/intersections with potential safety concerns.
 - **Transit.** Findings and recommendations will be incorporated from the LHMPO Regional Transit Implementation Plan and the WACOG Human Services Transportation Coordination Plan.

- **Pedestrian and Bicycle Facilities.** Findings and recommendations from the *Bicycle Pedestrian Implementation Plan* will be incorporated.
- **Transportation Revenues.** The CONSULTANT will assess anticipated regional funding availability through 2045 to serve as a baseline for project development and programming in Task 3 and Task 4.
- **Technology Applications.** The CONSULTANT will review and assess the impact and application of potential technology on the regional transportation network. These technologies include, but are not limited to, adaptive signal control, ITS enhancements, connected and autonomous vehicles, microtransit, and micromobility.

Deliverables and Meetings: Draft RTP Chapters 1 to 3; TWG Meeting; Stakeholder Meeting

Task 3: Add New Information to the Regional Transportation Plan

Building on Task 2, the CONSULTANT will update the RTP to include additional information and chapters to address federal and state requirements and deficiencies in the RTP.

- **Aviation.** The CONSULTANT will incorporate information on airport facilities, conditions, existing and future operations, economic development opportunities, and transportation connections as well as future needs based on findings and recommendations from the Lake Havasu City Municipal Airport Master Plan.
- **Goods Movement.** The CONSULTANT will assess the SR 95 Corridor Study and the Arizona State Freight Plan, in addition to updated freight information, to determine existing conditions and to identify strategies to move goods efficiently and reliably through the region.
- **Federal and State Performance Measures and Targets.** The CONSULTANT will assess the overall performance and needs of the Regionally Significant Routes, and to meet state/federal standards, specific targets and measures will be identified, including: safety, pavement condition, bridge condition, congestion reduction, system performance and reliability, freight movement, and sustainability.
- **System Evaluation Report.** In relation to the performance measures and targets identified, the CONSULTANT will assess and document the condition and performance of the LHMPO's transportation system. Based on findings, the CONSULTANT will develop a full realm of potential improvement needs. The assessment will also include an evaluation of how historical investments relate to Preservation, Modernization, and Expansion investment categories, to help local officials understand how funds have historically been spent. Findings will be documented into a System Evaluation Report for LHMPO and the TWG to review.

Deliverables and Meetings: Draft RTP Chapter Updates; System Evaluation Report; TWG Meeting; Stakeholder Meeting

Task 4: Develop Project Nomination Form, Scoring and Prioritization Criteria, and Selection Process

Building on identified needs and opportunities from previous tasks, Task 4 will create a performance-based project evaluation, prioritization, and selection process for LHMPO.

- **Project Nomination Form.** Working with the TWG, the CONSULTANT will develop a standardized platform for agencies to recommend regional projects and to serve as a

preliminary screening process to differentiate regional and local projects. The Form will be developed in a user-friendly format and based on widely available data.

- **Project Prioritization.** The CONSULTANT will work with the LHMPO and TWG to develop a Project Scoring and Prioritization Matrix that provides a defensible approach to identifying projects with the highest regional benefit and to set a long-term regional funding hierarchy. The focus of this matrix is to quantify each project's performance benefit to the LHMPO regional network, as related to the performance elements assessed in Task 2 and 3. Scoring and Prioritization Matrix Criteria may include but are not limited to:
 - Project Benefit
 - Jurisdictional/Regional Equity
 - Alignment with Regional Objectives
 - Alignment with FHWA Targets
 - Alignment with Public Priority
 - Cost
- **Recommended Investment Plan.** Based upon the assessment of regional projects, a prioritized project portfolio for short-, mid- and long-term implementation periods will be established. This list of prioritized projects will maintain the plan's fiscal constraints as well as enable LHMPO to be best equipped to pursue additional project funding mechanisms, such as statewide HSIP and federal grant opportunities. The *System Evaluation Report* will be updated to reflect findings.

Deliverables and Meetings: Project Nomination Form; Scoring and Prioritization Criteria Matrix; Project Selection Process; Updated System Evaluation Report

Task 5: Public Involvement

To provide ample opportunities for residents to participate, the CONSULTANT will conduct a multi-phased community engagement plan.

- **Prior Stakeholder/Public Priorities.** As an initial step, the CONSULTANT will review the findings of previously completed studies to gain an understanding of the key issues, needs, and priorities of stakeholders and the public.
- **Public Outreach Plan.** The CONSULTANT will develop a public outreach plan to include an overview of all outreach activities for the plan. The Plan will include methods to inform, consult, involve, collaborate, and empower the public, including participation in Coffee with the Major, hosting LHMPO's own Tuesday's Transportation Talk, media outreach, and community agency partnerships.
- **Digital Engagement.** The CONSULTANT will use online survey and mapping tools (such as MetroQuest and SurveyMonkey) to collect feedback and comments from the public on: location of transportation issues and needs; long-term, regional transportation vision; funding priorities; and feedback on the recommended improvement plan.
- **Stakeholder Workshops.** The CONSULTANT will conduct a two-phased stakeholder engagement process that includes interactive workshops and surveys to understand the unique needs of local businesses, schools, public service agencies, community organizations, and city/county staff.

- **Public Informational Meeting.** A Public Open House meeting will be held to provide an opportunity for members of the public to review draft recommendations and to provide comments on the Draft RTP.
- **Presentations.** The CONSULTANT will prepare and conduct informational presentations to the LHMPO Executive Board, Lake Havasu City Council, and the Mohave County Board of Supervisors.

Deliverables and Meetings: Public Involvement Plan; Online Surveys; 3 Elected Official Presentations; 2 Stakeholder Meetings; 2 Public Open Houses/Workshops

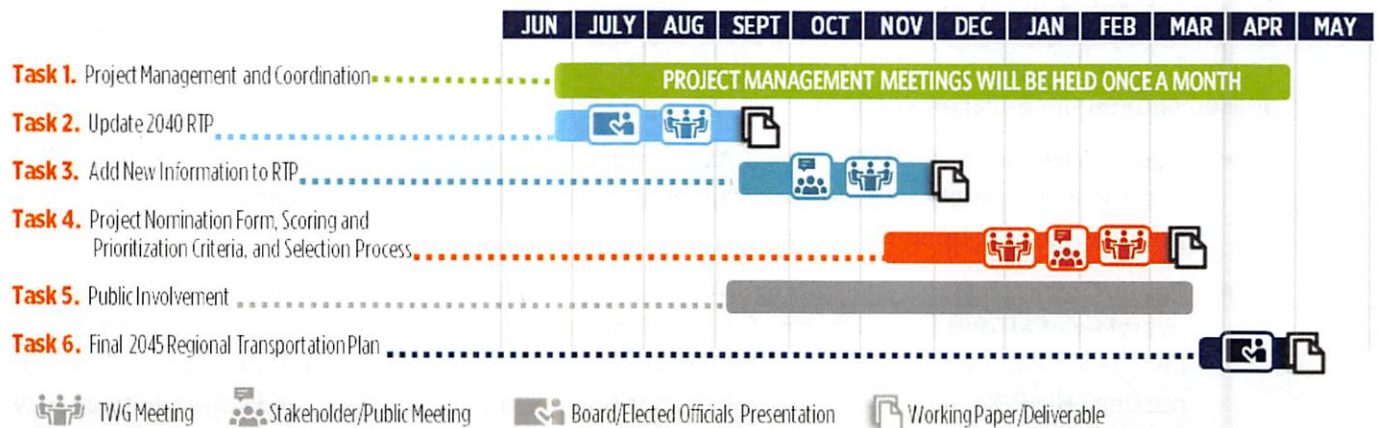
Task 6: Final 2045 Regional Transportation Plan

Working papers from previous tasks will be compiled to generate the Draft LHMPO 2045 RTP, including a full list of projects, the long-term plan, and the implementation plan. Draft report revisions and comments received from the TWG will be incorporated into the Final Report and Executive Summary. The final deliverable will include 12 hard copies each of the Final Report and Executive Summary.

Deliverables and Meetings: Executive Summary; Final Report; All pertinent GIS and other files

SCHEDULE

Figure below illustrates the overall project schedule.



**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: WACOG Regional Transit Implementation Plan (RTIP)

SUBMITTED BY: Vinny Gallegos, LHMPO Director

AGENDA TYPE: Discussion Only

ATTACHMENTS:

WACOG Requests for Proposals (RFP) Scope

SUMMARY/BACKGROUND:

Project description below is from the WACOG Requests for Proposals (RFP) which closes on August 14, 2020:

WACOG is pursuing a project that will develop a comprehensive Regional Transit Implementation Plan for the Western Arizona Council of Governments transportation planning area. The Plan will establish region-wide implementation for intercity transit routes connecting the unincorporated rural areas of Mohave and La Paz Counties to the more urbanized cities of Bullhead City, Lake Havasu City, and the City of Kingman, and build a foundation to support financing, implementation, and sustainability of these services. The Plan will also establish regional objectives and strategies to serve the need of the public yet at the same time do so safely and practically. It is also the intent of this plan to serve as support for future Federal & State transit grant funds. The plan should describe sustainable approach utilizing these funds.

Purpose of the Plan:

- Establish goals for the development of the intercity regional transit networks.
- Identify station and connectivity needs.
- Define preferred & phased alternatives for intercity regional transit services.
- Establish a phased implementation plan for the intercity regional transit networks.
- Identify governance, policy, performance, and financing issues associated with implementing the preferred alternatives.
- Provide and promote transportation choices that support accessible, sustainable, livable, healthy, and prosperous communities

Agenda Item # 7.5

WACOG and the consultant will strive to address issues and needs for transit users in the 5, 10 and 20-year Implementation Plan. The feasibility aspects should analyze the market potential and viability of transit demands for the current and future WACOG region. The transit plan efforts should include innovative public outreach that includes the general public, businesses, interest groups, and key stakeholders; and *shall* include facilitation of planning activities and conversations amongst local public agencies and their elected officials.

ACTION OPTION:

Discussion Only

RECOMMENDATION:

Discussion Only

3. PROJECT DESCRIPTION

WACOG is pursuing a project that will develop a comprehensive Regional Transit Implementation Plan for the Western Arizona Council of Governments transportation planning area. The Plan will establish region-wide implementation for intercity transit routes connecting the unincorporated rural areas of Mohave and La Paz Counties to the more urbanized cities of Bullhead City, Lake Havasu City, and the City of Kingman, and build a foundation to support financing, implementation, and sustainability of these services. The Plan will also establish regional objectives and strategies to serve the need of the public yet at the same time do so safely and practically. It is also the intent of this plan to serve as support for future Federal & State transit grant funds. The plan should describe sustainable approach utilizing these funds.

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4. SCOPE OF WORK

The Western Arizona Council of Government (WACOG) Regional Transit Implementation Plan shall focus on proposed intercity transit services between the Cities of Bullhead City, City of Kingman and Lake Havasu City and building a foundation to support financing, implementation, and sustainability of these services.

The scope of work for the **WACOG Regional Transit Implementation Plan** includes review and incorporation of all applicable information and provisions of previously completed local and regional transit planning studies within the WACOG transportation planning boundaries or Mohave County and any others that may have an impact on the transit implementation plan that are outside the WACOG transportation planning boundaries.

This Scope of Work is provided as a guide to the anticipated work to be involved with this type of transit planning project. **Proposers are highly encouraged to offer refinements to this Scope of Work in their proposal, highlighting the suggested refinements.**

The WACOG Regional Transit Implementation Plan project shall include the following tasks, each of which shall include development and provision of a summary working paper with its overview, key points, findings, and recommendations incorporated into the final report.

Task 1 – Project Management & Coordination

The **Consultant** shall provide project management and coordination with WACOG Transportation staff, the Transit Plan Technical Advisory Subcommittee (Transit TAC), and all transit stakeholders. The prime consultant shall also manage and coordinate closely with team sub-consultants to ensure on time delivery and responsive performance.

Upon notice to proceed, the **Consultant** shall develop a refined project scope with input from the WACOG Project Manager and the Transit TAC.

The **Consultant** shall prepare a GANTT type (bar chart) project schedule that includes:

- Study milestones
- Deliverables
- Transit TAC, Stakeholder, Mohave County Supervisors, WACOG Executive Board, and Tri-City meetings
- Key public outreach points

This task is continuous throughout the length of the Transit Plan development period.

Deliverable: The **Consultant** shall prepare and provide to the Transit TAC a Project Management Plan including a refined scope of work and schedule for the WACOG Regional Transit Implementation Plan

Task 2 – Public Outreach and Involvement

WACOG is seeking an **innovative public outreach program** that will be highly effective in gaining public input and acceptance of the transit plan. The **Consultant** shall involve the use of web-based tools and social media programs, as well as traditional public meetings. The **Consultant** is encouraged to propose an outreach program that will increase collaboration, provide better information and input to inform the study team enabling an effective transit system design and successful result.

The **Consultant** shall use social media and innovative internet-based survey and outreach mechanisms (e.g. MetroQuest, 76 engage, etc.) and strategies to strengthen outreach efforts to reach a larger audience.

The **Consultant** shall conduct at least **three (3) public meetings** at local events (such as Downtown Friday Night) and public open houses for the purpose of providing an overview and explanation of the transit system alternatives and to gather public comments and other useful input. Following these meetings, a public outcome as to which alternative is preferred should be evident and documented.

The **Consultant** shall meet with economic development directors, local businesses, industrial managers, service employers, and groups (e.g. Chamber of Commerce, Regional Medical Centers, Community Colleges, etc.) to gauge their interest in a regional connector transit system and their potential involvement through incentives to assist their employees (and potentially customers) with transit passes and other financial assistance.

The **Consultant** shall provide a **set of three informational and educational presentations** to elected officials at scheduled, **Tri-City Council** and **Mohave County Board of Supervisors** work study sessions and at **WACOG Executive Board** meetings. The first set of presentations shall provide a summary overview of the current conditions and needs assessment for transit in the regional Tri-City area. The second set of presentations shall include the three transit system alternatives, options for service, and a summary of capital and operational costs along with identified funding solutions. The third set of presentations shall include final summaries and clear and concise steps necessary to begin and maintain implementation.

The **Consultant** shall be responsible for:

- Preparation of all presentation and informational materials for the Tri-City Council and Mohave County Board of Supervisors work study sessions, WACOG Executive Board meetings, general public meetings, and stakeholder meetings.
- Preparation of materials and cost of advertisements and outreach activities.
- Preparation of contact lists, public notices, and documentation of the public involvement process and input received in the plan.

The **Consultant** shall also be responsible for presentation of a Draft Transit Plan and the Final Transit Plan to the WACOG Transit TAC, regular WACOG TAC, Tri-City Council and WACOG Executive Board.

Deliverable: The **Consultant** shall prepare and provide a **Public Outreach Plan** summarizing all planned public outreach events, the processes to be employed for public and stakeholder involvement, and the objectives to be accomplished.

Task 3 - Current Transit Conditions and Systems Evaluation

The **Consultant** shall evaluate current FTA Section 5311 and 5307 transit systems and all 5310 Elderly and Disabled, and Human Service programs.

The **Consultant** shall collect, compile, and evaluate population, socioeconomic, and other related and pertinent data, and conduct research on the value of a transit system to serve the Tri-City area of Mohave County.

Deliverable: Findings and conclusions of the current transit conditions assessment shall be presented in a working paper and shall include maps illustrating existing transportation providers' service areas, including origin, destination, and any fixed route services.

Task 4 – Future Conditions and Multimodal Assessment

The **Consultant** shall assess future conditions for the next ten years, including assessment of public transportation and transit needs based upon projections of:

- Population growth
- “Aging in Place” of the senior population
- Needs and gaps in public transportation services
- Human service on demand response (5310) programs

The **Consultant** shall conduct a general assessment on alternative modes of transportation (i.e. pedestrian and bicycles) and how they relate to and interconnect with public transit. Shall also provide information and descriptions of the potential benefits for the proposed transit system and the supporting infrastructure (access routes, shade shelters/bus stops, signage/wayfinding, etc.) that is required for pedestrians and to accommodate bicycles.

Previous and current studies and reports (e.g. Human Service Coordination Plan, various Short-Range Transit Plans, Census 2020 reports, etc.) will be utilized and documented for background information and to inform the WACOG Transit TAC.

Deliverable: The findings and conclusions of the future conditions and multimodal assessment shall be documented in a working paper prepared and provided to the WACOG Transit TAC.

Task 5 – Short Range Transit Plan

The **Consultant** shall prepare a short-range transit plan focusing on services that can be immediately implemented or implemented in the near term (within the next 5 years). **The Consultant shall identify three alternative approaches** to address the service areas identified in this task, closely coordinating and consulting with the Transit TAC and the WACOG Transportation Program Manager throughout the process. The **Consultant** shall recommend a preferred alternative and provide the justification for the recommendation, including public input on the preferred alternative.

Task Activities shall include:**A. Demand Estimation (Ridership):**

The first step will be to gauge the potential patronage of short-range transit services. Traditional demand estimation tools often rely on analysis of socioeconomic data to predict populations most likely to use transit, but this only identifies what is typically referred to as “captive riders”; those who cannot make their trip by private auto due to age, income, or disability. This approach tends to ignore “choice” riders, a growing market share for transit. Choice riders make up a significant portion of overall transit users in the regional Tri-City area. Travel distances and times between major attractors and work areas within the Tri-City area may likely make transit an appealing option for an increasing share of the choice rider market.

B. Route Development:

Service routes between the proposed transit served activity centers and transit centers/transfer stations throughout the Tri-City and Mohave County area shall be identified, delineated, and routed to minimize mileage and/or transit time. Hours of operation will be considered and recommended, as should the need for and hours of weekend service.

While the initial service network may be limited, it shall be designed considering its future expansion as conditions and transit travel demand dictates.

Route development will also consider environmental justice and Title VI considerations to assure that the needs of minority and low-income groups and neighborhoods are considered and served.

The consultant shall identify at least three alternative approaches to address the service areas identified in this task, and, in consultation with the WACOG Transit TAC, regular WACOG TAC, Tri-City Council and WACOG Executive Board

C. Transfer Location, and Service Connection Prioritization:

This task includes identifying and mapping transfer locations and connection to services sought by both local and regional travelers.

Transfer locations and service connections include, but are not limited to:

- Existing local transit centers/hubs
- Existing local transit bus stops which connect to:
 - Medical centers and hospitals
 - Education Centers
 - Historic downtown areas
 - Major Retail Centers
 - City hall and other public agency service centers
 - Senior centers
 - Major employment centers including industrial centers, parks, or areas
 - Major parks and recreational areas
 - Resorts and hotels
- Future planned transit centers/hubs
- Future planned activity centers (e.g. Rancho Santa Fe TI/I-11 area)

- Unincorporated residential areas (e.g. Golden Valley, Yucca, Mohave Valley, Topock, and Havasu Heights)

D. Transit Stops

This task shall include recommendations of separate or new stop locations for the regional Tri-City service that provide continuity among and maximize connectivity to, local service providers.

Transit stop locations along the transit routes shall be identified and mapped. Individual transit stop improvements are relatively expensive to construct individually as a stand-alone project, but much more affordable when done as part of a larger construction project for the multiple transit stops that will be needed for the initial transit system infrastructure. The consultant shall develop, as part of this study, a set of recommended transit stop improvements including but not limited to:

- Visual theme, color palette, and branding design for the transit system
- Signage including schedules and contact information (content, size, location)
- Wayfinding information, signage, and locations (content, size, location)
- Seating – provisions for shading anywhere a shelter may not be located (size, location, type)
- Shelters at high boarding locations (size, locations, concept plan)
- Bus pullout bays (typical layouts) – If feasible.

Access routes to transit stops shall be scrutinized to identify evident “architectural barriers” with any needed corrections identified and noted with a mitigating solution. The objective is to provide ADA compliant access routes to/from the origin and destination points. The transit stops shall be sited in locations that will enable a barrier free design so that those with wheelchairs, walkers, and other mobility aids can safely and conveniently access the transit stop site and transit vehicles. If the initially identified location for a transit stop is determined to be relatively expensive to be designed and constructed to meet ADA and transit standards, an alternate nearby location shall be identified for the transit stop.

Recommended design standards for transit stops shall be developed by the consultant and in conjunction with the various local public agency standards.

E. Park-and-Ride Lots and Facilities

The consultant’s investigation and assessment shall also include the identification of potential park-and-ride locations within the transit system network. A list of parameters shall be provided for any park-and-ride locations identified.

The parameters are to include:

- Estimate of the number of parking stalls/spaces needed,
- Transit stop facilities/centers,
- Approximate area of land needed,
- Siting options,
- Other related information.

F. Americans with Disabilities Act (ADA) Accommodations

It is initially envisioned that the transit service will be designed as an intercity fixed route service, with minimal route deviations allowed to accommodate the needs of those with disabilities. Vehicles will be required to be lift-equipped. ADA accessibility shall be part of the investigation and siting of transit stop locations.

G. Transit Provider Service Coordination.

Close coordination among the existing and future regional services will be needed to ensure that timetables provide as much passenger connectivity as possible. This task shall include recommendations to alter existing service provider timetables to coordinate future services. This issue has been noted as especially prudent and the consultant shall analyze how new regional services impact the existing local services.

In addition, this task shall include recommendations on how to coordinate and integrate a regional transit service into the existing local transit service models; specifically, coordinating technology (dispatching, scheduling, websites, mobile-websites, smartphone apps, etc.)

H. Fare Structure:

The fare that is established for the regional transit service will be critical to the long-term viability of the service. The existing fares of local service providers shall be analyzed when determining an appropriate fare level. The **Consultant** shall develop and recommend a reasonable fare structure. Farebox receipts/revenue shall be conservatively estimated as part of the overall system costing and identification of funding sources.

I. Partnerships:

Once final fares have been established, the Consultant and Transit TAC will need to begin discussions about the creation of, and funding source(s) for, the subsidization of fares for older adults, persons with disabilities, veterans, low-income populations, and students. Funding to pay for fare subsidization could come from colleges/universities, businesses, non-profits, other public agencies, and/or human services agencies.

Once the service structure, routing, and fares are established for the regional transit service, the **Consultant** shall facilitate meetings with the managing agency(ies) and community partners to determine needs and how to best subsidize fares for disadvantaged populations. These discussions shall include how to fund fare subsidies, qualification processes for reduced fares, and fare collection methodologies.

In addition, the **Consultant** shall create a partnership commitment/agreement form capturing the type of resource, asset, service or funding that community partners are willing to commit. The forms shall be presented and discussed during the above mentioned meetings facilitated by the consultant. Commitment forms shall identify and capture various contributions that the community partners agree to, that include, but are not limited to:

- Fare Subsidies
- Cash/Donations
- In-Kind
- Administrative/Staffing
- Marketing
- Advertising

- Capital
- Any other funding, asset, service or resource identified during the partnering process

Deliverable: The **Consultant** shall prepare and provide a Short Range Transit Plan in accordance with the requirements of this task section including the Task 6 financial analysis information.

Task 6 – Financial Analysis

The **Consultant** shall provide planning level budgetary cost estimates for each of the alternative approaches. The budgetary cost estimates shall include:

- Operating costs
- Capital costs
- Transit stop improvement costs – Per location and as a systemic project
- Preventative maintenance costs
- Reasonable and appropriate administrative oversight costs for the sponsor agency and cosponsor agencies
- All other required costs to implement, operate and maintain the proposed transit system.

The budgetary level costs for the preferred alternative shall be refined to present:

- Projected fare box revenues
- Anticipated one time and recurring federal and state funding
- Annual City & County appropriations
- Advertising income
- Revenues from other potential public and private sources.

Deliverable: The findings and conclusions of the financial analysis completed for this task shall be included in the Short Range Transit Plan prepared under Task 5.

Task 7 – Governance Plan

Governance and funding are often interrelated as the governance structure often dictates the possible funding mechanisms available to support transit services. The primary governance structure to be considered shall be intergovernmental agreements (IGA's) or Memorandum of Understanding (MOU).

Intergovernmental agreements are a flexible governance model that is easy to implement and familiar to many agencies. All intergovernmental agreements require a sponsor agency and annual renewals to confirm funding levels and to ensure all partners continue to agree on management details. Typical transit-oriented intergovernmental agreements identify minimum transit service levels. Intergovernmental agreements require that all funding partners participate, as well as any entities that provide access to facilities. Because intergovernmental agreements do not require participation from all entities in a transit service area, a lack of participation can result in a limited transit network or entities receiving service that are not funding partners.

For implementation to be successful, elected officials and stakeholders must buy-in to the concept and the benefits of regional transit services, such as increased economic growth and

development, visitor attraction to the region, and expanded transportation options for transportation disadvantaged populations.

The **Consultant** shall facilitate discussion to determine the desired governance structure in accordance with requirements of the Task 2 Public Outreach and Involvement Plan. This process shall be facilitated by utilizing the existing intergovernmental organization known as the Tri-City Council and in coordination with the Mohave County Board of Supervisors, and the WACOG Executive Board.

Discussions shall include:

- Ensuring that all Cities and Mohave County participate in and contribute funds, assets and or resources to a new regional service.
- Community partnership report on various levels of contribution (Task 5, subsection I)
- Concerns related to legal issues, risk and levels of responsibilities.

Deliverable: The **Consultant** in coordination with the sponsor agency, shall prepare and provide a draft transit-oriented intergovernmental agreement (IGA) for the preferred alternative outlining confirmed funding commitment levels, minimum transit service levels and management details.

Task 8 – Long Range Vision

The **Consultant** shall develop a long-range vision (expanding 10-20 years into the future) for the WACOG region connector transit system based on the work undertaken and completed in the previous tasks. The long-range vision for the transit system should include viable alternative service routes and extensions into areas not selected as part of the preferred short-range alternative, and address emerging ITS and connected vehicle technologies.

The **Consultant** shall identify potential service extensions to anticipated major new attractors and developments in the area (e.g., new transportation centers/hubs, I-11 corridor, Traffic Interchanges, etc.). These future potential route extensions should be logical extensions of the short-range efforts and should include a narrative and a map illustrating the concepts.

The **Consultant** shall also compare WACOG region to other regions across the U.S. and Arizona and provide any relevant best practices with regards to intercity connection services (e.g. operations, funding, micro-transit etc.)

Deliverable: The **Consultant** shall prepare and provide a working paper outlining and defining the **Long-Range Vision** for a regional connector transit system to serve the Tri-City area of Mohave County (to include Parker and Quartzsite in La Paz County).

Task 9 – Performance Measures

The **Consultant** shall identify appropriate performance measures for the WACOG region connector transit system and shall develop a performance evaluation process to track and monitor progress of system setup, implementation projects, procurements, staffing, ridership, services, funding, and support for the transit system. The **Consultant**, working with WACOG Transportation staff, and Transit TAC, shall determine who will be responsible for the monitoring, evaluation, and reporting on performance measures.

Deliverable: The performance measure plan developed for this task shall be included and incorporated in the Task 10 final implementation plan deliverable.

Task 10 – Final Implementation Plan

The **Consultant** shall develop an implementation plan that identifies all the necessary steps to plan, design, equip, construct needed infrastructure, initiate transit service, carry out the plan, continually evaluate, and provide for future extension of transit service within the Tri-City area of Mohave County (to include Parker and Quartzsite in La Paz County). Information provided shall be in non-technical language whenever possible and the use of tables, graphs, and pictures in lieu of text is highly encouraged.

The written implementation plan shall include, at a minimum, a summary of the research conducted and a survey and discussion of the models that currently exist in rural and small urban areas throughout Arizona and the US (provided they apply to the rural and small urban areas of the WACOG region). The final implementation plan shall also include the pertinent content of the working papers previously developed for the above mentioned tasks.

Deliverables: The **Consultant** shall provide a draft final Implementation Plan report for review by the WACOG Transit TAC, regular WACOG TAC, Tri-City Council and WACOG Executive Board. The draft final report shall contain the performance measures plan developed under the previous Task 9. Following receipt of comments from the reviewers, a Final Implementation Plan and an Executive Summary shall be developed and submitted to the **WACOG Transportation Program Manager**.

The Consultant shall provide 15 printed and bound hard copies of the final Implementation Plan and a PDF digital copy and original program files contained on a USB drive.

All materials and data used for this study are the property of the Western Arizona Council of Governments (WACOG)

**LAKE HAVASU MPO
REQUEST FOR ACTION
August 11, 2020**

SUBJECT: Discussion and Update of the Arizona State Transportation Board Activities

SUBMITTED BY: Vinny Gallegos, LHMPO Director

AGENDA TYPE: Discussion Only

ATTACHMENTS:

No Attachments

SUMMARY/BACKGROUND:

Gary Knight, our regions representative on the Arizona State Transportation Board will provide an update on the recent activities of the board.

ACTION OPTION:

Discussion Only

RECOMMENDATION:

Discussion Only