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May 11, 2016

TO: Members of the MAG Transit Committee

FROM: Maria Hyatt, City of Phoenix, Chair

SUBJECT: MEETING NOTICE AND TRANSMITTAL OF TENTATIVE AGENDA

Tuesday, May 17, 2016 – 2:00 p.m. - PLEASE NOTE NEW TIME
MAG Office, Suite 200, Saguaro Room
302 North 1st Avenue
Phoenix, AZ 85003

A meeting of the MAG Transit Committee will be held at the time and place noted above. Please park in the garage under the building. Bring your ticket to the meeting as parking will be validated. Bicycles can be locked in the rack at the entrance to the parking garage. Committee members or their proxies may attend in person, via videoconference or by telephone conference call. Those attending video conference must notify the MAG site three business days prior to the meeting. Those attending by telephone conference call please contact MAG offices for conference call instructions.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG Office. Requests should be made as early as possible to allow time to arrange the accommodation.

Please be advised that under procedures adopted by the MAG Regional Council on June 26, 1996, all MAG committees need to have a quorum in order to conduct business. A quorum is a simple majority of the membership or eleven people for the MAG Transit Committee. If the Transit Committee does not meet the quorum requirement, members who have arrived at the meeting will be instructed a legal meeting cannot occur and subsequently be dismissed. Your attendance at the meeting is strongly encouraged. If you are unable to attend the meeting, please make arrangements for a proxy from your jurisdiction to represent you. Please contact Marc Pearsall at (602) 254-6300 if you have any questions or need additional information.

TENTATIVE AGENDA

1. Call to Order

For the May 2016 meeting, the quorum requirement is eleven committee members.

2. Approval of April 19, 2016 Minutes

3. Call to the Audience

An opportunity will be provided to members of the public to address the Transit Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Transit Committee requests an exception to this limit.

4. Transit Planning Project Manager's Report

The MAG Transit Planning Project Manager will review recent transit planning activities and upcoming agenda items for other MAG committees.

5. Draft MAG Title VI and Environmental Justice Program

Amy St. Peter of MAG will present the item. Title VI and Environmental Justice activities are mandated by the federal government to ensure that all people have an equal voice in the planning process and receive equal benefit from the results of such planning. MAG is actively engaged in Title VI and Environmental Justice activities as a sub-recipient of federal funding. On May 28, 2014, the MAG Regional Council approved MAG's Title VI and Environmental

1. COMMITTEE ACTION REQUESTED

2. Approve draft minutes of the April 19, 2016 meeting.

3. For information and discussion.

4. For information and discussion.

5. For information, discussion and recommended approval of the Draft MAG Title VI and Environmental Justice Program.

Program. On April 26, 2016, the Arizona Department of Transportation requested changes to MAG's program to remain in compliance with federal legislation. The new program reflects activities that fulfill the responsibilities set forth by the Federal Transit Administration, the Federal Highway Administration, and the U.S. Department of Justice.

The draft program is being offered to the following MAG committees in May: Transit Committee, Human Services Technical Committee, Transportation Review Committee, and the Human Services Community Initiatives Committee. The program will be offered to the MAG Management Committee in June 2016 with final approval requested from the Regional Council on June 22, 2016. Please refer to Attachment #1 for additional information.

6. FTA Transit-Oriented Development Planning Pilot Program Grant Submission

Albert Santana of the City of Phoenix will present on the submission of a grant application for the South Central Light Rail Transit Extension. On Thursday, April 14, 2016 a Notice of Funding Opportunity (NOFO) was released announcing the availability of \$20.49 million to fund local communities to integrate land use and transportation planning with a transit capital investment that is seeking or has recently received funding through the Capital Investment Grants (CIG) Program. Applicants can seek awards between \$250,000 and \$2 million with a minimum 20 percent local match.

7. SRTP Expansion Fleet Need Influencers

Jorge Luna of Valley Metro will present the item. The Short Range Transit Program (SRTP) includes a number of expansion vehicles in the development years of the program. The need identified in the SRTP is an estimated gross

6. For information and discussion.

7. For information and discussion.

number and actual need could change based on different parameters. Staff will provide a brief description of such parameters to help committee members better understand future fleet needs.

8. Draft FY 2017-2021 Transportation Improvement Program Listings and FY 2016 POP

Alice Chen of MAG will present the item. MAG is currently developing the Fiscal Year 2016 Annual Transit Program of Projects (POP) and the Fiscal Year 2017-2021 Transportation Improvement Program (TIP). At the March 15, 2016 Transit Committee meeting, member agencies provided input regarding the programming of federal funds with the funding projections available at the time. At the April 17, 2016 meeting updated financial information from the Transit Life Cycle Program and Federal funds projections was provided. For the May 17, 2016 meeting, the Committee requested that MAG staff prepare additional funding scenarios for discussion, including funding provisions for bus expansion, information and technology upgrades, and infrastructure that improve accessibility to transit. Three programming scenarios are presented for discussion. Please refer to Attachment #2 for additional information.

9. Updates to Regional Programming Guidelines for Federal Transit Formula Funds

Alice Chen of MAG will present the item. The MAG Regional Programming Guidelines for Federal Transit Formula Funds was approved on March 27, 2013. It has been modified twice with the latest modification approved on May 27, 2015. The guidelines were developed under MAP-21 and as the region was recovering from an economic recession. Updated federal legislation and shifting transit needs under the current economic conditions have created the

8. For information, discussion and recommended approval of the Draft FY2016 Program of Projects, and amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, and as appropriate to the 2035 Regional Transportation Plan, and as appropriate, for inclusion in the Draft FY 2017-2021 Transportation Improvement Program.

9. For information, discussion and recommended approval of the updates to the MAG Regional Programming Guidelines for Federal Transit Formula Funds

need to update the guidelines to better utilize federal funds for the MAG region. The updates reflect the current funding environment and transit element of the Transportation Improvement Program (TIP) and the Program of Projects (POP) development process. On April 19, 2016, a draft revision of the guidelines was presented to the Transit Committee. A few revisions have been made reflecting comments by member agencies. The full redlined guidebook may be found under resources on the Transit Committee web-page at <http://azmag.gov/Committees/Committee.asp?CMSID=1162>. Please refer to Attachment #3 for proposed language updates to the guidebook.

10. Request for Future Agenda Items

Topics or issues of interest that the Transit Committee would like to have considered for discussion at a future meeting will be requested.

11. Next Meeting Date

The next regular Transit Committee meeting is scheduled for Tuesday, June 21, 2016, at 2:00 p.m. in the MAG Office, Saguaro Room.

Adjournment

10. For information and discussion.

11. For information and discussion.

DRAFT MEETING MINUTES
MARICOPA ASSOCIATION OF GOVERNMENTS
TRANSIT COMMITTEE

Tuesday April 19, 2016
Maricopa Association of Governments; Saguaro Room;
302 N. 1st Avenue, Suite 200
Phoenix, Arizona

MEMBERS ATTENDING

*ADOT: Mike Normand	*Paradise Valley: Jeremy Knapp
Avondale: Kristen Taylor, Vice Chair	Peoria: Stuart Kent
#Buckeye: Andrea Marquez	Phoenix: Ken Kessler for Maria Hyatt, Chair
Chandler: Jason Crampton for RJ Zeder	Queen Creek: Mohamed Youssef
El Mirage: Jose Macias	Scottsdale: Gregory P. Davies for Madeline Clemann
#Gila River Indian Community, Sasha Pachito	Surprise: Martín Lucero
Gilbert: Kristin Myers	#Tempe: Robert Yabes
Glendale: Kevin Link for Debbie Albert	*Tolleson: Jason Earp
*Goodyear: Cato Esquivel	Valley Metro: Abhi Dayal for Wulf Grote
#Maricopa: David Maestas	#Youngtown: Grant Anderson
Maricopa County DOT: Reed Kempton	
Mesa: Jeff Martin for Jodi Sorrell	

* Members neither present nor represented
by proxy.

Participated (or attended) by teleconference
+ Participated (or attended) by videoconference

OTHERS PRESENT

Audra Koester Thomas, MAG	Jorie Bresnahan, Phoenix
Marc Pearsall, MAG	Stephanie Child, Phoenix
Alice Chen, MAG	
Teri Kennedy, MAG	
Margaret Boone, MAG	
DeDe Gaisthea, MAG	
Maria Pina, MAG	

1. Call to Order

The meeting was called to order at 3:02 p.m. by Vice Chair Kristen Taylor. She welcomed everyone in attendance and announced that a quorum was present. She noted that several members were joining the meeting by teleconference: Andrea Marquez of Buckeye, David Maestas of Maricopa, Robert Yabes of Tempe and Grant Anderson of Youngtown. She asked if there were any public comment cards, and there being none, proceeded to the next item on the agenda.

2. Approval of Draft March 15, 2016 Meeting Minutes

Vice Chair Taylor inquired if there were any comments or corrections to the Draft March 15, 2016 Minutes. Mr. Davies mentioned that in section two, Mr. Martin's representation of Chandler did not match his representation of Mesa listed on page one. It was noted that Mr. Martin's representation that day was indeed for City of Chandler, so Vice Chair Taylor thanked Mr. Davies and added that MAG staff noted that they would make the correction to the meeting minutes. Hearing no further comments, she called for a motion on the Draft March 15, 2016 Minutes. Kristin Myers of Gilbert moved to approve the motion, Jeff Martin of Mesa seconded, and the motion passed unanimously. Vice Chair Taylor then proceeded to the next item on the agenda.

3. Call to the Audience

Vice Chair Taylor stated that she had not received any request to speak cards from the audience and moved onto the next item on the agenda.

4. Transit Planning Report

Vice Chair Taylor introduced the MAG Transit Planning Project Manager, Audra Koester Thomas. Ms. Koester Thomas then proceeded to brief the Committee with the Transit Planning Report.

She noted that she had several items to report on with recent transit planning activities and followup for previous agenda items. She began by welcoming new member, Ms. Sasha Pachito of Gila River Indian Community via teleconference.

Ms. Koester Thomas then noted a few items of interest from the upcoming calendar: She explained that the USDOT announced a \$20.5 Million program on April 14, 2016 to Improve Access to Transit in Communities Around the Country. The FTA would provide up to \$20.5 million in competitive grant funds to support comprehensive planning associated with new fixed guideway and core capacity improvement projects that are seeking or have recently received funding through FTA's Fixed Guideway Capital Investment Grants (CIG) Program. The grant funds would be provided through FTA's Pilot Program for TOD Planning and the NOFO appears in the Federal Register.

A summary of the funding opportunity with links to application materials was available on the FTA website. She added that the FTA would host a webinar on this funding opportunity on Thursday, April 28 at 2:00 p.m. Eastern time at <https://connectdot.connectsolutions.com/fta-tod-pilot>. Applications are due at midnight Eastern time on June 13, 2016.

She invited members to attend the ADOT Long Range Transportation Plan Update Stakeholder Workshop. She explained that in partnership with ADOT, MAG would feature a session regarding ADOT's Long Range Transportation Plan (LRTP) update, known as What Moves You Arizona. ADOT was seeking input on the direction the state should be heading and the goals that the residents should set as a community. The meeting would take place on Thursday, May 12, 2016 from 1:00 p.m. - 3:30 p.m at MAG in the 2nd Floor Saguaro Room For more information, please visit the ADOT website: www.azdot.gov/whatmovesyouarizona.

She also noted that the APTA 2016 Rail Conference hosted by Valley Metro , was scheduled for June 19-22, 2016, at the Sheraton Grand Phoenix Hotel, downtown Phoenix, AZ. She suggested that interested parties visit the American Public Transportation Association website for details. She also added that there was a training opportunity this summer: TSI's Transit Safety/Safety Management Systems would take place in Phoenix, AZ on June 22-24, 2016.

She closed by explaining that after receiving feedback from the Committee, with their concurrence, there was a plan to 'test' moving the Transit Committee meeting time to an earlier and more convenient starting time of 2 p.m. beginning May 2nd in order to accommodate late afternoon travel schedules. Since the Bike/Ped Committee was right down the hallway and traditionally lasted only one hour, the members could attend both meetings in sequence. Members voiced support for the change. Vice Chair Taylor thanked Ms. Koester Thomas. She asked if there were further questions or comments regarding the agenda item. Hearing no further comments, Vice Chair Taylor proceeded to the next item on the agenda.

5. Federal Transit Administration Funding Projections for the MAG Region

Vice Chair Taylor invited Teri Kennedy of MAG to present on the item. Ms. Kennedy explained a brief background regarding the FTA Funding Projections for the MAG Region.

She began with by explaining that MAG, in coordination with Valley Metro-RPTA and the City of Phoenix as Designated Recipient/Direct Recipient of FTA funds, had developed revised FTA projections for the MAG region based on the FAST Act, FTA guidance information, and historical projections. She encouraged the members to refer to their attachments #1a and #1b for additional information. She added that the information represented an overall 7.66% increase within the TIP.

Vice Chair Taylor thanked Ms. Kennedy and asked the if there were any comments or input from members. Hearing none, she proceeded to the next item on the agenda.

6. Draft FY 2017-2021 Transportation Improvement Program Listings and FY 2016 Program of Projects

Vice Chair Taylor invited Alice Chen of MAG to present on the item. Ms. Chen explained a brief background regarding the Draft FY 2017-2021 Transportation Improvement Program listings and FY 2016 Program of Projects.

She began her presentation by stating that MAG was currently developing the Fiscal Year 2016 Annual Transit Program of Projects (POP) and the Fiscal Year 2017-2021 Transportation Improvement Program (TIP). She mentioned that at the March 15, 2016 Transit Committee meeting, member agencies provided input regarding the programming of federal funds with the funding projections available at the time. She said that staff had presented three programming scenarios that fell within the parameters of the programming guidelines and that Committee members requested that MAG staff move forward with a modified programming scenario two. She referred the members to Attachment #2 and the handouts for additional information and began her presentation.

She also referred to the TIP programming schedule (as of 4/18/2016) for summer / fall 2016 and Job Access Reverse Commute & ADA discussions. She explained the items of notes for the Phoenix-Mesa UZA, with some TLCP projects for FY 2016 that were back-filled with FY 2013-2014 apportioned funds. She also referenced Priority 3: Preventive Maintenance which were used to “balance the program” so it was not always at exactly 25% with the allocation to cities have not been updated. She again highlighted the Priority 4: Job Access and Reverse Commute discussion to begin summer/fall of 2016. “Priority 9” (highlighted in blue) would fund additional projects. They would also fund a number of expansion vehicles dependent on type of vehicle procured as well as ADA transition funding. She also footnoted the rail projects which added that project work and location needed to be updated.

Ms. Chen then discussed the items of notes for the Avondale-Goodyear UZA. She briefed the bullet points regarding costs that were not finalized for expansion vehicles, and the ADOT Statewide application which was due on April 22, 2016, but that projected funding from competitive grants was not currently included. She also noted the March 15, 2016 Transit Committee discussion regarding the \$8 million that was available annually, to which the final amount was listed at \$6.6 million. She explained that the Transit Committee input from March 15th also contemplated the un-programming of the one percent towards the safety associated ‘Transit Investment’ per elimination of FAST Act requirement. Another topic reviewed was the possible reduction of the JARC funding from approximately \$1.8 million annually to \$750k annually (assuming 25k growth annually). That rate would program approximately eight expansion buses per year for a total 40 buses; allocate approximately \$2 million a year to ITS and related infrastructure needs; and allocate approximately \$2 million a year to ADA and accessibility needs.

She concluded by referencing Priority 8, which would support the other TLCP projects as the program is updated, from 2016-2021 = \$17,140,687 (2.2%). She showcased the Federal Funding Programming Priority by Year slide/chart as well as the Priority 9: fund additional projects (projected) \$8.25 million/ year slide. She completed her presentation by stating that the Committee might wait until May to approve the item as she would create a modified version of scenario two from the March committee meeting.

Vice Chair Taylor thanked Ms. Chen and asked if there were any questions or comments regarding the agenda item. Ms. Kristen Myers commented that the ADA improvement funds were better served under bus funding, especially if complications may arise so that they could be moved back into the fleet program. Ms. Chen added that the region could push funding off until 2017 in order to get input from regional ADA standards. Ms. Myers noted that there were already standards, applied locally by each jurisdiction. Brief discussion followed.

Mr. Abhishek Dayal commented regarding the Transit Standards and Performance Measures. Mr. Jeff Martin concurred with Ms. Myers comment that large bus procurements for Phoenix for expansion buses funding allocations should be a top priority. Ms. Chen noted that she would work with Valley Metro and return with an ADA issue formula. Mr. Martin, Mr. Stewart Kent and Mr. Jason Crampton provided additional discussion and noted the importance of both West Valley and East Valley transit service expansion efforts throughout the next TIP. Ms. Chen advised that there would be a new TIP next year. Additional discussion was heard regarding procurement for bus fleet size options and pricing, both for a bulk order, or spread out over successive years. Mr. Greg Davies also noted that there was a FTA requirement for agencies to develop ADA transition plans by 2018.

Ms. Chen noted that she would table the item and return in May with condensed scenarios. She also added that the scenarios would feature ADA, bus expansion, \$5 million for additional buses, TSPM as well as Phoenix' bus needs from 2021 to 2025. Vice Chair Taylor again thanked the members and asked if there were further questions or comments regarding the agenda item. Hearing none, she proceeded to the next item on the agenda.

7. Updates to Regional Programming Guidelines for Federal Transit Formula Funds

Vice Chair Taylor invited Ms. Chen of MAG to continue with her presentation on the next item. She explained a brief background regarding updates to Regional Programming Guidelines for federal transit formula funds.

Ms. Chen began by stating that the MAG Regional Programming Guidelines for Federal Transit Formula Funds was approved on March 27, 2013. She added that it had been modified twice with the latest modification approved on May 27, 2015. The guidelines were developed under MAP-21 and as the region was recovering from an economic recession and updated federal legislation and shifting transit needs under the current economic conditions had created the need to update the guidelines to better utilize federal funds for the MAG region. She stated that on March 15, 2016, the MAG Transit Committee reviewed the guideline as part of the process for the FY 2016 POP and FY 2017 TIP and proposed funding scenarios that trigger modifications to the guidelines. She referred the members to Attachment #3 for proposed language updates to the guidebook and referred to her presentation.

She again stated that the Regional Programming Guidelines for Federal Formula Funds were approved and adopted by MAG Regional Council on March 27, 2013, along with updates on October 23, 2013 and May 27, 2015. They were developed under MAP-21 with the proposed updates to align with March 15, 2016 Transit Committee discussions and requested revisions. She explained that the

text in red color were strikeouts indicating proposed deleted language; while the text in blue indicated proposed additional/clarification language. She then noted that Section 202 was the Transit Life Cycle Program, and that the TLCP was a 20 year (2006-2026) program that included: fleet replacement for all transit services; State of Good Repair Program: rural, local, regional, express, RAPID, Bus Rapid Transit, vanpools, and dial-a-ride/paratransit). She added that buses funded under the Transit Life Cycle Program included any buses currently in the system as of January 1, 2016. There were no expansion un-programmed buses in the life cycle bus capital program.

Ms. Chen then showcased the Section 500. Transportation Programming Priorities Update, which featured some changes. 2.) Provide funding for support services for grant management to the designated recipient, the City of Phoenix. The funding amount would remain at \$40,000 until further guidance is provided; 3.) Avondale/Goodyear UZA would receive operations funding in line with 2012 for the FY TIP years 2016-2021. And 9.) Fund additional projects based on a regional competitive evaluation process or by conducting a Regional Transit Survey and through a collaborative discussion at the Transit Committee, per the Committee's discretion.

She also described Section 700., the Job Access Reverse Commute (JARC) program and added that under the FAST Act, requirements and eligibility for JARC remained unchanged. She stated that for FY 2016, the MAG Region would sub-allocate \$750,000 toward JARC eligible activities in the MAG Planning region and that the funding would emphasize non-profit organizations and other activities that fulfill the "spirit" of the program. Funding amounts and the future of the program would be reviewed annually/biannually or during TIP development cycles. For Section 800. The "Priority 9" Projects (Phoenix-Mesa UZA), any project request that was not part of Priorities 1 - 8 would be addressed through Priority 9. She added that items also included as part of Priority 9 were: 1) any bus expansion vehicle, 2) advancement of replacement vehicles, and/or 3) change in vehicle types for replacement vehicles (i.e. 40' standard to 60'), 4) cost increases of replacement vehicles due to special requests related to specs and/or technology that is not part of the standard fleet.

Ms. Chen also commented on Section 802., the Regional Transit Survey. She said that in lieu of a competitive process, the Transit Committee may elect to request that MAG conduct a Regional Survey to assess the needs of the region and fund projects under Priority 9 and through a collaborative discussion at the Transit Committee. The process would be initiated every two years, consistent with the Regional Transportation Improvement Programming (TIP) cycle or as necessary, per the recommendation of the Transit Committee. The process would focus funding the implementation of on-going and existing planning efforts at Valley Metro and MAG, including but not limited to: Transit Standards and Performance Measures; Short Range Transit Plan; Regional Transit Framework Study; and Subregional Studies (i.e. Southwest Valley, Northwest Valley, Southeast Valley Local System Studies).

She wrapped up her presentation with a description of the 803., the Non-TLCP Bus Capital Program. She added that bus expansion purchased would be programmed for replacement so long as the route remained in service. She noted that any discontinuation or significant change in service would require the agency work through the TSPM/SRTP and competitive processes. She said that those buses remained outside the Transit Life Cycle Program. She closed with a quick summary of the Fast Act definition and components.

Vice Chair Taylor thanked Ms. Chen and asked if there were any questions or comments regarding the agenda item. There was brief commentary on Section 202, the TLCP and a suggestion that the members remove Section 700. JARC. Ms. Chen replied that the JARC discussion continually occurs every two years in the TIP cycles. Another suggestion was that in Priority 9, the 802 Regional Transit Survey feature new language. Vice Chair Taylor inquired on the Section 802 and Mr. Dayal clarified that Section 802 was actually for the Short Range Transportation Plan. Ms. Chen noted that this item was also be tabled and revisited with additional information for the May meeting.

Vice Chair Taylor again thanked the members and asked if there were further questions or comments regarding the agenda item. Hearing none, she proceeded to the next item on the agenda.

8. Grants for Buses and Bus Facilities Program 5339(b)

Vice Chair Taylor invited Mr. Abhishek Dayal of Valley Metro present on the next item. He explained a brief background regarding grants for Buses and Bus Facilities Program 5339(b).

He began his presentation by noting that on Tuesday, March 29, 2016, the Federal Transit Administration issued a Notice of Funding Opportunity (NOFO) for two grants: 5339(b) Buses and Bus Facilities and 5339(c) Low or No Emission programs. Approximately \$211 million was available for Section 5339(b) grants and \$55 million for 5339(c) grants for Federal Fiscal Year 2016. He stated that applications, among other criteria, must demonstrate consistency with local and regional long-range planning priorities and goals.

He then reviewed the Program Purpose. He explained that the goals were to improve the condition of the nation's public transportation bus fleets; expand transportation access to employment, educational, and healthcare facilities; improve mobility options in rural and urban areas throughout the country; and that funds awarded will finance capital projects to: replace, rehabilitate, purchase or lease buses and related equipment as well as to rehabilitate, purchase, construct or lease bus-related facilities. He also reviewed the evaluation and award process. The NOFO would consider the age and condition of buses, bus fleets, related equipment, and bus related facilities (useful life); prioritize projects that had demonstrated how the agency addresses significant repair/maintenance needs; improved the safety of transit systems; deployed connective projects with advanced technologies to connect bus systems with other networks; and support the creation of ladders of opportunity under two criteria: maximum award not more than \$21.1M (10 percent of total available funding of \$211M); and local match required: minimum 15%.

He then explained the Regional Bus Fleet Need, which would feature an updated replacement portion of the Regional Bus Fleet Replacement plan with existing/programmed Federal Formula Funds; identify buses programmed to be replaced beyond their useful life - based on age of the fleet (12 years or older) and based on the life mileage (500,000 miles or greater); and feature shortfall in fleet replacements (programmed versus projected) of 73 buses (FY17) and 38 buses (FY18) with the excess fleet replacements programmed for (FY19 – 21) of 25 buses and the net fleet replacement need for (FY17-21) of 86 buses. He noted that the Regional Bus Fleet Need had an overall expected shortfall of 86 buses (all Phoenix operated) as well the number of 60' buses totaling 44, and the number of 40' buses totaling 42.

He noted that the recommendation for the grant application would include: The oldest buses beyond useful life and with the most mileage in our region currently operated by Phoenix; applying for 25 buses (60') for Phoenix; the Federal request would equal \$20.3M (does not exceed maximum of \$21.1M); and the proposed local match \$3.58M (PTF) with the applications due on May 13th, 2016.

Vice Chair Taylor thanked Mr. Dayal for his presentation and asked if there were any questions or comments regarding the agenda item. Hearing none, she proceeded to the next item on the agenda.

9 . Request for Future Agenda Items

Vice Chair Taylor asked the members of the Committee if there were any issues or topics that they would like added as future agenda items. Hearing no further comments, she proceeded to the next item on the agenda.

10. Next Meeting Date

Vice Chair Taylor thanked those present and announced that the next meeting of the MAG Transit Committee would be held on Tuesday, May 17, 2016, at the new time of 2:00 p.m. in the MAG Office, Saguaro Room. There being no further business, she adjourned the meeting at 4:01 p.m.

ATTACHMENT #1

Agenda Item 5

Maricopa Association of Governments
Title VI and Environmental Justice Program
Draft May 5, 2016

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Section One: Introduction

The Maricopa Association of Governments (MAG) is responsible for many decisions that can improve the lives of Valley residents. From the roads we drive on to the air we breathe, this important work affects us all. Decisions are driven by rigorous data analysis and extensive community outreach. Care is taken to ensure that all people have equal access to participate in the planning process. MAG maintains nondiscrimination policies as provided by Title VI, Environmental Justice, and related authorities. These policies support MAG in engaging vulnerable populations. The outcome is that these populations have equal benefit and do not shoulder a disproportionate burden than the rest of the region as a result of MAG's activities. This program outlines the roles, method of administration, and analysis that supports equity in regional planning.

For more than 40 years, MAG has fully integrated the voices of vulnerable populations into regional planning activities. MAG is the Metropolitan Planning Organization (MPO) and Council of Governments (COG) for the region, comprising 27 cities and towns, three Native American Communities, Maricopa County, Pinal County, and the Arizona Department of

Transportation. The Citizens Transportation Oversight Committee also is represented on the MAG Regional Council. As the MPO for the region, MAG develops plans and programs and facilitates activities related to transportation, the environment, and human services, and is charged with developing socioeconomic projections. While a significant portion of the work is funded by federal dollars, this region provides significant funding through a regional sales tax for transportation put in place through Proposition 400. The 20-year life of the tax is expected to raise \$8.6 billion for regional transportation projects. Passage of Proposition 400 by the voters demonstrates a strong commitment to improving mobility throughout the region.

As the groundwork was being laid for Proposition 400, extensive community outreach engaged a diverse spectrum of people. Their needs and feedback were considered as an important part of the planning process. As a result, funding for transit increased from less than two percent in Proposition 300 to 33 percent in Proposition 400. This is an example of the impact communities of concern have on regional planning at MAG. Community engagement activities are ongoing and provide elements that are important to responsive planning.

The previous Title VI and Environmental Justice Program was approved by the MAG Regional Council on May 28, 2014. In compliance with federal regulations, this new program was developed within the required three-year timeframe. The FY 2017 MAG Title VI and Environmental Justice Program includes updates to remain in compliance with federal funding requirements as outlined by the Federal Transit Administration and the Federal Highway Administration. The program also has been revised with direction from state funding agencies, including the Arizona Department of Transportation and the Governor's Office of Youth, Faith, and Family.

Since the last Title VI and Environmental Justice Program, MAG has reached out to thousands of people in all corners of the region to ensure the planning process at MAG reflects the voices and visions of our diverse population. Title VI and Environmental Justice activities are mandated by the federal government to ensure that people of all races, income levels, ages, and abilities have an equal voice in the planning process and receive equal benefit from the results of such planning.

MAG is actively engaged in Title VI and Environmental Justice activities as a subrecipient of federal funding. In order to facilitate a thorough understanding of these activities, the definitions are provided in Attachment A. MAG's plan will be reviewed annually and updated as needed. The Title VI and Environmental Justice Program will be developed at least every three years in accordance with federal regulation. Each new program will be offered to the MAG Regional Council for approval. The minutes documenting approval will be included in each new Title VI and Environmental Justice Program.

The activities listed in this document respond directly to the guidance provided by the FTA Circular 4702.1B, the Federal Highway Administration, and the U.S. Department of Justice. Chapter three outlines the requirements for every Title VI Program. Chapter six addresses the requirements that are specific to metropolitan planning organizations, such as MAG. Requirements include the development of a demographic profile identifying the locations of Title VI and Environmental Justice groups and a planning process that identifies the transportation

needs of people with low incomes and the needs of minority populations. The guidance additionally requires an analytical process that identifies the benefits and burdens of transportation system investments for different socioeconomic groups, identifies imbalances, and responds to the analysis produced. The content of the Title VI and Environmental Justice Program for metropolitan planning organizations is described in the following section.

Section Two: Overview of Roles

A. Federal Guidance for Metropolitan Planning Organizations

On October 1, 2012, FTA published Circular 4702.1B. Chapter three outlines the general requirements and chapter six provides the requirements specific to metropolitan planning organizations as follows:

General Requirements

- Prepare and submit a Title VI Program that has been approved by the board.
- Include a copy of the agency's public notice with a list of where the notice is posted.
- Include instructions for how to file a complaint with a copy of the complaint form.
- Include a list of any Title VI investigations, complaints or lawsuits.
- Include a Public Participation Plan and list of outreach activities conducted since the last submission.
- Include a Limited English Proficiency Plan for providing language assistance.
- Include a table depicting the racial composition of transit-related committee, boards, and advisory councils. (*This requirement does not apply to MAG since the member agencies request appointment of their representatives on MAG committees.*)

Requirements Specific to Metropolitan Planning Organization

- Provide a demographic profile that identifies locations of minority populations.
- Describe the process by which the mobility needs of minority populations are identified and considered.
- Provide demographic maps that overlay the minority and non-minority populations and tables that analyze the impacts of the distribution of state and federal funds in the aggregate for public transportation purposes.
- Identify and analyze disparate impacts on the basis of race, color, or national origin, and if so, determine if there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if alternatives could be employed that would have a less discriminatory impact.

B. Signed Policy Statement

The following policy statement supports the implementation of these activities:

The Maricopa Association of Governments (MAG) is committed to ensuring that no person is discriminated against on the grounds of color, race, or national origin as provided by Title VI of the Civil Rights Act of 1964 and related authorities. Specifically, Title VI asserts 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 subjected to discrimination under any program or activity receiving federal financial assistance." Additional protections are provided in

other federal and state authorities for individuals with limited English proficiency, income status, religion, sex, disability, sexual orientation, gender identity, and age.

MAG strives to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. As a subrecipient of federal funding, MAG is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by the U.S. Department of Justice per 28 Code of Federal Regulations (CFR) § 42.401 *et seq.* and 28 CFR § 50.3. The U.S. Department of Transportation Title VI implementing regulations can be found at 49 CFR part 21.

Dennis Smith, Executive Director

Date

C. Primary Partners

MAG's work in this area is supported by a number of partners. Title VI and Environmental Justice (EJ) activities are undertaken by partners working closely together to ensure that all people in the region have a voice in and benefit from investments made in transportation. Each agency involved in this collaboration addresses facets important to Title VI and contributes to a robust regional response.

- As the MPO, MAG has primary responsibility for Title VI and EJ analysis at the regional planning level. This includes regional plans, studies, and analyses of data to support the work of the MPO. Mapping tools at MAG allow the general public and member agencies to identify geographic areas with varying concentrations of communities of concern.
- The cities, towns, Native American Indian communities, Pinal County, and Maricopa County have primary responsibility for Title VI and EJ analysis under the National Environmental Policy Act (NEPA) for arterial and local construction projects.
- The Arizona Department of Transportation (ADOT) conducts Title VI and EJ analysis for highway construction projects.
- The City of Phoenix, as the designated recipient for Federal Transit Administration (FTA) funds, transit operators, and subrecipients of FTA funds have primary responsibility for Title VI and EJ analysis for transit service and for transit projects under the National Environmental Policy Act (NEPA). All regionally significant transportation projects and activities for the region are included in the MAG Regional Transportation Plan (RTP).
- The RTP provides a policy framework to guide regional transportation investments and establishes performance measures for regional transportation facilities and services that will allow the region to better monitor and improve the system in the future. It also identifies and prioritizes specific transportation facilities needed to achieve the congestion, mobility, safety, environmental and other goals of the plan. These projects are detailed in the maps and texts of the RTP document and in major elements of the RTP, including:
 - Proposition 400 projects in the three life cycle programs: Freeway, Arterial, and Transit.
 - The MAG federally funded program.
 - Locally sponsored projects.

For more information about the RTP, please visit the following link located on the MAG website:

<http://www.azmag.gov/Projects/Project.asp?CMSID2=1126&MID=Transportation>.

The RTP encompasses a variety of agencies, including the Arizona Department of Transportation, all 27 cities and towns, Pinal County, Maricopa County, MAG, and transit providers in the MAG region (Valley Metro, City of Phoenix, City of Scottsdale, City of Peoria, and City of Glendale). A planning agreement among MAG, Valley Metro, Valley Metro Rail, and the City of Phoenix outlines the roles and responsibilities in transit planning, programming, and fund allocation.

Subrecipients of MAG include the member agency cities and towns, Maricopa County, Pinal County, Valley Metro, Valley Metro Rail, and the Arizona Department of Administration. All planning agreements and contracts between MAG and subrecipients are reviewed by the MAG Fiscal Services and Administration Divisions to ensure compliance with Title VI requirements. New templates for contracts and agreements are reviewed by MAG's legal counsel to ensure Title VI compliance.

The following section on Title VI further defines the various roles in regard to communities of concern and the outreach needed to fully engage vulnerable populations in the regional planning process.

Section Three: Method of Administration

This Title VI Program is implemented through the assistance of the Title VI Coordinator and MAG division liaisons. Amy St. Peter, MAG Assistant Director, is the Title VI Coordinator and may be contacted at (602) 254-6300. The Coordinator is responsible for reviewing and updating the program in collaboration with the division liaisons. The liaisons in each of the MAG divisions are the main point of contact for both the public and the Coordinator on Title VI issues. For a full listing of the liaisons, please refer to Attachment B.

The planning process to support Title VI activities may be summarized by three main categories of data, dialogue, and decisions. The process begins by developing a demographic profile for the communities of concern.

A. Data: Demographic Profile for Communities of Concern

Communities of concern describe populations that have been determined by the federal government or the MPO as benefiting from protections to ensure their meaningful involvement in planning and services. These vulnerable populations have been identified through the Civil Rights Act of 1964, Executive Order 12898, Executive Order 13166, and other related authorities to end discrimination and ensure equal access to all federally funded services.

Communities of concern are identified as those census tracts where the identified group represents a percentage of the population equal to or greater than that of the county average. The threshold for the population with Limited English Proficiency (LEP) population follows federal guidance at five percent or 1,000 people within a census tract, whichever is less. Based on the

2010 to 2014 American Community Survey (ACS) five-year estimates, the threshold for each mandated community of concern is as follows:

- Limited English Proficiency: Five percent or higher.
- Minority population: 41 percent or higher.
- Population in poverty: 17 percent or higher.
- Disability: 10.3 percent or higher.

The U.S. Census Bureau is the source of data used for determining the environmental justice communities of concern. The unit of analysis is the census tract. Census tracts are small, relatively permanent statistical subdivisions within a county that are updated by local participants prior to each decennial census in accordance with guidelines through the Census Bureau's Participant Statistical Areas Program. The primary purpose of census tracts is to provide a stable set of geographic units for presentation of statistical data. Census tracts have an average population size of 4,000 people, though can range in size from 1,200 to 8,000 people. Census tract boundaries are delineated with the intention of being maintained over a long period so that statistical comparisons can be made from census to census. Tracts may be split due to population growth or merged as a result of a substantial population decline. The boundaries generally follow visible and identifiable features.

The MPO boundary does not follow precisely along census tract boundaries. All tracts within Maricopa County are used but because only a portion of Pinal County is within the MPO boundary a spatial analysis was performed to determine the Pinal County census to include in the analysis. Within Pinal County, 44 tracts were selected which were either completely within the MPO boundary or the majority of the tract's population are located within the MPO.

The following chart indicates the number of people represented by communities of concern and the percentage they represent of the total population in the region.

Population and Households			Census Tracts ^h			
Category	MPO		Number of tracts >= MPO Percentage ^c	% Tracts	Affected ^f Population	% of Affected Population Captured in Census Tracts
	Total	Percent				
Population Base (Defined Census Geography)	4,056,518	100.0%	960	100%	-----	-----
Household Base (Defined Census Geography)	1,489,355	100.0%	960	100%	-----	-----
Minority ^a	1,663,899	41.0%	376	39%	1,090,132	65.5%
Age 60+ ^a	693,538	17.1%	318	33%	410,364	59.2%
Age 65+ ^a	490,944	12.1%	289	30%	298,626	60.8%
Age 75+ ^a	217,253	5.4%	277	29%	145,553	67.0%

Below Poverty Level ^b	702,859	17.0%	361	38%	496,821	70.7%
Population With a Disability ^c	428,167	10.3%	406	42%	224,435	52.4%
Limited English Proficient (LEP) Persons ^g	369,536	9.5%	516	54%	325,186	88.0%

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

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

^a Minority includes total population minus 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 4,131,314. 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, or 960 tracts. 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)

^e 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, five percent is used as the guideline rather than the MPO percentage of 9.5 percent.

^f Affected population is the total of people or households (depending on the data "universe") 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*).

^g The guidance for Limited English Proficiency (LEP) for DOT recipients refers to persons age five 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 3,905,588.

^h The Census Tracts used in this analysis include all 916 Census tracts within Maricopa County plus 44 Census Tracts in Pinal County. Within Pinal county the Metropolitan Planning Area (MPA) boundary does not follow Census geography, however the best match using full Census Tracts were used where the majority of the population is within the MPA. The base numbers for all values in this table are for this Census-based defined area. Total Census Tracts = 960.

Definitions and maps for each of the communities of concern are provided in Attachment D.

The MAG Information Services Division maintains the demographic profile as a resource for MAG staff to use when determining the presence of Title VI and EJ populations. This information will be considered when conducting planning activities for the Unified Planning Work Program, the MAG Regional Transportation Plan, and the Programming Handbook for the Transportation Improvement Program. This information also is considered for transportation planning projects.

Based on the data, staff will determine the presence of Title VI communities as well as the potential to affect them through the planned activity. Appropriate outreach and analysis will be incorporated into all relevant activities from the beginning. The Title VI Coordinator may assist staff as needed in determining the potential effect of planning activities on Title VI populations. The Coordinator also will provide training opportunities to ensure staff develops a thorough understanding of Title VI issues and responsibilities.

B. Dialogue: Process to Identify Needs

Regardless of the audience, the need for transportation commonly arises as a key concern. People rely on a range of transportation services to earn a living, secure education, and access medical care. Limited access to safe, affordable, reliable transportation options significantly impairs one's ability to live independently. Vulnerable populations are more deeply affected due to scarcity of alternatives and the depth of need for assistance.

For example, people with disabilities cite an ongoing need for paratransit services. MAG helps to address this need by staffing the application process for Section 5310, Elderly and Individuals with Disabilities Transportation Program. This federal funding source makes vehicles and other forms of support available to agencies that transport older adults and people with disabilities.

The MAG Transportation Ambassador Program (TAP) connects Title VI populations to standard and alternative transportation options. The MAG Human Services Coordination Transportation Plans provide an inventory of transportation services, analyze the gaps that exist, and prioritize strategies to improve the mobility of older adults, people with disabilities, and people with low incomes. Additional opportunities to serve Title VI and EJ populations through the Human Services Coordination Transportation Plans and TAP will be more fully explored and maximized in the future. This will serve to identify and meet the transportation needs of Title VI and EJ populations.

In addition to funding and training, MAG is establishing innovative partnerships with local governments, nonprofit agencies, and places of worship to supplement the traditional transit system with a human services approach. The Arizona Age-Friendly Network, hosted by MAG, works closely with individual communities to customize strategies to meet the transportation needs of older adults. This is resulting in travel training programs being developed for specific areas, specialized transportation information and referrals being provided to community groups, van programs that provide door to door service, and a new model that features a membership-based transportation program and mobility management. The goal is to support the development of community-driven initiatives that address unmet needs by working with nonprofit agencies. The approach better utilizes existing resources through the formation of new partnerships that leverage assets. Community engagement is the cornerstone of this work and is integral to its success.

In order to ensure that all people can fully participate in this community engagement, MAG addresses potential language barriers as described below.

Limited English Proficiency

Needs for the communities of concern are identified through public outreach. In order to ensure the public receives and understands information vital to their participation in the planning process, a four-factor analysis is used to identify the needs of people with Limited English Proficiency (LEP).

Section Five of the U.S. Department of Transportation guidance on LEP prescribes a four-factor analysis to determine the need for translation services in order to fully engage LEP populations in the planning process. The end result is that people receive information and can communicate their perspectives in the language most comfortable to them.

The four factors are as follows:

1. *Demography*: The number and/or proportion of LEPs served and languages spoken in the service area.
2. *Frequency*: Rate of contact with service or program.
3. *Importance*: Nature and importance of program/service to people's lives.
4. *Resources*: Available resources, including language assistance services varying from limited to wide ranging with varying costs.

The results of the four-factor analysis for this region are as follows:

1. *Demography*: According to the 2010 to 2014 American Community Survey (ACS) five-year estimates, 25.8 percent of the region's population speaks a language other than English with 37 percent of those reporting difficulty with speaking English. For all persons aged five years and older, 9.5 percent reported on the ACS that they speak English less than "very well." The predominant language for this group is Spanish. The FTA standard is to translate material when five percent or more people in an area speak English less than "very well." If assessing one neighborhood, the standard is five percent or 1,000 or more (whichever is less) who speak English less than "very well." According to this standard, LEP neighborhoods are present throughout the region, especially in the central areas along I-17 and I-10.
2. *Frequency*: Agencies providing direct service, such as transit service, translate all public materials into Spanish due to daily contact with LEP populations. People come into contact with MAG as a planning agency less frequently. Vital materials are translated into Spanish. Additional translation and interpreter services are offered.
3. *Importance*: Transportation is an important element to people's independence. Inclusive community engagement is critical to ensuring that transportation planning is responsive to the needs of all residents.
4. *Resources*: Resources to translate materials and interpret for individuals are available but finite. The investment is made to translate vital materials. MAG maintains a standing offer to translate additional materials into additional languages and provide alternative formats such as Braille or large print. At least one person in nearly every MAG organization division is bilingual and available to assist with interpretation. At a

minimum, there is a bilingual staff member who can assist with interpretation at every policy meeting and at other public meetings as needed.

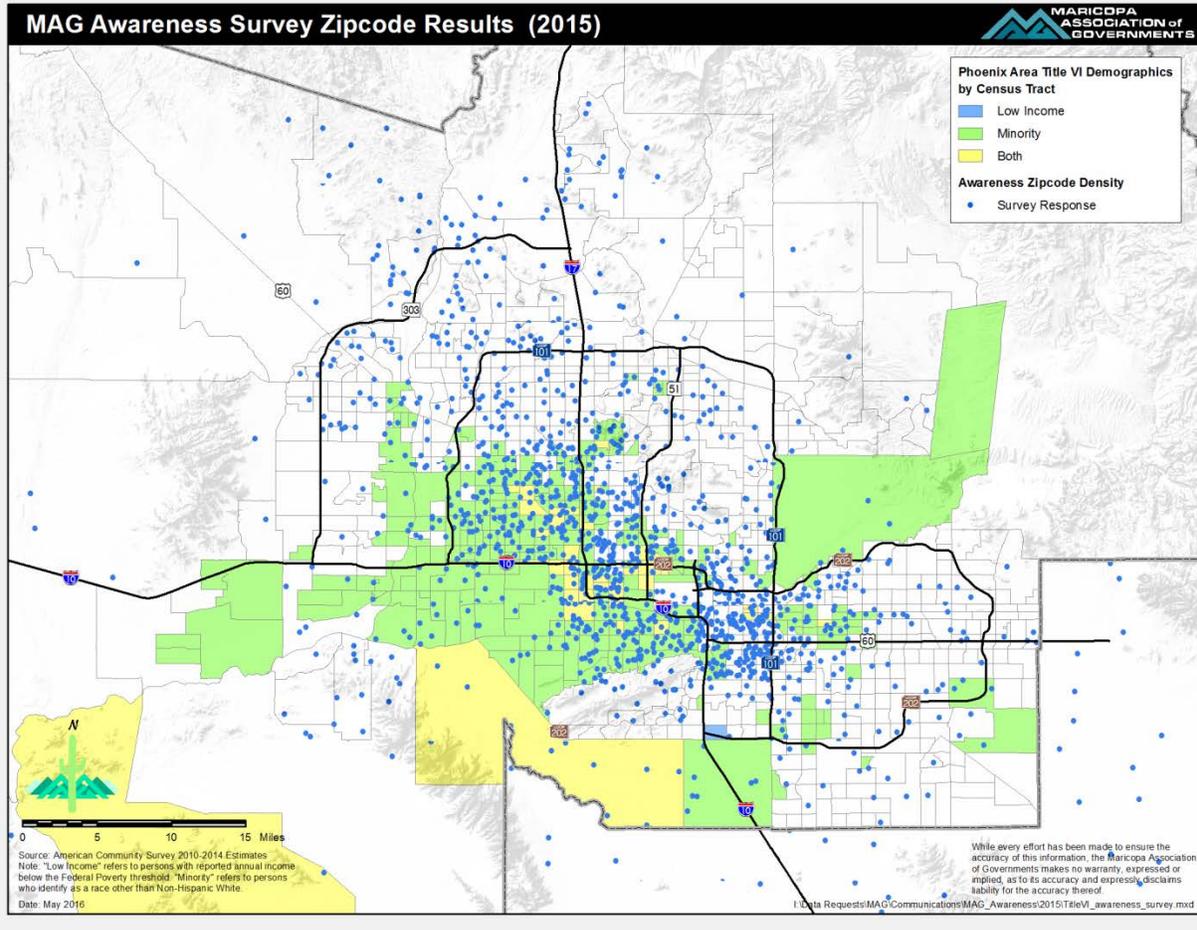
On the basis of this four-factor analysis, MAG maintains vital materials about the agency in Spanish and will translate into other languages upon request. Spanish-speaking staff is available at policy committee meetings and as needed for other public meetings to interpret for LEP populations. Additional materials and interpreters will be made available for areas with high concentrations of linguistically-isolated individuals. MAG Title VI division liaisons have been trained to utilize bilingual staff when needing translation assistance. If fluency in the needed language is not found among MAG staff, assistance may be acquired through Language Line Solutions.

Public Participation Activities

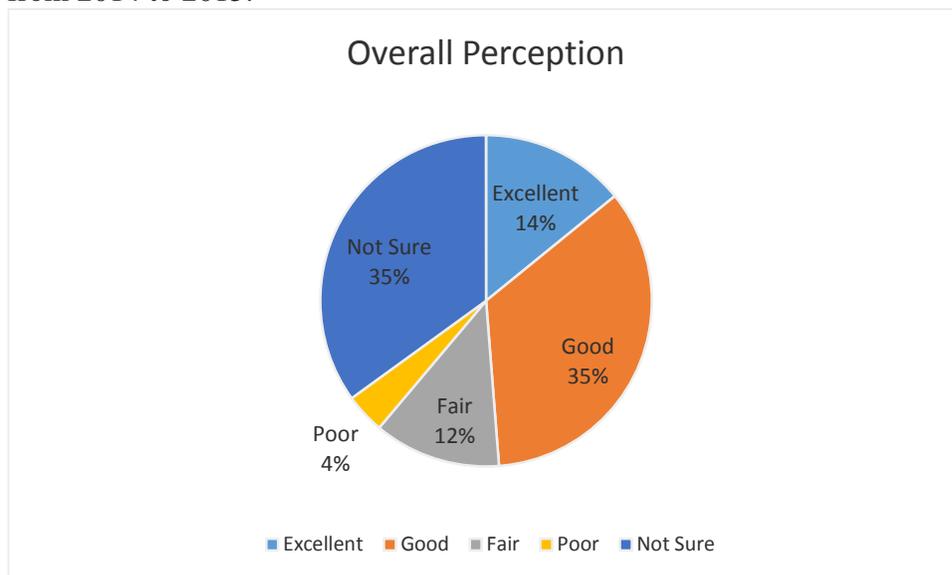
The general public, as well as Title VI, EJ, and LEP populations, is engaged in the planning process through ongoing public outreach activities. More intensive tools, such as focus groups, are used to identify Title VI transportation needs for specific planning activities that may impact Title VI populations. MAG's Public Participation Plan is available in Attachment F or online at [this link](#).

Subrecipients of federal funding must post notices informing the public of the agency's Title VI obligations and of the protections afforded to the public through Title VI. The public notice will appear in all significant publications of MAG and on the agency's website. This includes information about the complaint process described in section three. The full text will be used when space is available. The abbreviated text will be used when space is limited. The public notice is posted on the MAG website and on the bulletin board on the third floor of the MAG office where all public meeting notices are posted.

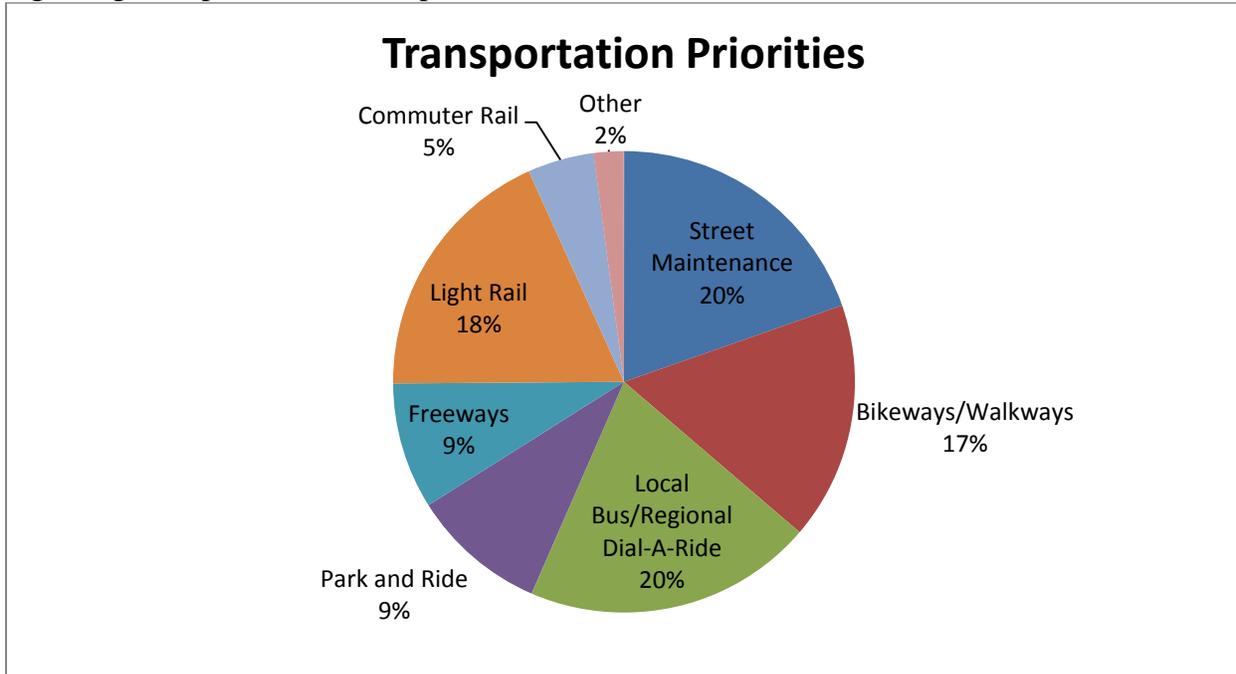
One measure of MAG's success in outreach is distribution of awareness surveys. These surveys measure people's perceptions of the agency, as well as the improvements they most want in the region's transportation system. The demographic map below shows predominately low-income populations in blue, minority populations in yellow, and green for areas that have both. The map shows that the surveys capture responses from a broad range of individuals. These individuals represent all areas of the Valley and all segments of the population.



MAG’s community outreach efforts are having an impact. The chart below indicates the public has a favorable impression of MAG as evidenced by responses from 282 survey respondents completed from 2014 to 2015.



The chart below shows results from 282 awareness surveys completed between 2014 and 2015 regarding their priorities in transportation.



These results were shared with decision makers in the regional planning process at MAG and have helped to identify priorities for the transportation system.

MAG employs a range of tools to facilitate this dialogue. The following tools are used on a consistent basis to facilitate an exchange of information and to fully engage communities of concern. Outreach materials contain the Title VI public notice. Vital materials are translated into Spanish. Additional materials are translated and offered in alternative formats upon request. MAG maintains a disability associate to advise on issues related to people with disabilities and to perform outreach to the disability community. Visual aids in public involvement planning are considered essential to assisting public understanding of transportation plans and programs. MAG's description of visualization techniques in its Public Participation Plan was cited by the Federal Highway Administration (FHWA) as a notable practice among Metropolitan Planning Organizations (MPOs) throughout the nation.

- *Events:* It is a priority to engage communities of concern in public, openly accessible events. Going to where people are instead of requiring them to attend meetings at MAG increases the level of participation and the diversity of people offering feedback. MAG public involvement staff routinely participates in more than 10 events each year focused on Title VI populations. MAG coordinates efforts with the Arizona Department of Transportation (ADOT), the Regional Public Transportation Authority, Valley Metro Rail, and with the largest transit provider in the Valley, the City of Phoenix Public Transit Department. Visualization techniques in public involvement planning are considered essential to assisting public understanding of transportation plans and programs. Consequently, MAG utilizes videos, maps, graphics, printed materials, web

posts and other forms of visual aid to help event attendees better understand the transportation network of the future. Participation in events also enables MAG staff to better inform the public on the implementation and planning of the Regional Transportation Plan.

- *Public hearings:* MAG conducts up to two public hearings each year as part of the process when the MAG Transportation Improvement Program and Regional Transportation Plan are being updated. The first hearing provides residents an opportunity to comment on initial draft plans and programs. This hearing is usually held with MAG member agencies, the State Transportation Board, Citizens Transportation Oversight Committee, and representatives from Valley Metro, and the City of Phoenix Public Transit Department. The second hearing provides residents the opportunity to comment on final draft plans and programs prior to adoption by MAG policy committees. MAG, ADOT, Valley Metro, and City of Phoenix Public Transit Department staff conducts the hearing. After each public hearing, an input opportunity report is compiled and distributed to MAG policy committee members for review and consideration prior to taking any action.
- *Surveys:* MAG staff distributes awareness surveys at a variety of events in order to gauge public awareness of MAG and its plans and programs. The results from the surveys are a positive indicator of MAG's efforts to pursue public awareness and involvement in the transportation planning process. The surveys also ask respondents about their transportation priorities and participation in the MAG planning process, as well as information about people who need transportation assistance. The survey will track what forms of transportation they currently use and what barriers they face when trying to access transportation. This information will help identify the need for pilot projects in new areas and to inform regional planning activities. The survey continues to offer opportunities for engagement through MAG's various committees, events, and publications. The surveys are routinely distributed at MAG Human Services Division events, which typically draw a significant Title VI attendance. This supplements the significant outreach conducted by the MAG Communications Division.
- *Focus groups and stakeholder group meetings:* Focus groups and stakeholder group meetings offer opportunities for small groups of communities of concern to offer detailed feedback on specific topics. These focus groups and stakeholder group meetings are conducted as needed. For example, the MAG Human Services Division routinely conducts focus groups with various vulnerable populations to gauge emerging needs, including those related to transportation. Significant planning activities within the MAG Human Services Division and throughout the agency are complemented by a stakeholders group. Meetings are held with communities of concern and the agencies serving them to inform planning activities as they move forward. Feedback from the communities of concern is provided to the appropriate MAG committees on the summary transmittal that is sent with the meeting materials on each topic on the agenda.
- *Newsletters:* The MAGAZine newsletter, MAG Transportation Policy Committee (TPC) E-News Update, and MAG Human Services newsletters are produced and distributed via

print, online (including through the GovDelivery subscription service), and direct mailing, resulting in greater awareness of MAG's responsibilities and activities. Residents also benefit from timely notice of MAG events and a better understanding of how to participate in planning activities. The translation of publications is made available upon request. The MAG Human Services Division also releases an electronic newsletter to a distribution list of more than 900 nonprofit agencies, faith-based organizations, and community groups serving communities of concern. All significant publications feature the Title VI public notice.

- *MAG Transportation Ambassador Program (TAP)*: This program offers training, information, and networking opportunities to communities of concern and the agencies that serve them. Training meetings are held on a quarterly basis for more than 601 participants in mainstream venues such as libraries and community centers. TAP is also an extremely valuable source of feedback. Participants provide the information needed to complete the gaps analysis required in the MAG Human Services Coordination Transportation Plans. These plans are required through federal legislation to help coordinate human services transportation. Strategies to address the gaps analysis are provided with each plan and implemented with the support of the TAP participants and communities of concern.

C. Decisions: Analysis of Benefits and Burdens

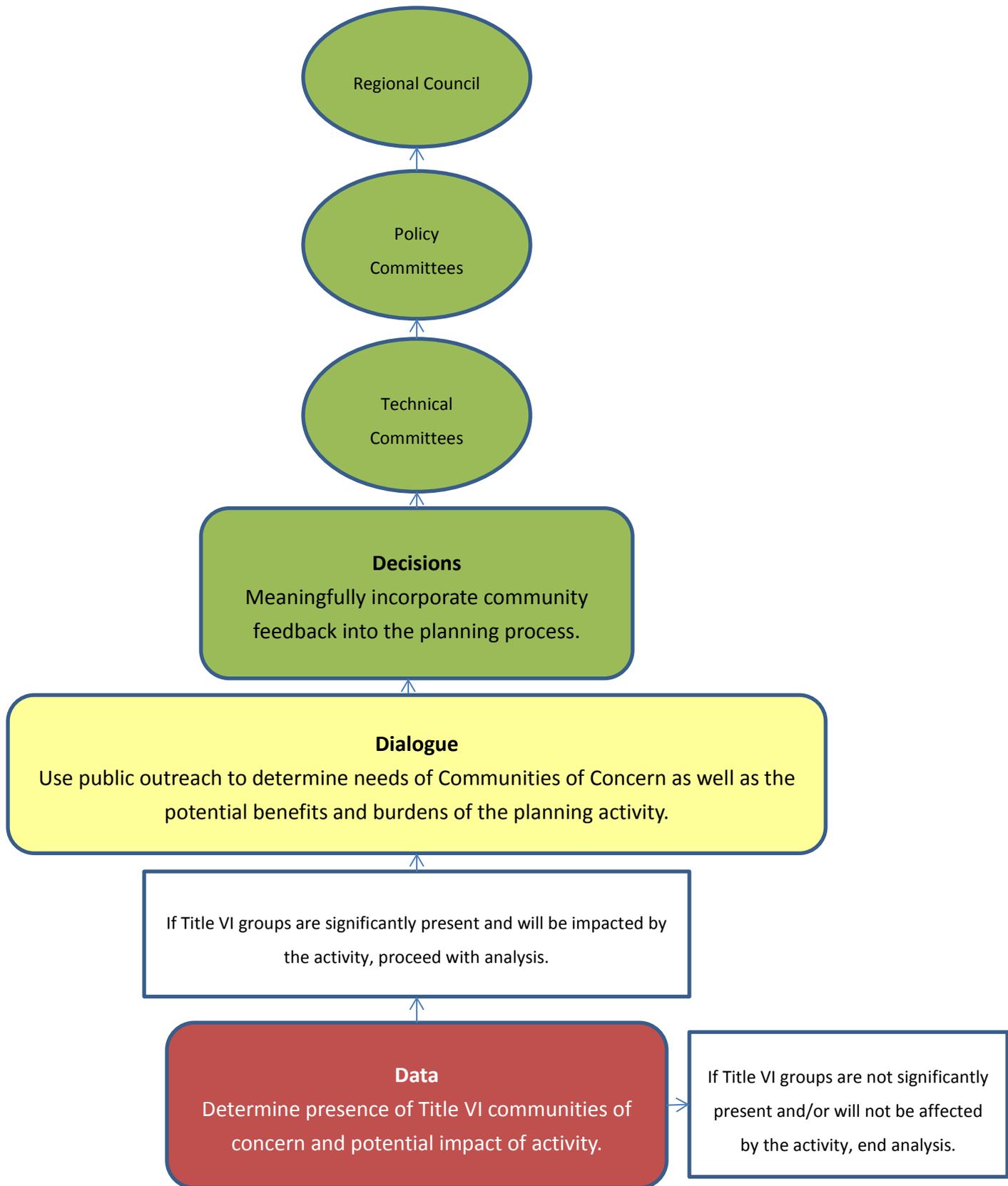
An analysis of benefits and burdens is a critical component of the Title VI and Environmental Justice Program. Staff analyzes the feedback reported by communities of concern to determine the potential benefits and burdens of the activity on the population. In addition, proposed transportation improvements, such as those in the Regional Transportation Plan, are analyzed and documented to determine if the improvements impose a disproportionate burden on the communities of concern. This analysis, as well as the input from the communities of concern, is presented as the planning activity moves through the MAG committee process for approval. The results of decisions are reported back to affected communities of concern in a timely manner. The impact of Title VI populations' input is documented and offered to the Title VI Coordinator. Feedback from Title VI populations is used to assess any enhancements to the Title VI on a biennial basis.

Committee Process

Title VI and EJ issues are communicated and considered as the planning activity moves through the MAG committee process. This generally originates with technical committees, proceeds through policy committees, and concludes with final approval or disapproval by the MAG Regional Council. In this way, the concerns and community input that have been addressed throughout the planning of the activity impact decisions in a meaningful way.

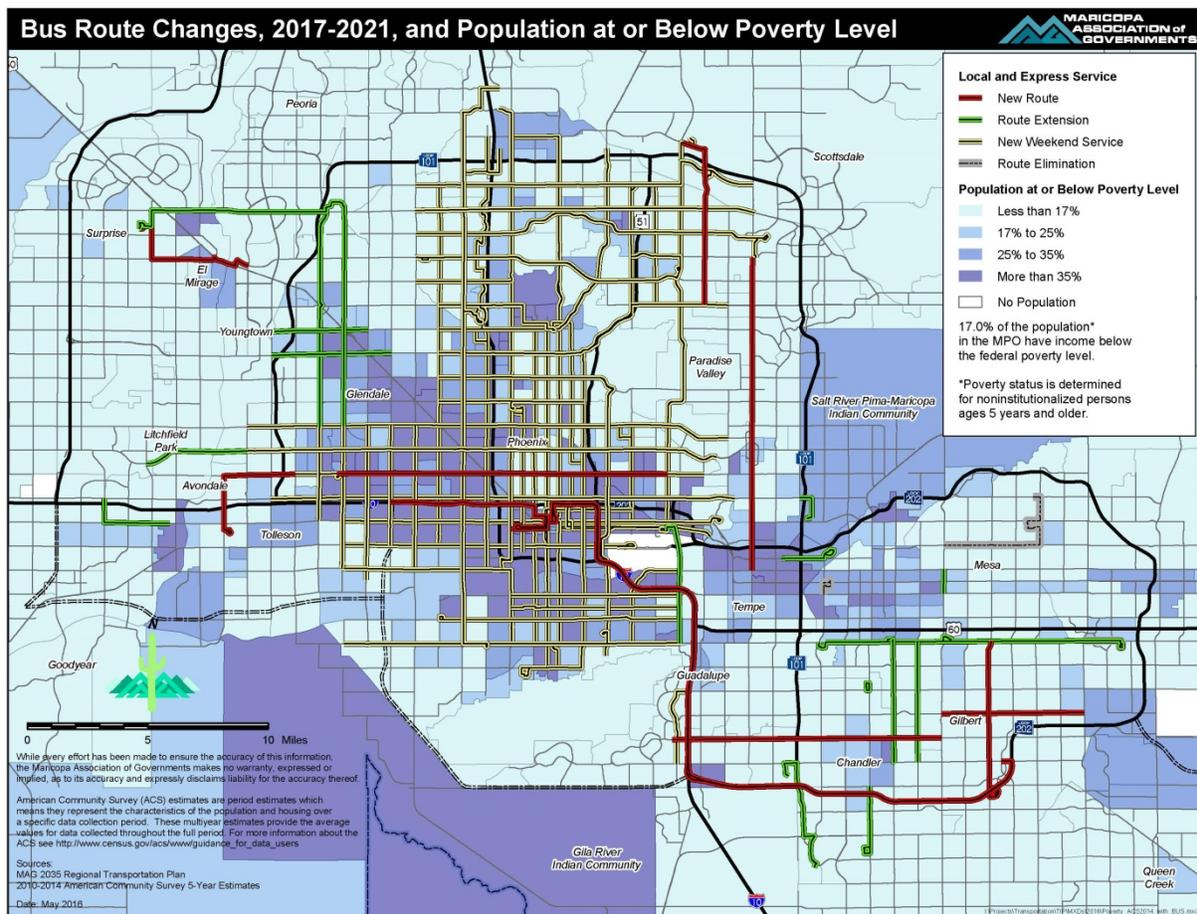
Transit-related committees include the MAG Transit Committee, Ad Hoc Elderly and Persons with Disabilities Transportation Committee, Transportation Review Committee, Management Committee, Transportation Policy Committee, and Regional Council. MAG member agencies designate the representatives who serve on MAG committees. This process was established by the MAG By-Laws and has been reinforced by the MAG Committee Policies and Procedures.

The chart below portrays the flow from one activity to another.

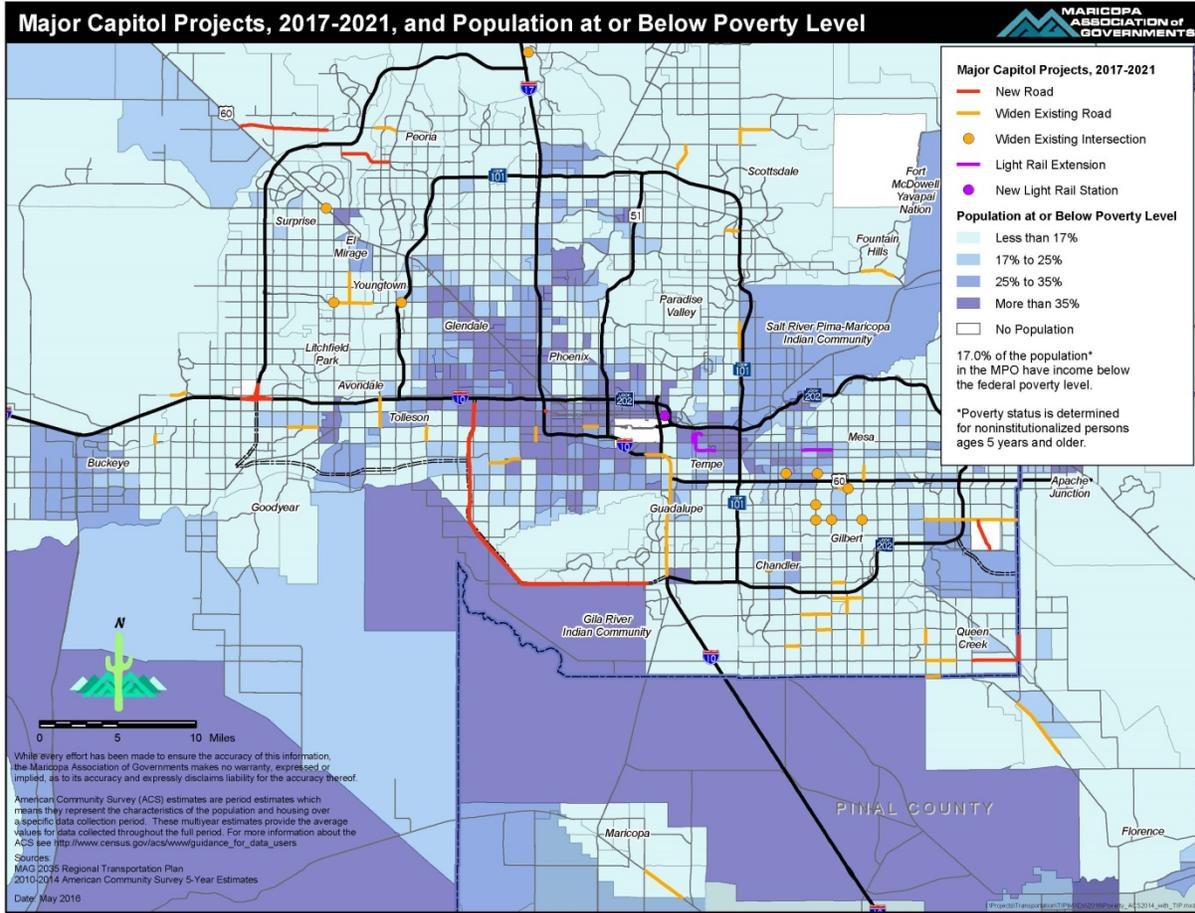


The committee process at MAG, in partnership with Valley Metro, has resulted in the identification of new transportation investments to be made within the region. The decisions for these investments were made with robust opportunities for public input, including communities of concern. The results of these decisions are pictured below in maps representing the current bus and capital transportation investments included in the 2017-2021 MAG Transportation Improvement Plan. The maps include population concentrations of people with disabilities, people with Limited English Proficiency, minorities, and people living in poverty. Analysis of the maps shows that communities of concern receive equal benefit from the investments and that they do not shoulder a disproportionate burden.

Transportation Investments and Population In Poverty Maps Bus Service Changes

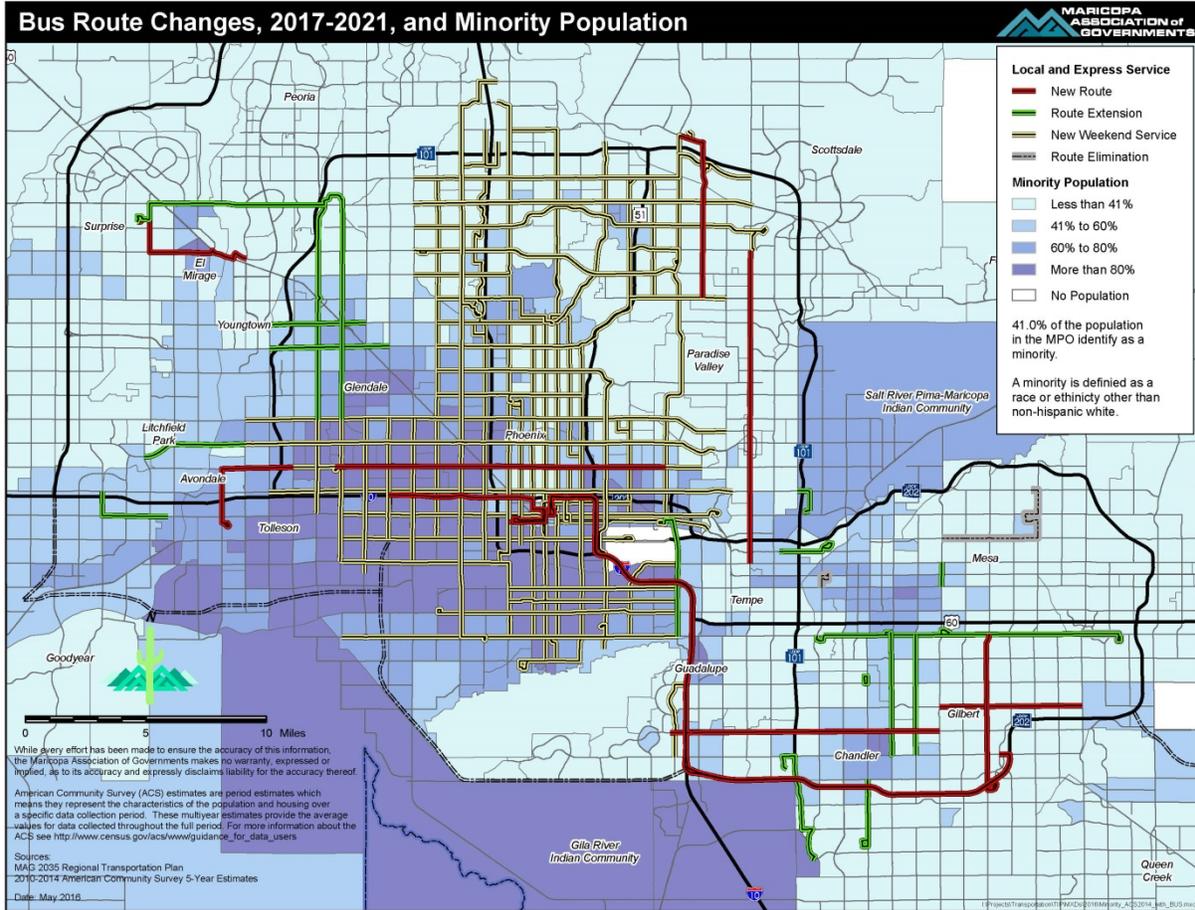


Capital Investments

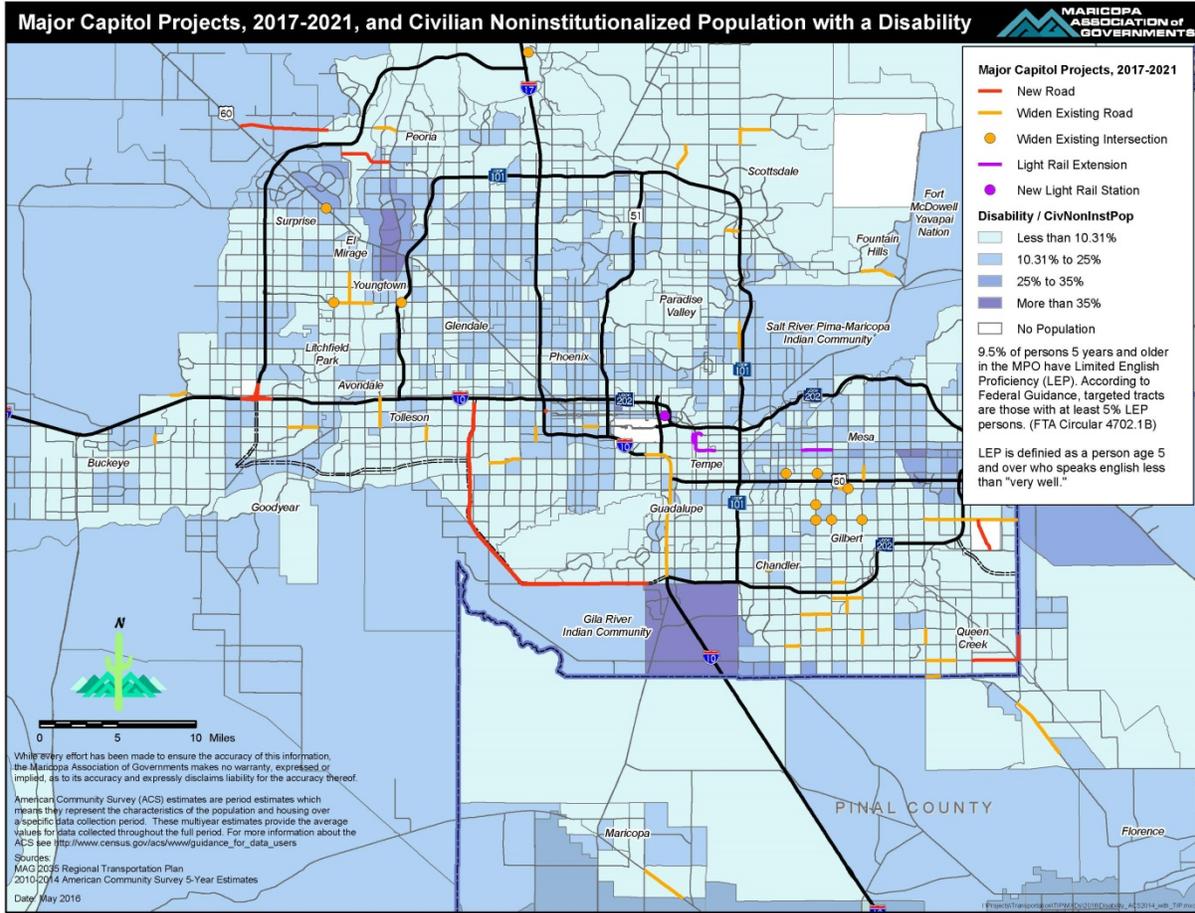


Transportation Investments and Minority Population Maps

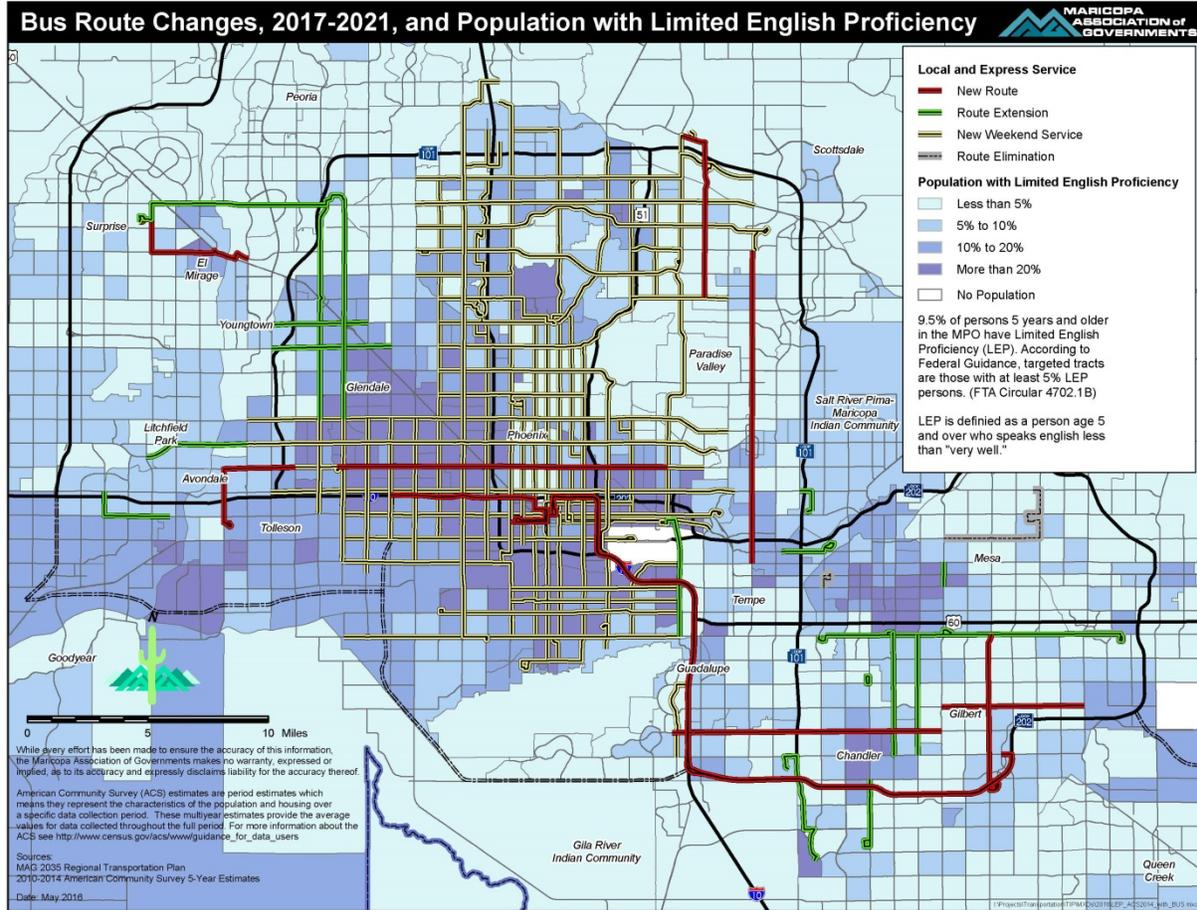
Bus Service Changes



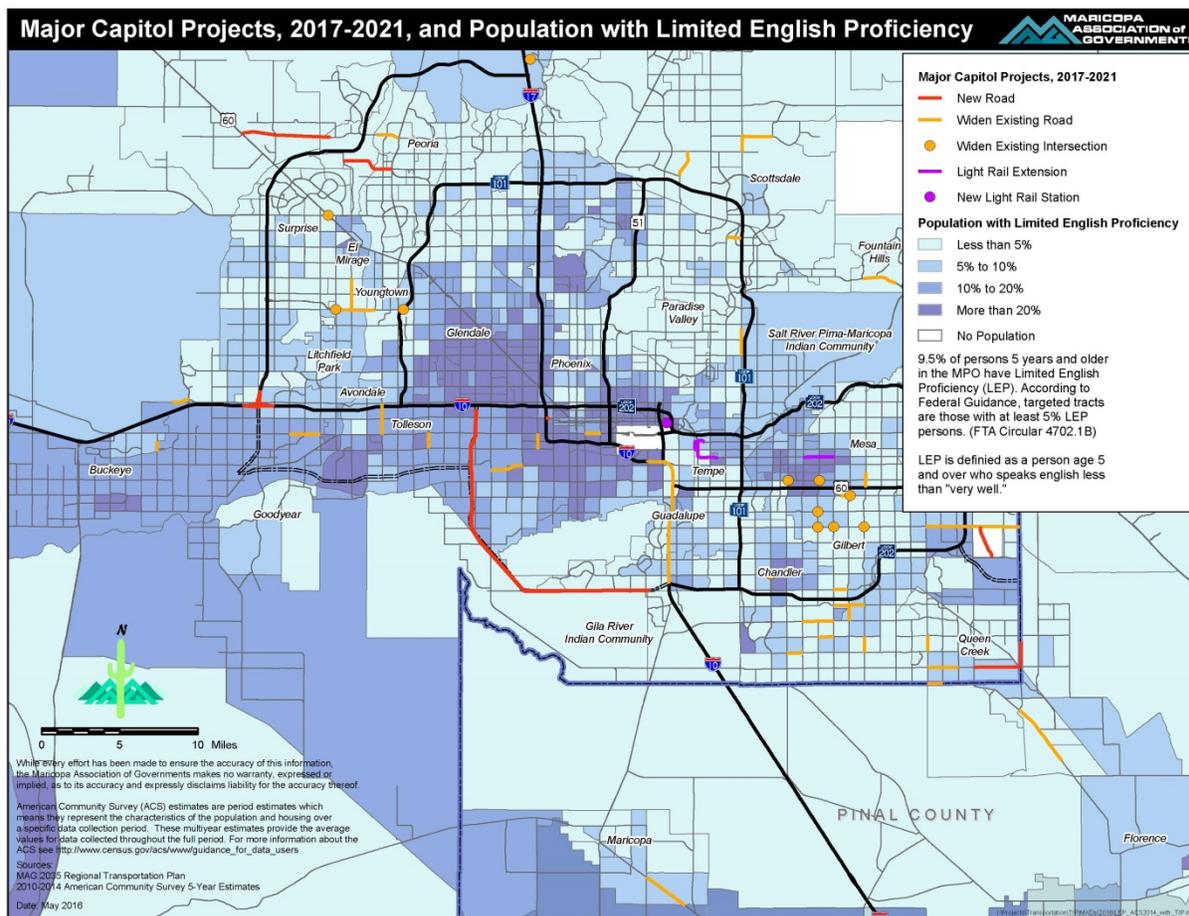
Capital Investments



Transportation Investments and Population with Limited English Proficiency Bus Service Changes



Capital Investments



Compliance and Enforcement Procedures

Compliance with Title VI and MAG's nondiscrimination policies are an ongoing effort. Each division reviews its work to ensure communities of concern have equal access. Each contract and planning agreement with subrecipients is reviewed by the Fiscal Services Division to ensure compliance. The Title VI Coordinator provides information about training opportunities to the managers and liaisons throughout the agency. If noncompliance is found, every effort will be made to address it, eliminate it, and to notify the relevant authorities. The following section provides detail on the complaint procedure and form. These are communicated to the public through the agency's website and public posting by the reception desk on the third floor of the MAG offices.

Complaint Procedure

The intent of MAG's Title VI and EJ work is to preclude discrimination and ensure all people have a voice in the planning process. If someone perceives they have suffered from discrimination, they are encouraged to address the matter with the Title VI Coordinator. According to 49 CFR Section 21.9(b), complaints may be filed if the matter cannot be resolved. Complaints that fall under MAG's Nondiscrimination Policy and not under Title VI, such as gender identity, sexual orientation, and religion, will be investigated by MAG and reported to the

pertinent authorities. The following steps may be followed for complaints falling under Title VI and MAG's Nondiscrimination Policy:

1. Within 180 days of the alleged infraction, complainants will submit to the Title VI Coordinator a complaint in writing or verbally, with the complainant's name, the nature of the complaint, the dates of the complaint, requested action, and contact information. Complaints received verbally will be documented in writing by staff. ADOT or the appropriate authority will be notified when a complaint is received, as well as the disposition of the complaint.
2. The Title VI Coordinator and MAG Executive Director will review the complaint and determine its jurisdiction and need for additional information.
3. Additional information will be solicited from the complainant as needed. If additional information is requested and not received within 15 business days, the case may be administratively closed. The case also may be closed if the complainant no longer wishes to pursue their case.
4. A complaint log will be kept by MAG containing the name of the complainant, nature of the complaint, and date of submission.
5. If the complaint is outside the jurisdiction of MAG, MAG will notify the complainant by certified letter, including the name and contact information for the appropriate agency with jurisdiction, if applicable.
6. If the complaint falls within the jurisdiction of MAG, it will be handled within a maximum of 90 days of receipt, depending on the nature of the complaint and complexity of investigation.
7. MAG will send a certified letter notifying the complainant that a preliminary inquiry is underway to determine the need for an investigation.
8. If the preliminary inquiry by MAG indicates that an investigation is warranted, the complainant will be notified and scheduled to offer their statement.
9. If the preliminary inquiry indicates an investigation is not warranted, a certified letter will be sent to the complainant with the reasons why and factors considered.
10. MAG will conduct an investigation. The results of the investigation will be provided to MAG's general counsel for review. The investigation results will be reviewed and returned within 10 business days.
11. The results of the investigation will be sent to the complainant by certified mail. The results will include the scope of the investigation, factors considered, and the final outcome. A closure letter will be sent if it has been determined there was not a Title VI violation and the case will be closed. A letter of finding will be sent if the allegations are substantiated and an action plan with a timeline to offer redress will be provided.
12. The result of the preliminary inquiry or investigation will be sent to ADOT, FTA's regional civil rights officer (through the designated recipient), or appropriate authority.
13. Records and investigative files will be kept for three years.

Complaint Form

**Maricopa Association of Governments (MAG)
TITLE VI / ADA/ MAG NONDISCRIMINATION POLICY COMPLAINT FORM
(Este formulario está disponible en Español.)**

This form is for use by customers who wish to complete a hard copy form and is available on the MAG website under the resources tab at [this link](#).

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If you answered "no" to this question, please supply the name and relationship of the person for whom you are complaining.				
If you are filing on behalf of a third party, please explain why.				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Age <input type="checkbox"/> Sex <input type="checkbox"/> Income Status <input type="checkbox"/> Religion <input type="checkbox"/> Gender Identity <input type="checkbox"/> Limited English Proficiency				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please write out on extra paper and submit with the form.				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No
Section V				
Have you filed this complaint with any other federal, state, or local agency, or with any federal or state				

state of Arizona. ADOT is the designated recipient for Section 5310 funds for the rural and small urban areas outside of the Phoenix/Mesa Urbanized boundaries of the region.

City of Phoenix: As the largest city in the region, the City of Phoenix is the designated recipient for federal transportation funding from a number of sources, including Federal Transit Administration funding. It is also the designated recipient for federal funding to support agencies transporting people with low incomes and people with disabilities in urban areas through Section 5310 and Job Access and Reverse Commute eligible projects under Section 5307 Programming for the Phoenix/Mesa Urbanized Area.

Communities of Concern: Federal legislation has identified vulnerable populations that receive protection to end discrimination and ensure equal access to all federally funded services. This includes the Civil Rights Act of 1964, Executive Order 12898, Executive Order 13166, and related statutes and authorities. These mandated populations include minorities, people with low incomes, people with Limited English Proficiency (LEP), people with disabilities, age, sex, income status, religion, gender identity, and sexual orientation.

Council of Governments: Regional planning bodies that exist throughout the United States. A typical council is designated to serve an area of several counties, and they address issues such as regional planning, water use, pollution control, and transportation. The council membership is drawn from the county, city, and other governmental bodies within its area.

Environmental Justice: In 1994, President Bill Clinton signed Executive Order 12898 that mandated equitable treatment of minorities and people with low incomes by requiring federal agencies and recipients of federal funding “to make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations and low income populations.”

Limited English Proficiency: In 2000, President Clinton signed Executive Order 13166, which mandated that people with limited English proficiency (LEP) have meaningful access to services. This requires federal agencies and recipients of federal funding to examine their services and establish guidance on how populations with limited English proficiency can access services, prepare a plan to overcome barriers, and ensure people with limited English proficiency have adequate opportunities for input. A person with limited English proficiency is described as a person who does not speak English as a primary language and has a limited ability to read, write, speak and understand English. A population is defined as LEP when five percent or more of the people living in a geographic area fit this definition.

Maricopa Association of Governments (MAG): MAG serves the regional planning agency and Council of Governments for the metropolitan Phoenix area. When MAG was formed in 1967, the elected officials recognized the need for long-range planning and policy development on a regional scale. They realized that many issues such as transportation, air quality and human services affected residents beyond the borders of their individual jurisdictions. MAG is the designated metropolitan planning organization (MPO) for transportation planning in the Maricopa metropolitan region, including Maricopa County and portions of Pinal County. MAG

also has been designated by the Governor to serve as the principal planning agency for the region in a number of other areas, including air quality, water quality and solid waste management. In addition, through an Executive Order from the Governor, MAG develops population estimates and projections for the region.

Metropolitan Planning Organization: Federally-mandated and federally-funded transportation policy-making organizations in the United States that are made up of representatives from local governments and governmental transportation authorities. Federal funding for transportation projects and programs are channeled through this planning process. Congress created MPOs in 1962 to ensure that existing and future expenditures of governmental funds for transportation projects and programs are based on a continuing, cooperative, and comprehensive planning process. Statewide and metropolitan transportation planning processes are governed by federal law (23 U.S.C. § 134–135). Transparency through public access to participation in the planning process and electronic publication of plans now is required by federal law.

Title VI: The Civil Rights Act of 1964 is a comprehensive U.S. law intended to end discrimination based on race, color, religion, or national origin. It guarantees a number of protections, including nondiscrimination in the distribution of funds under federally assisted programs, or Title VI. Specifically, it states, “No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance.” (42 USC 2000d).

Valley Metro: Valley Metro is the common identity for the Regional Public Transportation Authority (RPTA), which operates the regional transit system for the area. Valley Metro Board member agencies include Avondale, Buckeye, Chandler, El Mirage, Gilbert, Glendale, Goodyear, Maricopa County, Mesa, Peoria, Phoenix, Scottsdale, Surprise, Tempe, Tolleson, and Wickenburg.

Valley Metro Rail Inc.: Valley Metro Rail, Inc., is a nonprofit, public corporation formed in 2002 and charged with the design, construction and operation of the region’s total planned 66-mile high-capacity transit system. Valley Metro Rail Board member cities include Phoenix, Tempe, Mesa, Glendale and Chandler. This Board establishes overall policies and provides general oversight of the agency and its responsibilities.

Attachment B: Title VI Coordinator and Liaison Descriptions

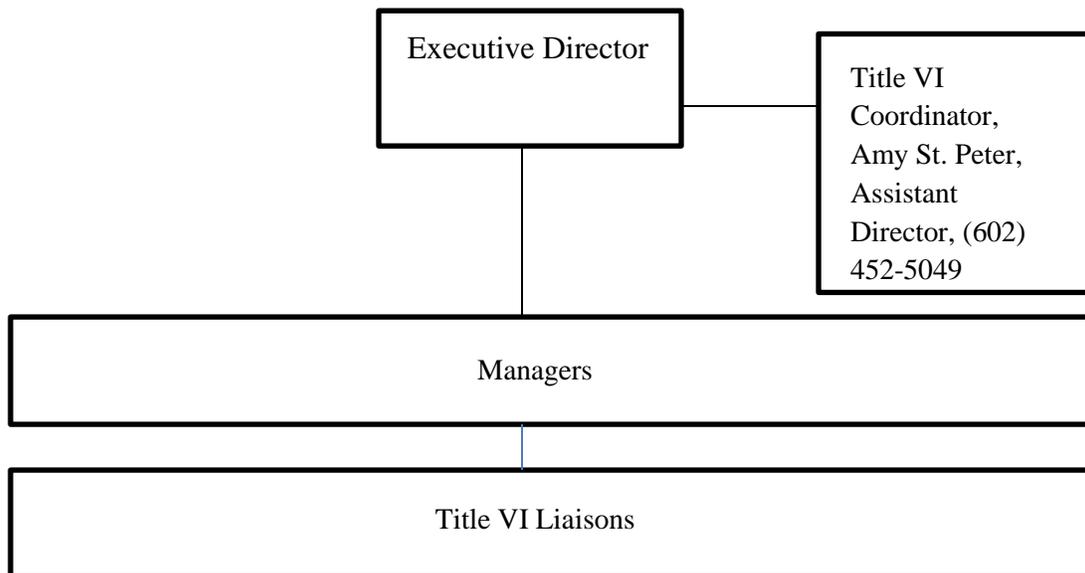
- *Title VI Coordinator:* Under the supervision of the MAG Executive Director, the Coordinator is responsible for the overall administration of the Title VI Program, including EJ and LEP activities. This includes the following:
 - Integrate data and feedback received from the liaisons into the Title VI Program.
 - Oversee responses to complaints and ensure issues are resolved.
 - Review the program on a biennial basis and update the program as needed.
 - Communicate significant Title VI issues with the Executive Director.
 - Receive periodic training related to Title VI and update liaisons and key staff as needed.

- *Title VI Communications Liaison:* The MAG Public Participation Plan (PPP) is available in Attachment F. The PPP applies to all populations and is an integral part of the MAG planning process. Activities specific to Title VI are as follows:
 - Ensure communications and public involvement efforts assist the agency in complying with Title VI and encourage input from Title VI communities of concern.
 - Develop and distribute information on Title VI and agency programs to the general public.
 - Maintain a list of staff members and external sources who can provide translation and interpreter services.
 - Advertise the availability of translation and interpreter services to the public in all materials. Connect bilingual staff with members of the public needing assistance.
 - Maintain a mail list of Title VI stakeholders, including nonprofit agencies, community organizations, faith-based groups, and advocates.
 - Disseminate information to the Title VI stakeholders and minority-focused media to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
 - Include the abbreviated Title VI Notice to the Public in all public notices, the MAG newsletter, and on the agency website as specified in Attachment C.
 - Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a need for their use has been identified.
 - Biennially assess and improve the strategies and resources available to assist people with Limited English Proficiency (LEP) to ensure they are able to access and understand MAG materials, fully participate in the planning process, and that their feedback is understood and considered by policymakers.
 - Routinely conduct surveys evaluating the level of awareness and participation in MAG activities. Report the results on a biennial basis.
 - In collaboration with the MAG Transportation Liaison, identify and respond to the transportation needs, benefits, and burdens of Title VI communities of concern through public interaction and tools such as focus groups and surveys.

- *Title VI Program Liaisons:* Liaisons representing environmental quality, human services, Native American Indian communities, and transportation are responsible for the following:
 - Ensure planning complies with Title VI.
 - Serve as the central point of contact for the public on Title VI concerns and respond to questions and concerns in a timely manner. The liaisons notify the Title VI Coordinator of any unresolved issues and complaints.
 - Analyze the effects of MAG planning activities on protected Title VI groups and determine if there will be burdens, or a disproportionately high and adverse impact, and/or benefits to the Title VI communities of concern.
 - Report Title VI data analysis and community feedback through the MAG Committee process and document the findings. Report any impacts to the relevant community of concern as needed.
 - Participate in Title VI training as needed.

- *Title VI Information Services Liaison:*
 - Collect and analyze data related to the communities of concern as they pertain to demographics and geographic characteristics. Collaborate with the MAG Transportation Liaison to collect and analyze data related to Title VI transportation needs. These data will be provided to the Title VI Coordinator for inclusion in the program updates.
 - Develop and update maps indicating the residency locations of the communities of concern.
 - Participate in Title VI training as needed.

- *Title VI Contracts Liaison:*
 - Ensure contracts and procurement comply with Title VI.
 - Include Title VI language in all contracts.
 - Include Title VI language in public postings for Requests for Proposals and Requests for Qualifications as specified in Attachment C.
 - Comply with the Disadvantage Business Enterprise requirements specified in the contract with the Arizona Department of Transportation.
 - Participate in Title VI training as needed.



Attachment C: Public Posting Language for Title VI—Full and Abbreviated

MAG’s Nondiscrimination Policy, which includes Title VI and related authorities, protecting residents from discrimination based on race, color, national origin, age, sex, disability, income status and limited English proficiency, also includes other federal and state authorities providing protections for religion, sexual orientation and gender identity. The following is the full text of MAG’s public notice. It is also posted [online](#) and by the reception desk on the third floor of the MAG offices.

Full Title VI Notice to the Public

The Maricopa Association of Governments (MAG) hereby gives public notice that it is the policy of the agency to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related authorities and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MAG receives federal financial assistance. Additional protections are provided in other federal and state authorities for discrimination based on income status, limited English proficiency, religion, sex, disability, age, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code) or sexual orientation.

Any person who believes they have experienced discrimination under Title VI has a right to file a formal complaint with MAG. Any such complaint must be filed with MAG's Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. For more information, or to file a complaint, please contact Amy St. Peter, the Title VI Coordinator, at (602) 254-6300.

Abbreviated Title VI Notice to the Public

MAG fully complies with Title VI of the Civil Rights Act of 1964 and related authorities and regulations in all programs and activities. For more information on rights afforded under Title VI, relevant activities at MAG, or if you feel these rights have been violated, please visit the agency website at www.azmag.gov or call (602) 254-6300.

The Spanish translation of the full and abbreviated public notice is available below.

Aviso al Público del Título VI

La Asociación de Gobiernos de Maricopa (MAG) comunica que es la política de la agencia asegurar el pleno cumplimiento con lo siguiente: el Título VI de la Ley de Derechos Civiles de 1964, la Ley de Derechos Civiles de Restauración de 1987, la Orden Ejecutiva 12898 de justicia ambiental, y con las relacionadas autoridades y regulaciones en todos los programas y actividades de la agencia. El Título VI establece que ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluido de participar en, será negado los beneficios de, o será sometido a discriminación bajo cualquier programa o actividad para lo cual MAG recibe asistencia financiera federal. Protección adicional se proporcionan a través de otras autoridades federales y estatales para la discriminación basada en el estado de ingresos, el dominio del Inglés, religión, sexo, discapacidad, edad, identidad de género (como se define en el párrafo 249(c) (4) del título 18 del Código de los Estados Unidos) o por orientación sexual. Cualquier persona que considera haber sufrido discriminación bajo el Título VI tiene el derecho a presentar una queja formal con MAG. Cualquier queja debe ser presentada con el Coordinador del Título VI de MAG dentro de los 180 días siguientes a la fecha de la supuesta ocurrencia discriminatoria. Para obtener más información, o para presentar una queja, por favor, póngase en contacto con Amy St. Peter, la Coordinadora del Título VI de MAG, al (602) 254-6300.

Aviso Abrevado al Público del Título VI

MAG, para todos sus programas y actividades, cumple totalmente con el Título VI de la Ley de Derechos Civiles de 1964 y con las relacionadas autoridades y regulaciones. Para obtener más información sobre los derechos reconocidos en el Título VI, las actividades pertinentes de MAG, o si siente que sus derechos han sido violados, por favor visite el sitio web de la agencia en www.azmag.gov o llame al (602) 254-6300.

Attachment D: Demographic Profiles and Maps for Communities of Concern

The following definitions are the basis for the calculations related to the outcome measures provided in this program.

People with disabilities: Under the conceptual framework of disability described by the Institute of Medicine and the International Classification of Functioning, Disability, and Health, disability is defined as the product of interactions among individuals’ bodies; their physical, emotional, and mental health; and the physical and social environment in which they live, work, or play. Disability exists where this interaction results in limitations of activities and restrictions to full participation at school, at work, at home, or in the community. The U.S. Census Bureau creates estimates of people with disabilities using results from the American Community Survey (ACS). Disability status is determined for the noninstitutionalized population based on six types of difficulty: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty.

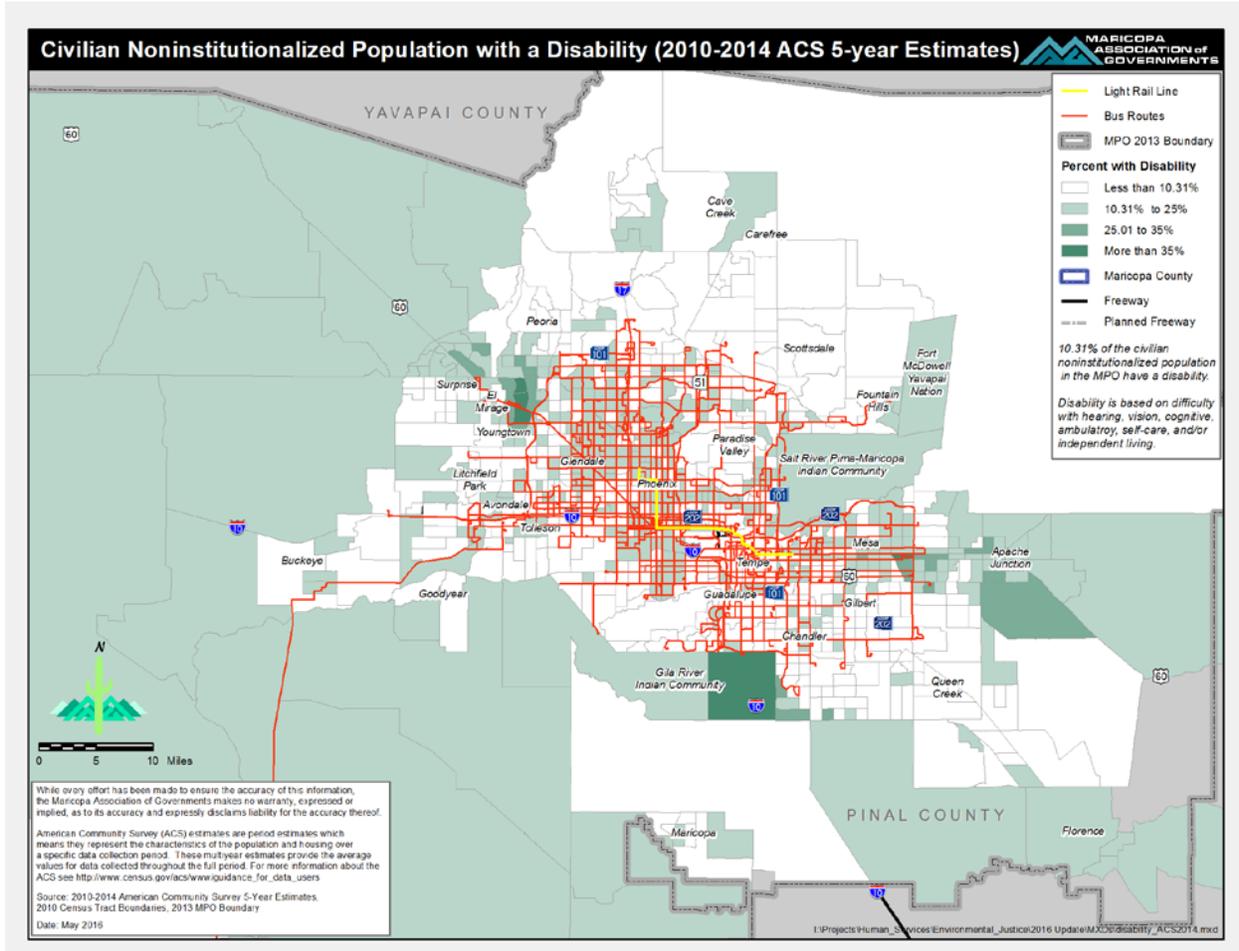
Disability Status

	Estimate
Civilian Noninstitutionalized Population	4,154,396
With a Disability	428,167
Percent with a Disability	10.3%

Source: U.S. Census Bureau, American Community Survey (ACS) 2010-2014, 5-year estimates, Table B18101

Disability status from the 2014 ACS 5-year estimates. 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.

The following map indicates the location and density of persons with disabilities in the region.



People with low incomes: Poverty status is determined by comparing annual income to a set of dollar values called thresholds, which vary by family size, number of children, and age of householder. If a family’s before-tax income is less than the dollar value of their threshold, then that family and every individual in it are considered to be in poverty. For people not living in families, poverty status is determined by comparing the individual’s income to his or her threshold. The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps). The poverty thresholds are updated annually to allow for changes in the cost of living using the Consumer Price Index for All Urban Consumers (CPI-U). They do not vary geographically. For more information, please refer to the following section, “How Poverty Is Calculated in the ACS,” available at the link below:

<http://www.census.gov/hhes/www/poverty/about/overview/measure.html>

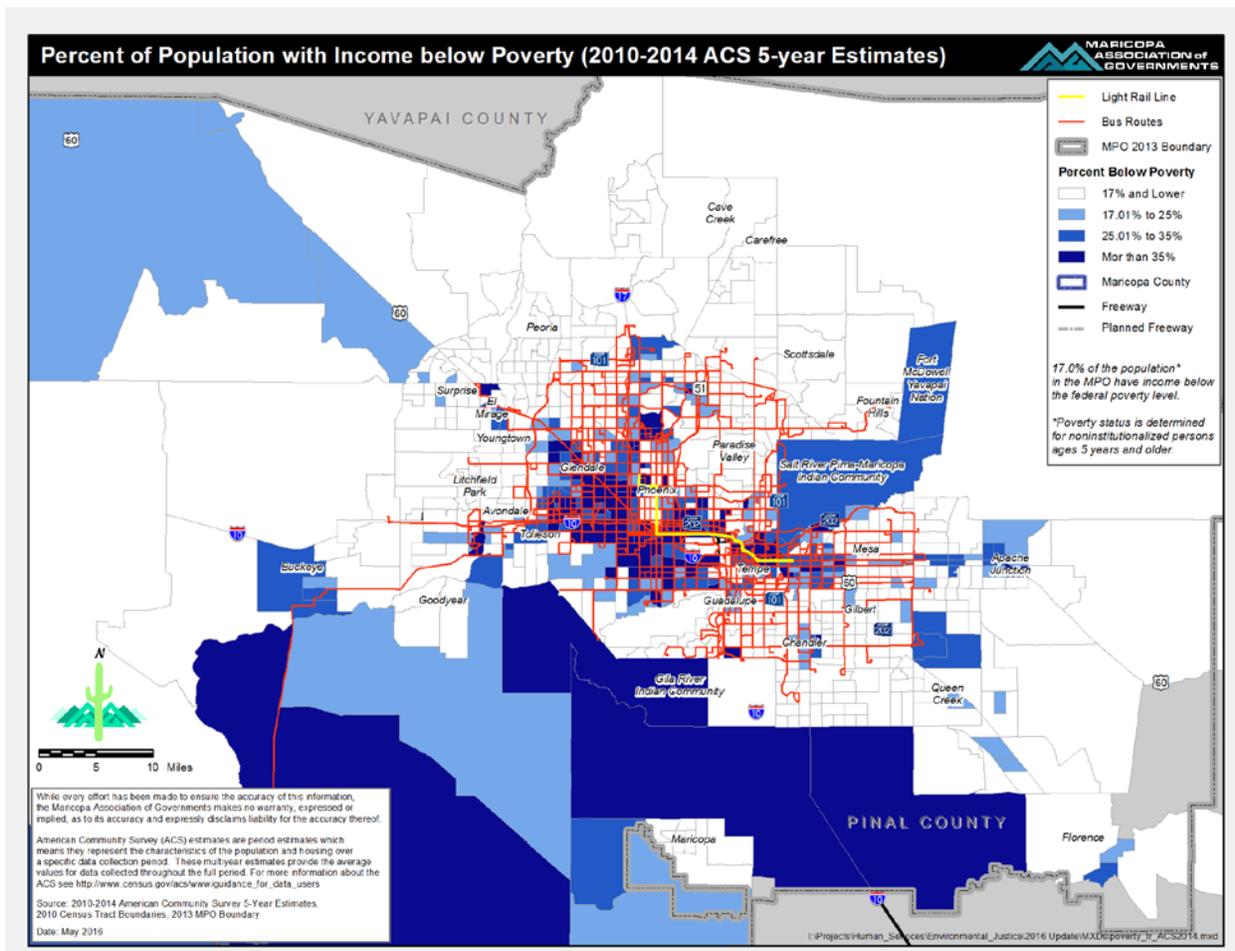
Poverty Status in MAG MPO, AZ

	Estimate
Population for Whom Poverty Status Is Determined	4,131,314
Population Below Poverty Level	702,859
Percent Below Poverty	17.0%

Source: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-Year estimates, *Table B17021*

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

The following map indicates the location and density within the region of persons with income below the federal poverty level.



Minorities: In 1998, the Federal Highway Administration published actions to address Environmental Justice in minority populations and low-income populations. They defined minority as the following:

- Black (having origins in any of the black racial groups of Africa).
- Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race).
- Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands).
- American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).

Based on the above definition and using the U.S. Census definitions for race and Hispanic origin, MAG includes the following groups in its definition for the minority population:

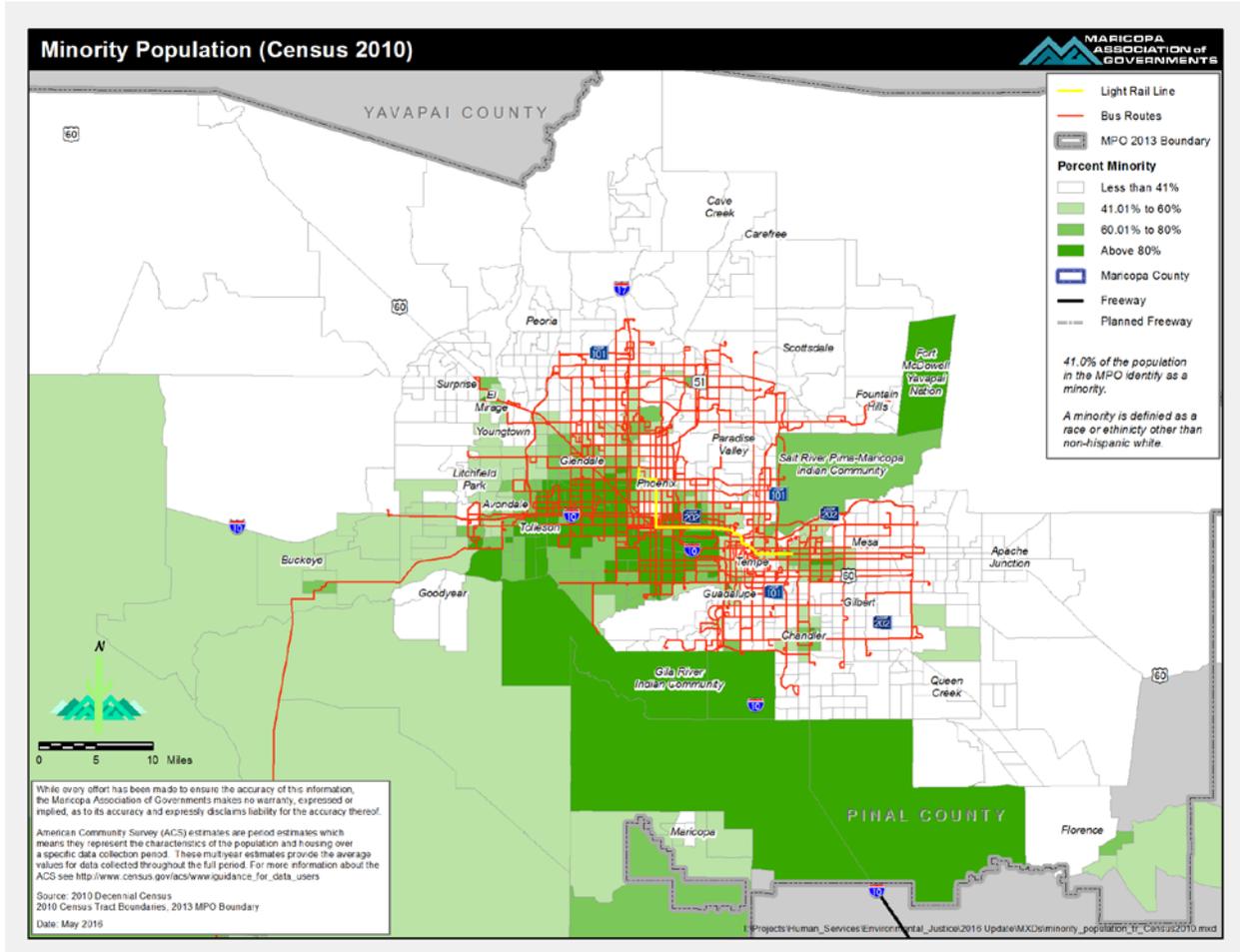
- Black or African American alone - not Hispanic or Latino.
- American Indian and Alaska Native alone - not Hispanic or Latino.
- Asian alone - not Hispanic or Latino.
- Native Hawaiian and Other Pacific Islander alone - not Hispanic or Latino.
- Some other race alone - not Hispanic or Latino.
- Persons of two or more races - not Hispanic or Latino.
- Hispanic or Latino.

Population by Race and Hispanic or Latino Origin

	MAG MPO	
	Census 2010	Percent of Total
Total:	4,056,518	100.0%
White alone, Not Hispanic or Latino	2,392,619	59.0%
Minority:	1,663,899	41.0%
Black or African American alone, Not Hispanic or Latino	188,038	4.6%
American Indian and Alaska Native alone, Not Hispanic or Latino	73,259	1.8%
Asian alone, Not Hispanic or Latino	132,514	3.3%
Native Hawaiian and Other Pacific Islander alone, Not Hispanic or Latino	7,150	0.2%
Some Other Race alone, Not Hispanic or Latino	5,813	0.1%
Two or More Races, Not Hispanic or Latino	75,820	1.9%
Hispanic or Latino	1,181,305	29.1%

Source: U.S. Census Bureau, 2010 Census, Table P5.

The following map indicates the location and density of the minority population in the region.



Persons With Limited English Proficiency (LEP): A person with limited English proficiency is described as a person who does not speak English as a primary language and has a limited ability to read, write, speak and understand English. An area is identified as LEP when five percent or more of the population, or 1,000 people within a neighborhood, fit this definition.

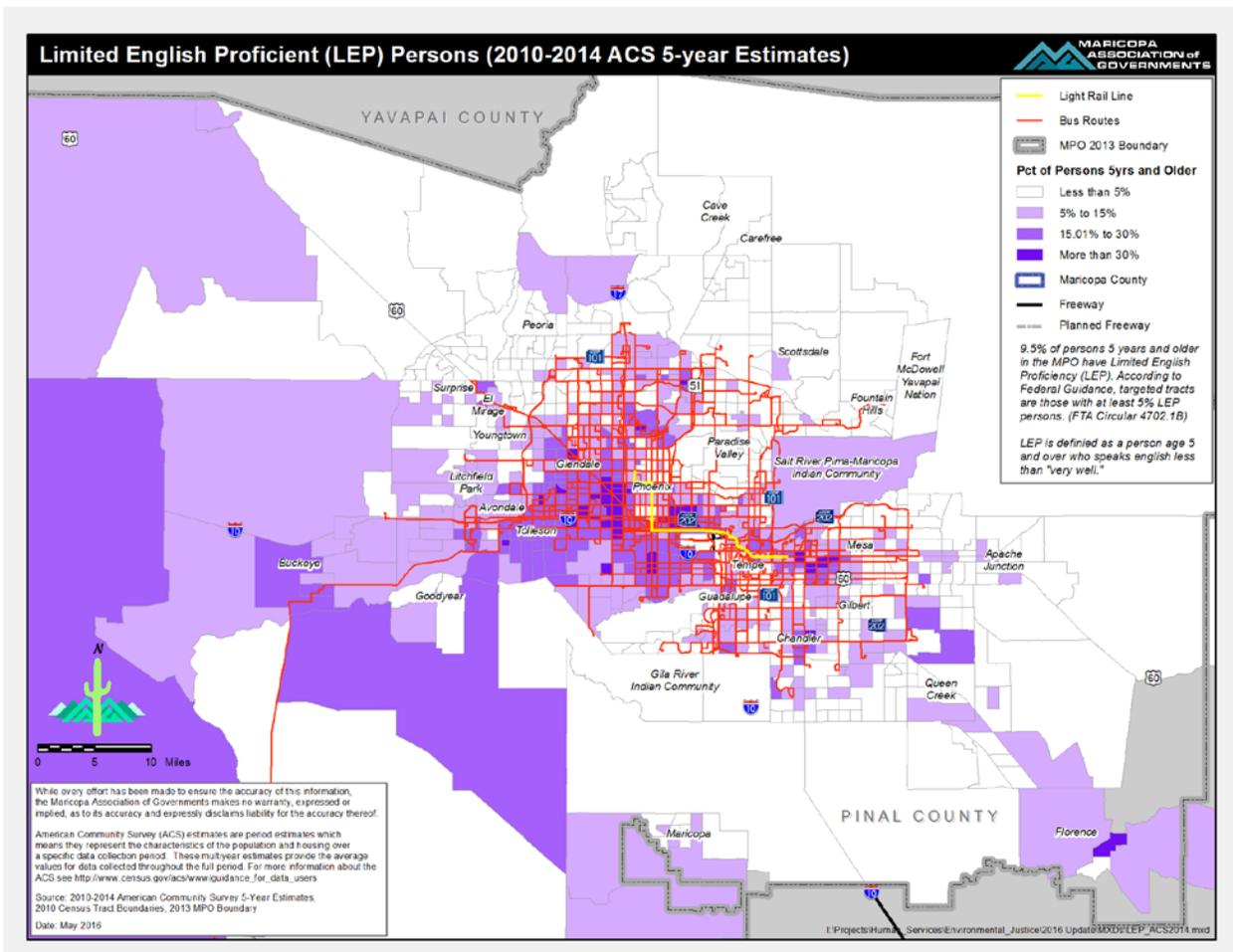
MAG MPO Persons with Limited English Proficiency (LEP) ^a	Estimate	Percent of Persons 5yrs and over	Percent of persons 5 years and over with LEP
Total Persons 5 Years and Over	3,905,588	100.0%	--
English Speaking Only	2,898,394	74.2%	--
Limited English Proficiency ^a	369,536	9.5%	100.0%
Spanish With LEP		7.6%	79.9%

	295,364		
Other Indo-European Languages With LEP	21,495	0.6%	5.8%
Asian and Pacific Island Languages With LEP	38,287	1.0%	10.4%
Other Languages With LEP	14,390	0.4%	3.9%

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

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

The following map indicates the location and density of persons with Limited English Proficiency (LEP) within the region.



Attachment E: List of Investigations, Complaints and Lawsuits since Last Submission.
There have not been any investigations or complaints.

Attachment F: Public Participation Plan

Attachment G: Title VI Assurances

Attachment H: Copy of board minutes approving the plan (pending)



Public Participation Plan



April 2014



Maricopa Association of Governments

PUBLIC PARTICIPATION PLAN

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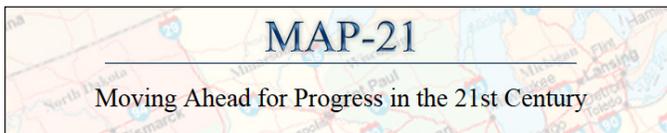


302 North 1st Avenue, Suite 300, Phoenix, Arizona 85003

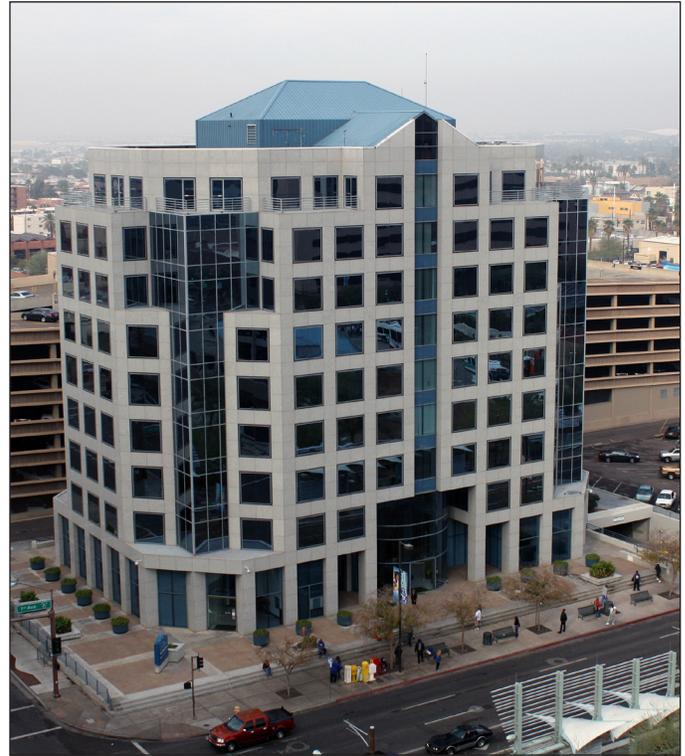
The Maricopa Association of Governments (MAG) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MAG receives federal financial assistance. Additional protections are provided in other federal and state statutes for religion, sex, disability, and age. Any person who believes they have experienced discrimination under Title VI has a right to file a formal complaint with MAG. Any such complaint must be filed with MAG's Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. For more information, or to file a complaint, please contact the Title VI Coordinator at (602) 254-6300.

INTRODUCTION

The Maricopa Association of Governments (MAG) believes that public participation is a critical and necessary part of the transportation planning process. The involvement of the public helps MAG make better transportation decisions that meet the needs of all people, and to plan transportation facilities that fit more harmoniously into communities. In 1994, MAG adopted a public involvement plan designed to provide complete information on transportation plans, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement in the process for all segments of the region's population, including Title VI and Environmental Justice communities. In December of 2006, MAG adopted an updated public participation plan in response to federal transportation legislation known as the Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU).



New transportation authorization was passed in July of 2012. The new enabling legislation, Moving Ahead for Progress in the 21st Century (MAP-21), continues to emphasize public involvement in transportation planning. MAP-21 requires that the metropolitan planning organization work cooperatively with the state department of transportation and the regional transit operator to provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public



transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties a reasonable opportunity to comment on proposed transportation plans and programs. MAG will continue to adhere to the federal requirements for public involvement, in addition to finding new ways of engaging Valley residents in the transportation planning and programming process.

BACKGROUND

Federal law requires that each state designate a Metropolitan Planning Organization (MPO) for urbanized areas with 50,000 or more population. MAG was designated as the MPO for the Maricopa region in 1973, and undergoes federal certification as outlined in transportation regulations.

MAG is responsible for preparing both short-range and long-range transportation plans, and for seeking citizen input into these plans. For its short-range plan, MAG develops a five-year Transportation Improvement Program (TIP) that includes all transportation projects for the region. All transportation projects must be included, regardless of how they are funded. For its long-range plan, MAG is responsible



for preparing a 20-year Regional Transportation Plan. Federal law requires that these documents be updated at least once every four years. Both plans are typically updated biennially, and both must undergo an air quality conformity analysis to ensure that transportation activities do not contribute to violations of the federal air quality standards.

In 1994, the MAG Regional Council, which serves as the organization's governing body, adopted an aggressive public involvement program designed to provide Valley residents with as many opportunities for comment on MAG transportation plans as possible. This program was enhanced in 1998 and has been improved each year through a variety of methods, including feedback from Valley residents on the effectiveness of the process. In December 2006, the MAG Regional Council adopted an updated MAG

Public Participation Plan in accordance with SAFE-TEA-LU requirements. With the passage of MAP-21, MAG's goal is to continue to provide the region's residents with an open and inclusive process designed to obtain input from all interested parties.

MAG's public involvement process adheres to all federal requirements related to public involvement. MAG has coordinated public involvement processes and activities with the Arizona Department of Transportation (ADOT), the Regional Public Transportation Authority (RPTA/Valley Metro), Valley Metro Rail (METRO) and the City of Phoenix Public Transit Department. This coordination has helped create an efficient and effective public participation process.



MAJOR MILESTONES

Following are a few of the major milestones in the MAG public involvement process.

1991

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires that metropolitan planning organizations adopt a formal public involvement process that is proactive, encourages broad public participation, and considers and responds to public input.

June 1992

The Regional Council approves a 15-minute Call to the Audience for its meetings, providing audience members up to three minutes each to present comments.

September 1994

The MAG Process for Public Involvement in Transportation Planning is adopted by the Regional Council, following a 45-day comment period. The adopted process provides the guiding principles for public involvement to meet the requirements established in ISTEA and subsequently reaffirmed in the Transportation Equity Act for the 21st Century (TEA-21). The process includes four phases: Early Phase, Mid-Phase, Final Phase and Continuous Involvement. The phases allow for early and continuing input and encourage public comment during each step of the planning process. The process calls for Input Opportunity Reports to be completed during each phase detailing the comments received. The reports include staff responses



to comments on the Draft Transportation Improvement Program (TIP) and Long-Range Transportation Plan. The 15-minute Call to the Audience is retained for public comment at the beginning of MAG policy committee meetings.

February 1996

The Regional Council approves recommendations to reengineer the MAG policy process. Public comment opportunities are increased for the Regional Council meetings. In addition to the Call to the Audience at the beginning of the meeting, members of the audience are provided the opportunity to comment on the Approval of the Consent Agenda and to speak on each Action Item. Audience members are provided up to three minutes for each public comment opportunity.

July 1998

The Regional Council recommends that the process for programming federal transportation funds be enhanced. These enhancements include a more proactive community outreach process and the development of early guidelines to help select transportation projects within resource limits. This proactive community outreach process leads to an enhanced public involvement process beginning with the fiscal year 1999 public involvement program. The enhanced public involvement process involves transportation stakeholders as outlined in the 1998 TEA-21 legislation and includes input from Title VI stakeholders (minority populations and low-income populations). The input received during the enhanced input opportunity is incorporated in the development of early guidelines to guide project selection for the

Transportation Improvement Program (TIP) and Long-Range Transportation Plan.

2001

MAG contracts with four Community Outreach Associates to provide targeted outreach to the Hispanic, Native American, African American, and Disability communities as part of its dedicated Title VI outreach. In 2002, these associate positions are merged into a full-time Community Outreach Specialist position within MAG to allocate more MAG resources to this effort and to allow for the translation of all major MAG materials into Spanish. The Disability Community Associate continues as a contracted associate.

2001-2004

MAG embarks on an intensive and unprecedented public involvement effort to receive input into the Long-Range Transportation Plan, which is renamed the Regional Transportation Plan (RTP or Plan). Extensive research is conducted, and more than 350 public input opportunities are provided. Expert panel forums are held early in the process featuring topics in demographics and social change, environmental and resource issues, land use and urban development, and transportation and technology. Sixteen subregional focus groups are also held to receive input from transportation stakeholders across the Valley, including focus groups specific to African American and Hispanic communities. A project website, www.LetsKeepMoving.com, is created to provide information and receive feedback on the Plan. The site includes online surveys, maps, meeting notices, copies of studies and presentations, plan drafts and maps, funding information,

feedback links, and calendar listings of public input opportunities. The site is later merged to be incorporated into the main MAG website.

2005

Congress passes SAFETEA-LU, which requires a documented public participation plan that defines the process for citizen input.

2006

The MAG Regional Council adopts the MAG Public Participation Plan in accordance with SAFETEA-LU requirements.

MAG PUBLIC PARTICIPATION PROCESS

The federal regulations for public involvement in metropolitan planning under MAP-21 are easily incorporated within MAG’s adopted public involvement structure, and specific strategies for addressing the new regulations are included in the final section of this report. As noted above, MAG’s adopted public involvement process is divided into four phases: Early Phase, Mid-Phase, Final Phase and Continuous Involvement. MAG staff receives comments in a variety of ways, including, but not limited to, small group presentations; special events, such as large community festivals; public meetings/hearings; telephone and electronic correspondence; and correspondence through the MAG website.

It is important to note that changes in planning and programming cycles can affect the public involvement process. The following table details the standard phases of the public involvement process and the opportunities for input that exist in each phase. As noted, these are subject to change:

Phase	Public Input Opportunities
Early Phase	<p>A public process for early input into the transportation programming process is held. At this stage, which generally occurs from late summer through early fall, public input is reviewed and considered by MAG policy committees with specific reference to upcoming issues and work topics. Events during this phase may include stakeholders meetings, open houses, booths at special events, and small group presentations. In addition, comments are received during committee meetings. Comments received are summarized and provided to MAG policy committees for review and consideration in the form of an Early Phase Input Opportunity Report. All meetings are widely advertised with appropriate advanced notice. Because projects are not yet programmed, in many ways, the Early Phase represents the best opportunity for members of the public to suggest projects for inclusion in the TIP or Plan.</p>
Mid-Phase	<p>A variety of public outreach methods are used during this phase, which generally occurs from late winter to early spring, to gather input on the initial plan analysis for the Draft TIP and Draft RTP update. The phase generally culminates with a transportation public hearing co-hosted by MAG, the Arizona Department of Transportation (ADOT), the Regional Public Transportation Authority (RPTA) and the City of Phoenix Department of Public Transit. Comments are summarized, receive a written response, and are provided to MAG policy committees for review and consideration (through the Mid-Phase Input Opportunity Report and oral presentations) prior to taking action. All meetings are widely advertised, including major daily and minority newspapers, with appropriate advanced notice.</p>
Final Phase	<p>Several forums are used to obtain input during this phase, which generally occurs from early summer to late summer. The phase generally culminates with a transportation public hearing on the final Draft RTP update and TIP update. The hearing is advertised with a formal public notice and draft reports are also available for 30 days for public review. All comments receive a written response and are provided to MAG policy committees for review and consideration (through the Final Phase Input Opportunity Report and oral presentations) prior to taking action. All meetings are widely advertised, including major daily and minority newspapers, with appropriate advanced notice.</p>
Continuous Involvement	<p>MAG continuously seeks public input and comment beyond the three structured phases above. Outreach is conducted throughout the annual update process and includes activities such as providing presentations to community and civic groups, participating in special events, hosting booths at community gatherings, distributing press releases and newsletters, and coordinating with partnering agencies. MAG provides speakers upon request to make presentations to community and civic groups, within the limits of available resources. The input gleaned during this phase is included in quarterly public involvement progress reports (see appendix C) that are distributed to MAG policy committees for review and consideration.</p>

FEDERAL LAW

The role of public involvement in transportation planning and programming was increased with the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The Transportation Equity Act for the 21st Century (TEA-21), passed in 1998, continued to emphasize public involvement in the metropolitan transportation planning process. TEA-21 required that the metropolitan planning organization (MPO) work cooperatively with the state department of transportation and the regional transit operator to provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, private providers of transportation and representatives of users of public transit a reasonable opportunity to comment on proposed transportation plans and programs.

The intent of the public involvement provisions in SAFETEA-LU, passed in 2005, and MAP-21, passed in 2012, is to continue the legacy of TEA-21 when it comes to increasing public awareness and participation in transportation planning and programming, while developing a documented public participation plan that defines the process for citizen input.



FEDERAL REQUIREMENTS AND MAG PUBLIC PARTICIPATION STRATEGIES

1. *Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including, but not limited to, reasonable opportunity to comment on the proposed metropolitan transportation plan and the Transportation Improvement Program.*

MAG provides timely public notice of public participation activities. All public hearings are announced with a formal public notice, generally 30 days in advance of the hearing, as well as through a display advertisement in the largest circulation newspaper and in minority oriented newspapers, usually two weeks prior to the public hearing. MAG maintains a public involvement mailing list that includes interested citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, advocates for low-income people and minority populations, and representatives of community groups with an interest in transportation. This mailing list is used to announce meetings, distribute newsletters, and for other opportunities for public involvement. Interested individuals are added to the mailing list upon request.

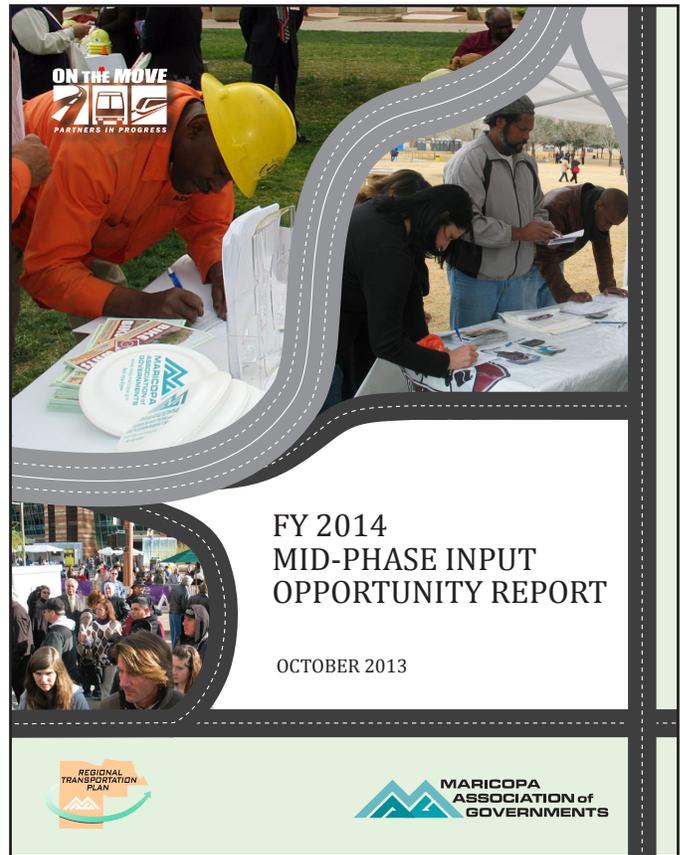
In addition, all MAG public meetings and public input opportunities are posted on the MAG website at www.azmag.gov. A calendar listing major MAG meetings is included on the final page of every issue of *MAGAZine*, MAG's quarterly newsletter. MAG public meetings are also posted 24 hours in advance as required under the Open Meeting Law (*see Appendix A*).

MAG also works closely with the news media to help distribute information about MAG activities. Press releases are prepared and distributed to local media in conjunction with periodic news events and public involvement opportunities. Copies of MAG agendas and other materials are sent to major news publications and to any reporters who request to be included on MAG's mailing lists.



MAG utilizes social media platforms such as Twitter, Facebook and YouTube to inform residents about ongoing activities and to garner public participation in the development of MAG plans and programs. MAG also implements a video outreach program to inform residents of MAG's roles and responsibilities in the region.

Public comment is allowed at all MAG public meetings (*see MAG Public Comment Process, Appendix B*). MAG's four-phase public input process specifically provides opportunities for interested parties to comment at key decision points (and throughout) the development of the TIP and Regional Transportation Plan. For example, Early Phase input opportunities provide the public an opportunity to comment during the initial programming process. The Mid-Phase public hearing provides the opportunity for comment prior to Regional Council action to approve the Draft TIP and Plan to undergo an air quality conformity analysis, and the Final Phase public hearing provides an opportunity for comment prior to approval of the conformity analysis, final TIP, and final



Plan. MAG's public involvement activities and time established for public review and comments on the TIP development process will satisfy the FTA's Program of Projects requirements.

MAG also provides ongoing opportunities for input during its Continuous Involvement activities, such as frequent participation in special events, including hosting booths at large community festivals, and through numerous small group presentations as requested (*see page 10, for additional information*).

Where appropriate, information is provided in a bilingual format or other alternative formats such as large print and Braille.

2. *Providing timely notice and reasonable access to information about transportation issues and processes.*

As outlined above, timely notice of MAG activities is provided through a variety of methods, including formal postings, newspaper ads, direct mail, website postings, calendar listings, press releases, social media posts, and other publications and materials. Similarly, MAG provides information about transportation issues and processes through a number of public involvement and communication strategies.

Prior to the final completion of plans or programs, draft documents are made available to the public for review and comment, so that public concerns can be considered and reflected in the final documents. When draft studies, plans, programs and reports are completed, they are made available for public review. Public comments are received, documented and presented to the Management Committee, Transportation Policy Committee and Regional Council for review prior to action. Documents are available for review in the MAG library at the MAG Offices, 302 N. 1st Avenue, Suite #300, Phoenix. The TIP, Plan, Conformity Analysis and Input Opportunity Reports are distributed to libraries throughout the region as well as to partnering agencies such as the Federal Highway Administration, Federal Transit Administration, Arizona Department of Environmental Quality, Environmental Protection Agency, Arizona Department of Transportation, Regional Public Transportation Authority, Maricopa County, Pinal County, and the Central Arizona Association of Governments.

MAG also provides information about transportation issues and processes through a variety of publications,

First Phase of Northern Parkway Completed

The Maricopa Association of Governments (MAG) joined the Maricopa County Department of Transportation and the communities of El Mirage, Glendale, and Peoria in a December dedication celebration marking the end of Phase I of the Northern Parkway Program—which completed a new interim four-lane roadway from Sarval Avenue to Dysart Road.

The first segment of the Northern Parkway Program broke ground in March 2012 and includes the construction of the eastbound auxiliary lane, westbound auxiliary lane, and two outside travel lanes in each direction. A center concrete barrier and an additional inside lane in each direction will be added in the future to complete the ultimate six-lane Northern Parkway.

"The Parkway will serve as an important roadway for all West Valley residents. Motorists throughout the entire region will see improved travel times, enhanced system reliability, and reductions in crash rates," said MAG Vice Chair Michael LeVault, mayor of Youngtown. "The Parkway will provide quick access to the commercial and employment centers along Loop 303, and also provide a much-needed alternative to Grand Avenue and Bell Road."

During the dedication ceremony, Glendale Mayor Jerry Weiers called it a "great day for the West Valley," noting that the Northern Parkway was an idea developed through Glendale's citizen participation process more than a decade ago.

"In 2001, a 61-member citizens advisory committee envisioned the need for a regional east-west route to improve connectivity," said Mayor Weiers. "The project was then supported by Maricopa County voters through the passage of transportation-related propositions," he said. "With the Parkway's close proximity to rail lines and major freeways—combined with the fact that water and sewer pro-

vider agreements for this area are now in place—Northern Parkway is well-positioned to attract quality development in the coming years."

El Mirage Mayor Lana Mook noted that the project represents one of the largest collaborations of governmental agencies in the state.

"This Parkway will give residents of our communities easy access to the Loop 303, Loop 101, and US 60/Grand Avenue, thus reducing travel time and congestion," said Mayor Mook. "I am thrilled that El Mirage is a partner in this exciting project and look forward to the completion of the next segment."

Peoria Councilmember Cathy Carlat, who serves on the MAG Regional Council, added, "The Northern Parkway will be a wonderful addition to the West Valley. Being able to connect to the Loop 303 through the cities of El Mirage, Glendale and Peoria will not only be a benefit for



Peoria Councilmember Cathy Carlat, former Maricopa County Supervisor Max Wilson and Glendale Mayor Jerry Weiers cut the ribbon to open the new phase of Northern Parkway. MAG Vice Chair Michael LeVault, Maricopa County Supervisor Clint Hickman, Glendale Councilmember Yvonne Chack and El Mirage Mayor Lana Mook are seen in the second row.

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MAGAZine

Continued on page 11

including a quarterly newsletter called *MAGAZine*, a monthly Regional Council Activity Report, a monthly e-newsletter outlining the activities of the Transportation Policy Committee, and project-specific publications such as fliers, brochures and notices. These publications report information of general interest on events and programs at MAG, as well as on specific items such as the TIP or Regional Transportation Plan.

As noted above, all major documents, including news releases, notices of meetings and events, news stories, agendas, minutes, plans and studies are posted online at www.azmag.gov. An interactive calendar listing MAG meetings and events is available on the home page. Historical reference files of all documents are maintained and these reports are also available for public review.

MAG also responds to public inquiries through e-mail, written correspondence, social media, telephone calls, one-on-one meetings, and website feedback. Every attempt is made to respond in a timely manner. A public records request form is available for those requesting MAG documents or public records.

3. Employing visualization techniques to describe metropolitan transportation plans and TIPs.

With the help of its Communications and Information Services staff, MAG utilizes many innovative techniques to help residents better understand what transportation investments are included in its transportation plans, and to help them visually conceive what the investments or projects will look like when completed. Examples include project-specific maps and graphs, digital photography, high resolution graphic displays, Geographical Information Systems (GIS), map overlays, PowerPoint presentations, aerial photography, photo simulations, technical drawings, infographics, charts and graphs. Alternative scenarios, including visual depictions of scenarios, are presented to demonstrate differences among solutions or approaches.



4. Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web.

MAG maintains a website that provides easy access to information about MAG meetings, agendas, news releases, and electronic publications through timely posting of these materials. The site includes a calendar of events, monthly meeting schedules, committee activities and actions, requests for proposals and employment notices, and electronic versions of nearly 3,000 MAG documents, including plans, reports, agendas, and minutes. The site includes a search function that allows users to link to specific documents or other information using key words. The site includes a Spanish language Web page and has feedback links as well as information on how to contact staff.

Along with the extensive availability of documents, technical information, meeting notices and other information on the website as described above, MAG often e-mails electronic documents to individuals or agencies upon request. MAG documents are also made available in hard copy format through public records requests.



5. *Holding public meetings at convenient and accessible locations and times.*

Understanding that individuals have different perceptions of “convenient,” MAG strives to hold its public involvement activities at various times to accommodate as many members of the public as possible, including business hours, after work hours, evenings, and weekends. All public events are scheduled in venues that are transit accessible and comply with the provisions of the Americans With Disabilities Act. In addition, Spanish language materials, sign language interpretation, and alternative materials such as large print, Braille, and FM/Infrared Listening Devices, are available on request.

MAG understands that often it is difficult for members of the public to attend formal public meetings. Therefore, MAG makes every attempt to be highly visible and accessible to the broader community by providing information and receiving feedback at well-attended public events. These opportunities include such events as community festivals, trade fairs, minority-oriented events, and booths at heavily populated venues such as the state fair. When possible, MAG coordinates outreach activities with the Arizona Department of Transportation, the Regional Public Transportation Authority (Valley Metro), Valley Metro Rail, Inc. (METRO) and the City of Phoenix Public Transit Department to allow members of the public access to a wide range of information across all transportation modes. In addition to special events, MAG often makes presentations to smaller groups, such as Kiwanis and Rotary clubs, college classes, chambers of commerce, professional associations, businesses, and nonprofit groups.



6. *Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP.*

MAG demonstrates explicit consideration and response to public input received in a variety of ways. Of primary significance is the publication of Input Opportunity Reports during each of the three key public involvement phases (Early Phase, Mid-Phase, and Final Phase). Each report includes a summary of the activities conducted during the phase and a summary of comments received during the phase. The reports also include a description of the MAG public outreach process, copies of publicity materials such as display ads and public notices, and electronic correspondence received during the phase.



7. *Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services.*

The Mid-Phase and Final Phase public hearings are conducted with a court reporter in attendance. A verbatim transcript of each hearing is included in the Mid-Phase and Final Phase Input Opportunity reports, which also include staff responses to all comments received during the phase. Copies of the reports are distributed to MAG policy committees (including Management Committee, Transportation Policy Committee, and Regional Council) in advance of any plan approvals. In addition, an oral presentation is provided at these meetings summarizing the comments received prior to committee action. MAG also provides quarterly public involvement progress reports to MAG policy committee members during the Continuous Involvement Phase. These reports detail the date of the input opportunity, the group and/or activity, a summary of input and the number of people reached during the opportunity.

Another way in which MAG demonstrates explicit consideration of public input can be seen in the addition of specific projects that are included in MAG plans as a result of public input.

MAG addresses and considers the needs of underserved populations throughout its planning and programming process, and provides outreach in a variety of ways, including the Title VI Community Outreach program, GIS mapping, the Human Services division of MAG, and through programs run by the Regional Public Transportation Authority (RPTA) using MAG funds. Through the MAG public involvement program, MAG's Community Outreach Specialist coordinates with minority communities to solicit input and to serve as a liaison between MAG and the communities. In addition to minority communities, MAG targets and solicits input from persons with disabilities. Through RPTA's Complementary Paratransit Plan, the needs of older adults and people with disabilities are served. In addition, a MAG committee reviews and prioritizes applications for federal assistance under the FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program, which provides capital investments to programs serving older adults and people with disabilities. MAG human services transportation plans and programs are also submitted to the Human Services Coordinating Committee for review. The MAG Transportation Ambassador Program offers community stakeholders a venue to learn about transportation resources and



share best practices to address the needs of older adults, people with disabilities and people with low incomes. Additionally, MAG provides multimodal transportation information for review and comment to the human services planning process. The needs of older adults are further being addressed through MAG’s Human Services Transportation Coordination Plan and the Greater Phoenix Age Friendly Network. These efforts identify and address the changing mobility options that are needed as people age.

8. *Providing an additional opportunity for public comment, if the final metropolitan plan or TIP differs significantly from the version that was initially made available for public comment.*

If the final metropolitan plan or TIP differs significantly from the version initially made available for comment, MAG provides additional opportunities for public comment. MAG prepares a revised draft plan and takes it back through the public involvement and committee approval process.

9. *Coordinating with statewide transportation planning public involvement and consultation processes (as outlined under subpart B of Section 450.316).*

As part of the public involvement process, MAG conducts agency consultation directly with local, state and federal resource agencies. MAG also consults, as appropriate, with agencies and officials responsible for other planning activities within the metropolitan planning area that are affected by transportation. To coordinate the planning functions to the maximum extent practicable, such consultation includes the

comparison of the MAG Regional Transportation Plan and TIP, as they are developed, with the plans, maps, inventories, and planning documents developed by other agencies. This consultation includes, as appropriate, consultations with state, tribal, local and private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources, conservation and historic preservation. MAG also seeks input and comment from neighboring counties or planning areas as appropriate.

Additionally, MAG reaches out to federal, state, tribal, regional, local, and private agencies to consult on environmental and resource issues and concerns. Specific topics of interest include: land use management, wildlife, natural resources, environmental protection, conservation, historic preservation, and potential environmental mitigation activities. An important consideration in the consultation process is the recognition that previously adopted projects in the Plan undergo extensive environmental and resource assessment by the implementing agencies, such as the Arizona Department of Transportation, the Regional Public Transportation Authority, cities, towns, and Maricopa and Pinal counties. With these processes already well established, including requirements for input on mitigation and resource issues, the primary goal of the consultation effort is to gain insight regarding concerns that may involve future transportation planning efforts.

To facilitate the agency consultation process and acquisition of resource information, MAG conducts agency consultation workshops. The purpose of these

workshops is to explain the goals of the consultation process, receive input from environmental and resource agencies in attendance, and establish continuing consultation in the regional transportation planning process. In addition, the workshops establish a beginning point for more in-depth discussions with individual agencies as appropriate. Input is sought on the availability of environmental, cultural and natural resource mapping or other information sources, as well as comments on potential environmental mitigation measures, resource issues, and land use concerns. Agencies are also invited to provide written input.

10. Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

MAG continually reviews its public participation efforts as part of its communication planning efforts and makes adjustments as warranted. More formal reviews are conducted during the federal certification process every four years, and as directed by transportation legislation such as ISTEPA, TEA-21, SAFETEA-LU and MAP-21. Additionally, MAG ensures that a minimum public comment period of 45 calendar days is provided before any initial or revised participation plan is adopted, in accordance with federal requirements.

APPENDIX A: OPEN MEETINGS

MAG conducts meetings in accordance with the state Open Meeting Law. Meetings of technical and policy committees, including the Management Committee, Transportation Policy Committee, and Regional Council, are open to the public. Notices for these meetings are posted at least 24 hours in advance.

The Open Meeting Law is contained in the Arizona Revised Statutes, A.R.S § 38-431.01. The Open Meeting Law also establishes requirements for the taking of minutes. Minutes of MAG meetings are available by request, and are available on the MAG website, www.azmag.gov.

While MAG makes every attempt to allow for public comment, in rare instances, public comment may be limited based on time availability, based on the discretion of the meeting chair.

In addition to the Open Meeting Law, MAG also adheres to the Arizona Public Records Law, A.R.S. § 39-121. Public records may be obtained through submission of a Public Records Request form, which can be obtained through the MAG office, requested electronically, or downloaded from the MAG website.

The image shows a screenshot of a web browser displaying the 'PUBLIC RECORDS REQUEST FORM' from the Maricopa Association of Governments. The form includes fields for 'YOUR NAME', 'PHONE NUMBER', 'ADDRESS', 'CITY', 'STATE', and 'ZIP'. It also contains a certification statement: 'I hereby certify under penalty of perjury that the requested records will not be used for commercial purpose as defined in ARS §39-121.03'. Below this, there are fields for 'YOUR SIGNATURE' and 'DATE'. A section titled 'PLEASE PRINT CLEARLY' asks for the purpose of the request: 'If the record will be used for a commercial purpose, please state that purpose below:'. At the bottom, there are checkboxes for 'Review the requested documents', 'Purchase existing documents', and 'Obtain photocopies of the requested documents'. A final field asks for 'Documents requested (please be as specific as possible)'.

APPENDIX B: PUBLIC COMMENT AT MAG MEETINGS

MAG allows public comment at all of its public meetings. Below is an outline of the rules and procedures relating to the public comment process for MAG meetings.

1. Submittal of Request to Speak Cards: There are two colored cards provided for members of the public wishing to speak at MAG committee meetings. Blue cards indicate a “Request to Speak—Call to the Audience” that allow the public to speak on nonagenda items that fall under the jurisdiction of MAG or for nonaction items that are on the agenda for information and discussion but not for action. Yellow cards indicate a “Request to Speak—Consent or Action Items” that allow the public to speak on items that are on the consent agenda or items designated for action. The cards contain information about the rules for speaking, as well as spaces for members of the public to provide information, including name, address, city, zip code, phone, agenda item number, and date. Yellow cards additionally include boxes at the top of the card that the speaker can check indicating the following: Support; Statement Only; Oppose.

Rules outlined on both the yellow and blue cards include:

- Please speak from the podium (accommodation will be made for persons with disabilities).
- Please present your comments in three minutes or less.
- Your comments must pertain solely to the agenda item and shall not include any personal attacks.

- Please conduct yourself in a professional and appropriate manner.
- Members of the public are asked to submit the cards to a designated MAG staff member, who will deliver them to the meeting chair.

The yellow cards contain these further statements: *The purpose of this opportunity for public comment is to allow citizens to provide additional information on items slated for action. The Committee may ask questions for clarification; however, this comment period is not designed for debate with the audience. The public is encouraged to provide comment to MAG during the committee process, prior to the Regional Council action. The Regional Council will receive information on comments provided to technical and policy committees. Written comments will always be accepted by the Chair.*

MARICOPA ASSOCIATION of GOVERNMENTS
REQUEST TO SPEAK - CALL TO THE AUDIENCE
 Present this card to speak on nonagenda items that fall under the jurisdiction of MAG, or to speak for information at a meeting.

MARICOPA ASSOCIATION of GOVERNMENTS
REQUEST TO SPEAK - CONSENT OR ACTION ITEMS
 Present this card to speak on items that are on the Consent Agenda or to speak on a specific Agenda Item Designated for Action

SUPPORT STATEMENT ONLY OPPOSE

- 2. Time Allotted for Public Comment:** Three opportunities are provided for public comment at MAG meetings, including Call to the Audience, Consent Agenda, and Action Items to be Heard.

Call to the Audience. Members of the public have three minutes to speak on items under MAG’s jurisdiction that are not on the agenda or that are on the agenda for discussion or information only. This comment period takes place at the beginning of the meeting.

Consent Agenda. Members of the public have a total of three minutes, cumulatively, to speak on any or all consent agenda items. Members of the public may determine whether an item is a consent item by looking on the meeting agenda. Consent items will be marked in the first column by an asterisk (*). This comment period usually comes near the beginning of the meeting, after the Executive Director’s Report and prior to approval of the consent agenda by the Council.

Action Items. Members of the public are given three minutes to speak on any action item (three minutes per item). Members of the public may determine whether an item is an action item by looking on the meeting agenda, under the second column, “Committee Action Requested.” Action items will state “for action” or “for possible action.” This comment period usually is provided just prior to a vote on each action item by the Regional Council.



- 3. Speaking Rules and Discretion of the Chair:** The Chair or his/her designee has the power to strictly enforce the above rules and to revoke speaking rights if rules are violated. The Chair or his/her designee has the power to accept additional comments and extend the time of the speaker, or limit public comment based on time availability.

The cards include this statement: *Note: The Chair or his/her designee shall have the power to strictly enforce these rules and to revoke your speaking rights if you violate any of these rules. The Chair may also revoke your rights to speak at the rest of today’s meeting and/or at future meetings if you twice refuse to be silent after being directed to do so. (If you lose your right to speak, you may still present written comments.)*

APPENDIX C: MAG PUBLIC INVOLVEMENT PROGRESS REPORT

(Example of a MAG Public Involvement Progress Report)

The MAG public involvement process adheres to all federal requirements under current federal transportation planning legislation. MAG is dedicated

to providing members of the public with an open and inclusive process designed to obtain input from all interested parties as defined in Section 5303 of Title 49, United States Code. All input received is addressed during the meeting/event/presentation or responded to within 48 hours. For questions/comments/suggestions, please contact MAG public involvement staff at (602) 254-6300.

DATE	ACTIVITY/GROUP	SUMMARY OF INPUT	NUMBER REACHED
11/25/13	Mid-Phase Public Hearing	Members of the public commented on the need for more transit and economic development within the central corridor. In addition, many felt that the Dial-a-Ride system needs to be improved.	20
1/20/14	Staffed information table at MLK Day Celebration in Phoenix	Members of the public questioned MAG staff about ADA eligibility, the South Mountain Freeway completion date and commented on the need for more transit. MAG staff also distributed transportation priority surveys.	500
1/21/14	Staffed information table at Tribes Legislative Day	Native American Indian Community residents from all around the state and Maricopa County questioned MAG staff about its role in the region, the genesis of the organization and obtained information about MAG plans and programs.	200
1/27/14	STAR East Disability Group	Attendees commented on the need for increased transit service, a regional Dial-a-Ride system and had questions about ADA eligibility.	30

CONTACT MAG

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Maricopa Association of Governments
Title VI Assurances

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

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all *Federal Aid Highway Program* and, in adapted form, in all proposals for negotiated agreements regardless of finding source:

"The Maricopa Association of Governments, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252.42 U.S.C. §§ 2000d-4) and the Regulations, hereby notifies all advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to a construct a facility or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

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

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transference 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.

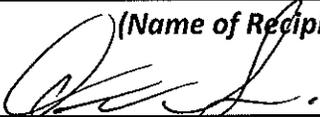
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Maricopa Association of Governments 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.

Maricopa Association of Governments 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 subcontractors¹, 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.

Maricopa Association of Governments

(Name of Recipient)

by 
(Signature of Authorized Official)

DATED 03/06/15

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 Maricopa Association of Governments 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 Maricopa Association of Governments 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 Maricopa Association of Governments 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 Maricopa Association of Governments, its successors and assigns.

The Maricopa Association of Governments ,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 Maricopa Association of Governments 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 Maricopa Association of Governments 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, Maricopa Association of Governments 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, Maricopa Association of Governments 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 Maricopa Association of Governments 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 Maricopa Association of Governments 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, Maricopa Association of Governments 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, Maricopa Association of Governments will there upon revert to and vest in and become the absolute property of Maricopa Association of Governments 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.*).

ATTACHMENT #2

Agenda Item 8

May 11, 2016

To: Members of the MAG Transit Committee

From: Alice Chen, Transportation Planner III

Subject: Draft FY 2017-2021 Transportation Improvement Program Listings and FY 2016 Program of Projects

MAG is currently developing the Fiscal Year 2016 Annual Transit Program of Projects (POP) and the Fiscal Year 2017-2021 Transportation Improvement Program (TIP). The Program of Projects is developed annually and ensures that the public is informed and has continued involvement in the development of the Transportation Improvement Program. Per MAG’s Public Participation Plan, the MAG public participation process satisfies the grantee’s public participation requirements for the POP. Please refer to Table 1 for the Draft Transit Programming Schedule (as of 5/10/2016).

Table 1: Draft Transit Programming Schedule

Date	Transit Committee Agenda/Discussion
May 17, 2016	MAG Transit Committee recommends approval of the FY2016-2021 Transit Listing of projects pending TLCP approval
June 9, 2016	MAG Management Committee recommends approval of the FY2016-2021 Transit Listing of projects pending TLCP approval
June 15, 2016	MAG Transportation Policy Committee recommends approval of the FY2016-2021 Transit Listing of projects pending TLCP approval
June 16, 2016	Valley Metro Board approves the TLCP
June 22, 2016	MAG Regional Council approves FY 2016 Program of Projects and FY2017-2021 TIP

At the March 15, 2016 Transit Committee meeting, member agencies provided input regarding the programming of federal funds with the funding projections available at the time. At the April 17, 2016 meeting updated financial information from the Transit Life Cycle Program and Federal funds projections was provided. For the May 17, 2016 meeting, the Committee requested that MAG staff prepare additional funding scenarios for discussion, including funding provisions for bus expansion, information and technology upgrades, and infrastructure that improve accessibility to transit. Three programming scenarios are presented for discussion. Please refer to the tables below for additional information.

For information, discussion and recommended approval of the Draft FY2016 Program of Projects, and amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, and as appropriate to the 2035 Regional Transportation Plan, and as appropriate, for inclusion in the Draft FY 2017-2021 Transportation Improvement Program.

Please contact Alice Chen achen@azmag.gov or 602-254-6300 with any questions.

Scenario 1:

At the March 15, 2016 Transit Committee meeting, member agencies provided input regarding the programming of federal funds with the funding projections available at the time. The committee requested that MAG staff moved forward with a scenario that included:

- Reducing JARC sub-allocation to \$750,000
- Moving funds previously allocated to JARC (approximately \$1,000,000) to ADA accessibility improvements to bus stops
- Funding approximately 40-45 expansion vehicles over 6 years

Programming Priority	2013-2015	2016	2017	2018	2019	2020	2021	Total
Priority 1: Federally Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Priority 2: Grant Management	\$0	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$240,000
Priority 3: PM/Operations/ADA	\$107,202	\$12,152,822	\$13,025,698	\$12,887,236	\$13,139,888	\$13,644,378	\$13,883,155	\$78,840,379
Priority 4: JARC		\$750,000	\$775,000	\$800,000	\$825,000	\$850,000	\$875,000	\$4,875,000
Priority 5: TLCP Bus	\$6,629,386	\$36,525,923	\$39,799,090	\$44,583,768	\$48,906,346	\$50,474,301	\$33,220,451	\$260,139,265
Priority 6a: TLCP Bus Facility	\$0	\$395,633	\$401,567	\$2,305,000	\$4,610,000	\$4,679,150	\$4,749,337	\$17,140,687
Priority 6b: TLCP Rail Facility		\$3,331,598	\$3,654,641	\$1,247,604	\$0	\$0	\$0	\$8,233,843
Priority 8: Other TLCP	\$0	\$13,931,127	\$54,015,232	\$53,378,878	\$72,827,023	\$71,943,455	\$119,463,610	\$385,559,325
Priority 9: ADA	\$0	\$0	\$2,270,130	\$2,268,612	\$1,752,128	\$948,866	\$3,960,472	\$11,200,208
Priority 9: Bus	\$6,120,791	\$0	\$6,534,120	\$1,568,612	\$0	\$0	\$8,568,000	\$22,791,523
Priority 9: ITS	\$0	\$11,014,630	\$0	\$0	\$0	\$0	\$6,491,194	\$17,505,824
Total	\$12,857,379	\$78,141,733	\$120,515,478	\$119,079,710	\$142,100,385	\$142,580,150	\$191,251,218	\$806,526,054

Scenario 2:

At the April 19, 2016 Transit Committee meeting, staff provided a draft listing of projects utilizing the programming scenario recommended by the Transit committee at the March 15, 2016 discussion. The committee requested that MAG staff provide an additional programming scenarios for discussion at the May 17, 2016 transit Committee meeting. This scenario includes:

- Reducing JARC sub-allocation to \$750,000
- Unfunding all provisions for ADA accessibility improvements to bus stops
- Programming the funds previously allocated to ADA improvements to bus stops to expansion buses thereby increasing the net expansion vehicle to approximately 65-70 vehicles over 6 years.

Programming Priority	2013-2015	2016	2017	2018	2019	2020	2021	Total
Priority 1: Federally Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Priority 2: Grant Management	\$0	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$240,000
Priority 3: PM/Operations/ADA	\$107,202	\$12,152,822	\$12,757,303	\$13,064,365	\$13,276,324	\$13,516,115	\$13,883,155	\$78,757,286
Priority 4: JARC		\$750,000	\$775,000	\$800,000	\$825,000	\$850,000	\$875,000	\$4,875,000
Priority 5: TLCP Bus	\$6,629,386	\$36,525,923	\$39,799,090	\$44,583,768	\$48,906,346	\$50,474,301	\$29,910,973	\$256,829,788
Priority 6a: TLCP Bus Facility	\$0	\$3,331,598	\$3,654,641	\$1,247,604	\$0	\$0	\$0	\$8,233,843
Priority 6b: TLCP Rail Facility	\$0	\$13,931,127	\$54,015,232	\$53,378,878	\$72,827,023	\$71,943,455	\$119,463,610	\$385,559,325
Priority 8: Other TLCP	\$0	\$395,633	\$401,567	\$2,305,000	\$4,610,000	\$4,679,150	\$4,749,337	\$17,140,687
Priority 9: ADA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Priority 9: Bus	\$6,120,791	\$0	\$9,072,645	\$3,660,095	\$1,615,693	\$1,077,129	\$16,014,324	\$37,560,676
Priority 9: ITS	\$0	\$11,014,630	\$0	\$0	\$0	\$0	\$6,314,819	\$17,329,449
Total	\$12,857,379	\$78,141,733	\$120,515,478	\$119,079,710	\$142,100,386	\$142,580,150	\$191,251,218	\$806,526,054

Scenario 3:

At the April 19, 2016 Transit Committee meeting it was requested that staff presented additional programming scenarios for discussion at the May Transit Committee meeting. Scenario 3 includes:

- o Eliminating the JARC sub-allocation
- o Funding \$2.5 million for ADA accessibility improvements to bus stops in Fiscal years 2016-2017
- o Funding approximately 55-60 expansion vehicles over 6 years
- o Leaving \$1.5 million un-programmed from FY 2018-2021 to be discussed (options include JARC, ADA, expansion vehicles, ITS) in the next TIP development cycle

Programming Priority	2013-2015	2016	2017	2018	2019	2020	2021	Total
Priority 1: Federally Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Priority 2: Grant Management	\$0	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$240,000
Priority 3: PM/Operations/ADA	\$107,202	\$11,902,822	\$13,025,698	\$12,887,236	\$13,139,888	\$13,943,244	\$13,883,155	\$78,889,245
Priority 4: JARC	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Priority 5: TLCP Bus	\$6,629,386	\$36,525,923	\$39,799,090	\$44,583,768	\$48,906,346	\$50,474,301	\$29,910,973	\$256,829,788
Priority 6a: TLCP Bus Facility	\$0	\$395,633	\$401,567	\$2,305,000	\$4,610,000	\$4,679,150	\$4,749,337	\$17,140,687
Priority 6b: TLCP Rail Facility	\$0	\$3,331,598	\$3,654,641	\$1,247,604	\$0	\$0	\$0	\$8,233,843
Priority 8: Other TLCP	\$0	\$13,931,127	\$54,015,232	\$53,378,878	\$72,827,023	\$71,943,455	\$119,463,610	\$385,559,325
Priority 9: ADA	\$0	\$1,000,000	\$1,500,000	\$0	\$0	\$0	\$0	\$2,500,000
Priority 9: Bus	\$6,120,791	\$0	\$8,079,250	\$3,137,224	\$1,077,129	\$0	\$15,193,950	\$33,608,343
Priority 9: ITS	\$0	\$11,014,630	\$0	\$0	\$0	\$0	\$6,510,194	\$17,524,824
Priority 9: Other/TBD	\$0	\$0	\$0	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$6,000,000
Total	\$12,857,379	\$78,141,733	\$120,515,478	\$119,079,710	\$142,100,386	\$142,580,150	\$191,251,218	\$806,526,055

ATTACHMENT #3

Agenda Item 9

May 11, 2016

To: Members of the MAG Transit Committee

From: Alice Chen, Transportation Planner III

Subject: Updates to Regional Programming Guidelines for Federal Transit Formula Funds

The MAG Regional Programming Guidelines for Federal Transit Formula Funds guidelines was approved on March 27, 2013. It has been modified twice with the latest modification approved on May 27, 2015. The guidelines were developed under MAP-21 and as the region was recovering from an economic recession. Updated Federal Legislation and shifting transit needs under the current economic conditions have created the need to update the guideline to better utilize federal funds for the MAG region. On March 15, 2016, the MAG Transit committee reviewed the Guideline as part of the programming process for the FY 2016 POP and FY 2017 Transportation Improvement Program and proposed funding scenarios that trigger modifications to the guidelines.

On April 19, 2016, a draft revision of the guidelines was presented to the Transit Committee. A few revisions have been made reflecting comments by member agencies. Please refer to Table 1 for proposed language updates to the guidebook. Text in **RED** indicates modification from the approved guidebook; text in **GREEN** reflect modifications made since the April 19, 2016 Transit Committee meeting.

The full redlined guidebook may be found under resources on the Transit Committee webpage at <http://azmag.gov/Committees/Committee.asp?CMSID=1162>.

Please contact Alice Chen achen@azmag.gov or 602-254-6300 with any questions.

Table 1: Updates to Regional Programming Guidelines for Federal Transit Formula Funds

Guidebook Section	Language Update
202. TRANSIT LIFE CYCLE PROGRAM	<p>The TLCP is a 20 year (2006-2026) program that includes:</p> <ul style="list-style-type: none"> Fleet replacement for all transit services – State of Good Repair Program: rural, local, regional, Express, RAPID, Bus Rapid Transit, vanpools, and dial-a-ride/paratransit). Buses funded under the Transit Life Cycle Program include any buses currently in the system as of January 1, 2016. There are no expansion buses in the Life Cycle bus program currently. Buses funded under the Transit Life Cycle Program include any buses currently in the system as of January 1, 2016.
300-500. TRANSPORTATION PROGRAMMING PRIORITIES	<p>1. Provide services and improvements as required by law</p> <ul style="list-style-type: none"> Under MAP-21 it is required that 1% of 5307 funds are used for transit security or be able to certify that it is not necessary to do so. <p>2. Provide funding for support services for grant management to the designated recipient, the City of Phoenix. Currently, FY2012, this is \$40,000. The funding amount will remain \$40,000 until further guidance is provided.</p> <p>7. Support the TLCP regional transit supergrid service</p> <p>9- 8. Fund additional projects through a collaborative process by assessing regional transit needs, implementing elements of adopted regional efforts, and meeting regional performance based criteria. For additional information see section 802. based on a regional competitive evaluation process that is outlined in the Section 700 Regional Competitive Evaluation Process or by conducting a Regional Transit Survey and through a collaborative discussion at the Transit Committee, per the Committee’s discretion.</p>
700. JOB ACCESS REVERSE COMMUTE (JARC)	<p>Under SAFETEA-LU, the MAG region was allocated \$1.8 million in FY 2012 specifically for JARC eligible projects. With the passage of MAP-21, JARC dedicated funding was repealed. However, JARC projects are eligible under 5307 formula funds. Under the FAST-Act, provisions and eligibility for JARC remain unchanged.</p> <p>2. For Fiscal Year 2016, The MAG Region will have a sub-allocate \$750,000, through the Transportation Programming Guidebook, determine a sub-allocation toward JARC eligible activities in the MAG Planning region. Funding emphasis will be on non-profit organizations and other activities that fulfill the “spirit” of the program. Funding amounts and the future of the program will be reviewed annually/biannually or during TIP development cycles</p>
800. “Priority 98” Projects (Phoenix-Mesa	<p>Any project request that is not part of Priorities 1 - 87 98 are addressed through Priority 98 98. Also included as part of Priority 98 98 are: 1a) any bus expansion vehicle, 2b) advancement of replacement vehicles, and/or 3c) change in</p>

UZA)	vehicle types for replacement vehicles (i.e. 40' standard to 60'), 4d) cost increases of replacement vehicles due to special requests related to specs and/or technology that is not part of the standard fleet.
802. REGIONAL TRANSIT SURVEY	<p>In lieu of a Competitive Process, the Transit Committee may elect to request that MAG conduct a Regional Survey to assess the needs of the region and fund projects under Priority 89 and through a collaborative discussion at the Transit Committee. The process will be initiated every two year, consistent with the Regional Transportation Improvement Programming (TIP) cycle or as necessary, per the recommendation of the Transit Committee.</p> <p>The process will focus funding the implementation of on-going and existing regional planning efforts at Valley Metro and MAG., including but not limited to:</p> <ul style="list-style-type: none"> ● Transit Standards and Performance Measures ● Short Range Transit Plan ● Regional Transit Framework Study ● Subregional Studies (i.e. Southwest Valley, Northwest Valley, Southeast Valley Local System Studies)
803. Non-TLCP Bus Capital	Any bus expansion procurements will be programmed for replacements so long as the route remains in service. Any discontinuation or significant change in service will require the agency work through the TSPM/SRTP and competitive process. These buses remain outside the Transit Life Cycle Program.
Glossary of Terms	FAST Act - On December 4, 2015, President Obama signed the Fixing America’s Surface Transportation (FAST) Act (Pub. L. No. 114-94) into law—the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act authorizes \$305 billion over fiscal years 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology, and statistics programs.