

Corpus Christi Metropolitan Planning Organization
Title VI/Nondiscrimination Plan

2018-2020



EQUITY.
INCLUSION.
PARTICIPATION.

It is our policy to ensure that no person shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

ADOPTED BY THE
TRANSPORTATION POLICY COMMITTEE
AUGUST 2, 2018



Transportation Policy Committee (TPC)

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Charles W. Zahn, Jr, Commission Chair, Port Corpus Christi – TPC Vice-Chair
The Honorable Loyd Neal, Jr, Nueces County Judge
The Honorable Cathy Skurow, Mayor – City of Portland
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Introduction

As a recipient of federal assistance, the Corpus Christi MPO (MPO) is required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964.

Furthermore, the Federal Highway Administration (FHWA) requires recipients of federal assistance to prepare a plan to clarify its roles, responsibilities, and procedures to ensure compliance with Title VI. The MPO expects all personnel to be aware of and apply the intent of Title VI in performing assigned duties.

Authorities

The authorities applicable to the MPO's Title VI/Nondiscrimination program include:

- **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);
- **Federal-Aid Highway Act of 1973** (23 U.S.C. §324 et seq.), (prohibits discrimination on the basis of sex);
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. §6101 et seq.); (prohibits discrimination on the basis of age);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. §794 et. seq.), as amended, (prohibits discrimination on the basis of disability);
- **Americans with Disabilities Act of 1990**, (ADA), as amended, (42 U.S.C. §12101 et seq.), (prohibits discrimination on the basis of disability);
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** (Uniform Act), as amended, 42 U.S.C. §4601;
- **The National Environmental Policy Act of 1969**; 42 U.S.C. §4321;
- **49 CFR Part 21** (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964*);
- **49 CFR Part 27** (entitled *Nondiscrimination on the Basis of Disability In Programs or Activities Receiving Federal Financial Assistance*);
- **49 CFR Part 28** (entitled *Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation*);
- **49 CFR Part 37** (entitled *Transportation Services for Individuals with Disabilities (ADA)*);
- **23 CFR Part 200** (FHWA's Title VI/Nondiscrimination Regulation);
- **28 CFR Part 35** (entitled *Discrimination on the Basis of Disability in State and Local Government Services*);
- **28 CFR Part 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964); and
- **Texas Administrative Code §9.4**, Civil Rights – Title VI Compliance

The following Executive Orders place further emphasis on preventing discrimination based on race and national origin:

- **Executive Order 12898**, 3 CFR 859 (1995), entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*"; and
- **Executive Order 13166**, 3 CFR 289 (2001), entitled *"Improving Access to Services for Persons with Limited English Proficiency."*

Policy Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on federal and federally-assisted projects and programs based on race, color, and national origin. Since 1964, additional statutes have prohibited discrimination based on sex (Federal-aid Highway Act of 1973), age (Age Discrimination Act of 1975), and

disability (Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990). Taken together, these requirements define an over-arching Title VI/Nondiscrimination program. Additionally, the Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.

The following nondiscrimination statement, which was approved and executed by the MPO’s Transportation Policy Committee (TPC) Chair on August 2, 2018 included as Attachment 1.

No person shall on the grounds or race, color, national origin, sex, age, religion or disability, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

Standard U.S. Department of Transportation Assurances

23 CFR 200.9(a) (1) requires assurances from the MPO 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 otherwise be subjected to discrimination under any program or activity for which the recipient receives federal assistance from the U.S. Department of Transportation (DOT), including FHWA.

The Title VI Assurances are signed every three years and forwarded to the Civil Rights Division of the Texas Department of Transportation (CIV) or when the TPC chair changes. The MPO’s Title VI Assurances signed by the TPC’s chair are included as Attachment 2.

Title VI Coordinator

The MPO’s Title VI/Nondiscrimination program has been established in accordance with federal rules under 23 CFR Part 200. In accordance with CFR 200.9(b) (1), the Assistant Transportation Planning Director, Brigida Gonzalez or designee, serves as the MPO’s Title VI/Nondiscrimination Coordinator (Coordinator). With support from the MPO’s administration, the Coordinator is responsible for all aspects of the MPO’s Title VI/Nondiscrimination program and has been delegated sufficient authority and responsibility to effectively carry out the duties assigned to this position. The coordinator works to ensure that there is demonstrated commitment on the part of the administration to enforce Title VI and is responsible for overall Title VI program implementation. Specifically, the Coordinator has the authority and responsibility to implement the Title VI/Nondiscrimination program by:

- Assisting personnel to correct Title VI problems or discriminatory practices or policies found through self-monitoring and review activities;
- Being the focal point for Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance;
- Ensuring that Title VI requirements are included in policy directives and that the procedures used have built in safeguards to prevent discrimination;
- Implementation of procedures for the prompt processing of Title VI discrimination complaints;
- Attendance at training on Title VI and other nondiscrimination authorities including but not limited to environmental justice;
- Efforts to coordinate the development and implementation of a Title VI and related statutes training program;

- Developing Title VI information for public dissemination, and where appropriate, in languages other than English
- Maintain meeting agendas/minutes demonstrating that civil rights requirements are being addressed by the coordinator;
- Maintain list of external discrimination complaints and lawsuits;
- Prepare the MPO's *Title VI/Nondiscrimination Annual Work Plan and Accomplishment Report* (See MPO website <http://www.corpuschristi-mpo.org>).

The Resolution signed on August 2, 2018 by the TPC Chair designating the Coordinator is included as Attachment 3. The MPO's organizational chart, included as Attachment 4, depicts the relationship the Coordinator has with the MPO.

Data Collection/Reporting/Analysis

Statistical data on race, color, national origin, sex, age, and disability of participants in and beneficiaries of the MPO's programs is gathered annually and analyzed to determine the transportation investment benefits and burdens to the population including minority and low-income populations. Beneficiaries include relocatees, impacted citizens and affected communities. Collecting, analyzing and maintaining statistical data are crucial elements of the Title VI/Nondiscrimination program because they constitute an effective mechanism by which to numerically assess the reach and impact of program funds.

The MPO's Title VI/Nondiscrimination Program is responsible for collecting Title VI/Nondiscrimination-related data and analyzing the data annually to identify and address any trends or patterns of discrimination. Data collection is key to ensuring that transportation programs, services, facilities and projects effectively meet the needs of "all persons" without discrimination (i.e., disproportionately benefiting or harming one group over another is a violation of Title VI). Based on Title VI implementing regulations, the MPO is required to:

- Provide for the collection of data and information to demonstrate effective enforcement of Title VI
- Collect data about beneficiaries
- Analyze the data and information collected
- Eliminate discrimination if found
- Take affirmative measures to ensure nondiscrimination

Data Collection

The MPO is responsible for collecting data on race, color, national origin, sex, age, and disability. Additional data can include language spoken and income status. Potential sources of data and analysis tools:

- Census Data
- School Districts
- Forms or Surveys
- Management Systems (Pavement and Congestion)
- Land Use Plans
- Geographic Information Systems
- Transportation Models
- MPO Committees (Technical Advisory Committee, Transportation Policy Committee)

Analysis

Once the Title VI data is collected, the data must be analyzed for the purpose of identifying patterns of discrimination. The MPO is responsible for analyzing the data collected and recommending corrective

action, as appropriate. A pattern of discrimination may result from a specific process, procedure, or as a result of a process or procedure being implemented in a discriminatory manner.

Types of analysis to address compliance with Title VI include:

- Percent of benefits allocated to persons below the poverty line versus persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) by groups and communities
- Allocation of funds by mode (highway, multi-modal, etc.)
- Impact of investments on income, race, sex, disability, and age groups
- Projected population increases versus planned facilities and type of facilities
- Impacts of location of existing or proposed facilities connected with a project
- Alternatives to modes, locations, and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans of projects
- Persons included in the decision making process
- Strategies to address impacts
- Priorities for investment
- Sources for financing investments
- Strategies to disseminate information

When determining compliance with Title VI, the MPO needs to consider the following:

- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of their protected class as defined by Title VI related authorities
- The population eligible to be served by race, color, national origin, sex, age, disability or income status
- Data regarding covered employment, including use or planned use of bilingual public contact employees servicing beneficiaries unable to speak or understand English
- The location of existing or proposed facilities connected with the program, and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
- The present or proposed membership by race, color, national origin, sex, disability, age, or income status in any planning or advisory body which is an integral part of the program
- Where determination of location is involved, the requirements and steps used or proposed to guard against unnecessary impact on persons on the basis of race, color, national origin, sex, disability, age, or income status

Reporting of Data

The MPO analyzes these data annually. Results of this analysis are included in the *Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report* (see section in this document titled “Work Plan & Accomplishment Report”).

Complaint Procedures

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subject to discrimination prohibited by Title VI of the Civil Right Act of 1964, as amended, may file a complaint with the MPO. A complaint may also be filed by a representative on behalf of such a person or group.

Complaints submitted shall be in writing and must be signed by the complainant and/or the representative. Complainants can complete the MPO's Discrimination Complaint Form available on the MPO's website in English and in Spanish and are available as Attachments 5 and 6. Additionally, information on how to file a complaint is available on the MPO's web site at www.corpuschristi-mpo.org.

Roles and Responsibilities

The Coordinator is charged with the primary responsibility of processing Title VI Discrimination Complaints received by the MPO. All discrimination complaints received by the MPO must be referred to the Coordinator for review and action. The MPO processes complaints consistent with FHWA's External Discrimination Complaint Handling Procedures: (<http://www.fhwa.dot.gov/civilrights/programs/finalcomplaintmanual110410.cfm>) which includes maintaining a complaint log, using form letters, and its investigative process.

Timeframe for Filing Complaints

In order to have the complaint considered under Title VI, the complaint must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person(s) became aware of the alleged act(s) of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discovered

In either case, the MPO may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

Processing Complaints

Complaints shall set forth, as fully possible, the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint to MPO personnel, that person shall be interviewed by the Coordinator. If necessary, the Coordinator will assist the person in documenting the complaint in writing and submitting the written version to the person for signature.

Within 10 days of receipt of the complaint, the MPO will acknowledge receipt, inform the complainant of action proposed or taken, and advise the complainant of other avenues of redress available, such as filing with the CIV at TxDOT headquarters or with the Investigation and Adjudications Unit at FHWA Headquarters Office of Civil Rights and the DOT. Complainants are also provided a copy of the MPO's Title VI/Nondiscrimination informational brochure, included as Attachment 7.

Title VI complaints filed directly with the MPO will be processed in accordance with CIV and FHWA approved complaint procedures as required under 23 CFR 200.9(b)(3). However, CIV and FHWA have the authority for making all final decisions, including dismissing complaints and issues letters of findings. All complaints are investigated unless:

- The complaint is withdrawn by the complainant
- The complainant fails to provide required information after numerous attempts
- The complaint is not filed timely
- The complaint is involving an issue other than discrimination or if the complaint is not based on a protected class
- Complaints filed under Title VI with the MPO in which the MPO is named as the respondent will be forwarded to CIV within 10 days of receipt of the allegation for processing. The following information will be provided to CIV:
 - Name(s), address(es), and phone number(s) of the complainant(s)
 - Names(s) and address(es) of alleged discriminating official(s)

Title VI/Nondiscrimination Plan

- Basis of complaint (i.e., race, color, national origin, sex, age, disability)
- Date of alleged discriminatory act(s)
- Date of complaint received by the MPO
- A statement of the complaint
- Other agencies (state, local or federal) where the complaint has been filed
- An explanation of the actions the MPO has taken or proposed to resolve the issue raised in the complaint

Investigative Process

Within 60 days of the receipt of the complaint, the MPO will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the MPO's TPC. A copy of the report will be forwarded to CIV. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings. No information is disclosed to MPO personnel or any other party not involved in the investigative process.

Developing an Investigative Plan

An Investigative Plan (IP) will be prepared to define the issues and lay out the blueprint to complete the investigation. The IP is used to keep the investigation on track and focused on the issues and sources of evidence or corroboration. The IP outline is as follows:

- Complainant(s) name and contact information, and that of their attorney, if applicable
- Respondent name and contact information, and that of their attorney, if applicable
- Applicable laws and regulations
- Allegation(s)/Issues(s)
- Theory(ies) of discrimination (for Title VI only)
- Background
- Interviewee(s) name and contact information
- Questions for the complainant (s), respondent(s), and interviewee(s)
- Evidence to be obtained
- Estimated investigation time line
- Remedy sought by the complainant(s)

Complaint Log

The MPO maintains a complaint database to document all activity related to the complaint. Information captured includes:

- Complainant's name and if provided, race, color, age, sex, disability, and national origin
- Respondent's name
- Basis(es) of the discrimination complaint
- Allegation(s)/Issue(s) surrounding the discrimination complaint
- Date the discrimination complaint was filed
- Date the investigation was complete
- Disposition
- Disposition date
- Other pertinent information

Preparing the Report of Investigation

A Report of Investigation (ROI) will be prepared setting forth all the relevant facts obtained during the investigation. The ROI will include a finding for each issue and recommendations, where necessary.

Documentation regarding any attempts and outcomes that were made to resolve the complaint prior to the initial receipt of the written complaint will be summarized in the ROI. The ROI and recommended decision will be forwarded to CIV.

Dissemination of Title VI Information

In accordance with 23 CFR 200.9(a) (12), the MPO is required to develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.

Notification to Beneficiaries

The MPO's website has been updated to ensure Title VI information is readily accessible to the public. The website informs the public of their rights under Title VI as well as provides information on how to file a complaint. Title VI information available on the MPO's website includes:

- Title VI/Nondiscrimination Plan
- Language Assistance Plan (part of the MPO's Public Participation Plan)
- Title VI/Nondiscrimination Policy Statement (Attachment 1)
- Title VI Nondiscrimination Assurances (Attachment 2)
- Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report
- Discrimination Complaint Form (English and Spanish) (Attachments 5 & 6)
- Title VI Brochure (Attachment 7)
- Title VI Poster (Attachment 8)
- TxDOT's *Title VI/Nondiscrimination Technical Assistance Guide for Subrecipients* (<https://ftp.dot.state.tx.us/pub/txdot-info/civ/nondiscrimination-tag.pdf>)
- Limited English Proficiency (<https://www.fhwa.dot.gov/civilrights/programs/lep.cfm>)

The above information is located on the MPO's website at www.corpuschristi-mpo.org.

Contents of Notification

Information presented on the MPO's website and in other guidance details the MPO's Title VI/Nondiscrimination obligations and notifies members of the public of the protections against discrimination afforded to them by Title VI and other nondiscrimination requirements, including information on how to file a discrimination complaint.

Limited English Proficiency

Executive Order 13166, entitled "Improving Access to Services by Persons with Limited English Proficiency" requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to Limited English Proficiency (LEP), cannot fully and equally participate in or benefit from those programs and activities. LEP individuals are those who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English as a result of their national origin. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The U.S. Department of Justice LEP guidance advises each federal department or agency to "take reasonable steps to ensure 'meaningful' access to LEP individuals to the information and services they provide." It further explains that the identification of "reasonable steps" to ensure meaningful access will be contingent on a four-factor analysis which includes:

- The number or proportion of LEP persons in the eligible service
- The frequency with which LEP individuals come in contact with the program
- The importance of the service provided by the program
- The resources available to the agency

The MPO's Language Assistance Plan (LAP) has been developed to ensure information and services are accessible to LEP individuals by providing guidance on translation, interpretation, and outreach services for LEP individuals seeking access to MPO programs. The MPO will annually monitor the LAP to evaluate its effectiveness in serving LEP individuals and modify it accordingly. To further implement the LAP, the MPO annually conducts a four-factor analysis included in and develops an LEP Work Plan, a subset of the Title VI Work Plan to improve access for LEP individuals in the area it serves. Additionally, the MPO will annually re-evaluate the changes in demographics, services and programs, and other factors that should be considered when determining LEP needs. This annual assessment will help guide the MPO in determining what changes, if any, are needed to update its LAP. The MPO's LAP is nested within the Public Participation Plan and is available on the MPO's website at www.corpuschristi-mpo.org.

Environmental Justice

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," signed in February of 1994, requires a federal agency to achieve environmental justice (EJ) as a part of its mission by identifying disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. FHWA and TxDOT require the MPO to carry out EJ responsibilities as part of its nondiscrimination program.

Identification of Minority and Low-Income Populations

The MPO utilizes data from the U.S. Census Bureau, public outreach (scoping meetings, public meetings, and public hearings), information on poverty guidelines from the Department of Health and Human Services, and local agency coordination (including, but not limited to the MPO's member agencies, local elected officials, municipalities, etc.) to establish demographic characteristics and trends. The data is used to identify and engage traditionally underserved populations, including those covered under existing EJ policies, as well as LEP populations.

Public Participation Plan

The MPO maintains its Public Participation Plan (PPP), which demonstrates how the MPO provides opportunities for public review and comment at key decision points during the transportation planning process as required by the Moving Ahead for Progress in the 21st Century Act (Map-21). The PPP is available on the MPO's website at www.corpuschristi-mpo.org.

The MPO informs the public and stakeholders about proposed plans and projects during the transportation planning process, including development of the following:

- Metropolitan Transportation Plan (MTP) (long-range plan)
- 10-year Plan (projects programmed in year 1-10 of the MTP)
- Transportation Improvement Plan (TIP) (fiscally constrained plan that captures years 1-4 of the MTP)
- Unified Planning Work Program (UPWP) (describes transportation planning and related activities to be performed during the year by the MPO and member agencies)
- Public Participation Plan
- Other plans and/or studies

During the various transportation planning processes, the MPO also seeks input from various stakeholders on specific projects and issues. Notification of any actions taken, to include how and where to obtain a copy of the subject document, the time and date of the public hearing, and instructions to those interested in providing comments, are provided as defined in the MPO's PPP.

All other interested parties are provided notice of the comment period and public hearings via the MPO's website and in the Corpus Christi Caller-Times (CALLER). Interested parties are able to access planning documents at the MPO's website.

Written comments can be provided to the MPO's personnel or can be mailed directly to the MPO's office, 602 N. Staples Street, Ste. 300, Corpus Christi, Texas 78401. Copies of all documents are available for review at the location of the public hearing.

The MPO's public involvement process typically allows for at least 30 calendar days from the date the public hearing notice appears on the MPO's website or is required in the Legal Section of the CALLER for the public to review and comment (in writing or in person at the public hearing) on a planning document before it is adopted.

At least once every three years (after the adoption date of the PPP), the MPO will review and solicit comments from stakeholders for a period of not less than 45 calendar days regarding the effectiveness of the consultation process outlined in the PPP as well as any proposed changes to the PPP. A specific request for comments will be directed to local elected officials and member agencies.

Informing Interested Parties, Consultation and Coordination with Agencies and Officials

To ensure that all stakeholders are included in the transportation planning process and during the development of the PPP and other plans and programs referenced in it, the MPO provides opportunities for stakeholders and the public to participate during public meetings and stakeholder working sessions as well as providing the public with access to all planning documents on the MPO's website. Meeting schedules for the MPO's technical working group, the Technical Advisory Committee, and the MPO's top-level decision-making body, the Transportation Policy Committee, which can include public hearings, are available on the MPO's website: www.corpuschristi-mpo.org/calendar/2018_meetingcalendar.pdf.

The MPO's stakeholder and public participation activities are intended to solicit meaningful input and include the following objective and subsequent policies (extracted from the PPP):

OBJECTIVE 1

The MPO shall actively engage the public in the transportation planning process according to State and Federal law and the policies outlined in this plan.

Policy 1.1: Informing Interested Parties

The MPO shall make a good faith effort to inform those who are interested in or affected by transportation decisions about reasonable opportunities to provide input on the metropolitan planning process. To accomplish this, the MPO shall maintain up to date contact information for the following:

- Citizens expressing an interest in transportation planning activities
- Elected officials
- Local government staff
- Transportation agencies (public ports, airports, transit, etc.)
- Local media (TV, radio, print, etc.)
- Homeowners associations
- Civic groups
- Special interest groups (other interested parties)
- Libraries (for public display)
- Native American Tribal Council
- Faith-based organizations
- Private freight shippers

- Representatives of public transportation employees
- Providers of freight transportation services
- Representatives of users of public transportation
- Representatives of users of pedestrian walkways and bicycle transportation facilities
- Representatives of individuals with disabilities
- Economic development organizations
- Private providers of transportation including intercity bus operators and employer-based community programs (such as carpools, vanpools, shuttle, transit benefits, parking cash-out, or telework programs)

Policy 1.2: Consultation with Agencies and Officials

The MPO shall make a good faith effort to consult with agencies responsible for other planning activities that are affected by transportation as well officials responsible for other planning activities. This shall include federal, state and local agencies responsible for land use management, natural resources, conservation and historic preservation, emergency response, tourism, natural disaster risk reduction, environmental protection and other environmental issues. To accomplish this, the MPO shall maintain up to date contact information for the following:

- Coast Guard
- Homeland Security
- National Parks Service (Department of Interior)
- US Fish and Wildlife Service
- US Environmental Protection Agency
- US Geological Survey
- Bureau of Indian Affairs
- Bureau of Land Management
- Forest Service (US Department of Agriculture)
- National Marine Fisheries
- Texas Parks and Wildlife
- Texas Historical Commission
- General Land Office
- Texas Commission on Environmental Quality
- Local Emergency Planning Committee (Corpus Christi)
- Corpus Christi Convention & Visitors Bureau

Policy 1.3: Coordination with Agencies and Officials

The MPO shall make a good faith effort to coordinate its metropolitan transportation planning process with other planning activities affected by transportation including:

- a) Statewide transportation planning, public involvement, and consultation activities
- b) Any other planning activities affected by transportation

Public Involvement Tools

The MPO utilizes the following methods to communicate information regarding planning activities and opportunities for public and stakeholder participation:

- MPO's website
- Notices Published in the Legal Section of the CALLER

- MPO's Contacts Database
- Social Media (Facebook and Twitter)
- YouTube

Compliance and Enforcement Procedures

The Coordinator ensures that staff, subrecipients/consultants, and beneficiaries are educated and informed regarding their Title VI roles and responsibilities as described below:

- Ensures inclusion of nondiscrimination language in contracts, Requests for Proposals (RFPs), and Request for Qualifications (RFQs)
- Provides Title VI compliance requirements to all subrecipients/consultants as part of the contracting process
- Ensures that all subrecipients/consultants verify their compliance with nondiscrimination authorities, procedures, and requirements
- Works with subrecipients/consultant who are not in compliance with Title VI to correct the deficiency, including providing technical assistance and guidance. *If the subrecipient/consultant does not correct the deficiency, the Coordinator may take corrective action or implement other remedies as provided in the executed agreement.*
- Reviews outreach activities to ensure small, disadvantaged, minority, women and disabled veteran businesses are not excluded from participating in opportunities to compete for consulting contracts
- Ensuring nondiscrimination in the award of contracts in connection with projects receiving federal financial assistance:
 - Participate in TxDOT's Disadvantaged Business Enterprise (DBE) Program
 - Provide technical assistance to DBE's on Title VI compliance matters
 - Participate in outreach forums through public and private organization to increase small business participation in federal aid contracts
 - Develop methods to distribute information related to the agency's procurement opportunities through various media outlets to provide all bidders with access to contracting information and opportunities
 - Ensure that the bidding and contract award procedures are consistent with the nondiscrimination and affirmative action requirements of Title VI
 - Periodically review outreach activities to ensure small, disadvantaged, minority, and women-owned businesses are invited to participate;

Annual Work Plan & Accomplishment Report

In order to monitor and implement the MPO's Title VI/Nondiscrimination Plan, the MPO develops an *Annual Work Plan & Accomplishment Report*. The Work Plan organizes and coordinates tasks into a scheduled, implementation framework. The Accomplishment Report documents the results of this framework. This report is forwarded to CIV at the end of each fiscal year and can be found at the MPO's website: www.corpuschristi-mpo.org.

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Attachments

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Attachment 1 - Title VI/Nondiscrimination Policy Statement



Title VI and Related Statutes Nondiscrimination Statement

No person shall on the grounds of race, color, national origin, sex, age, religion or disability, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

The Honorable Terry A. Simpson, San Patricio County Judge
Transportation Policy Committee Chair

Attachment 2- Title VI Assurances



Standard Title VI/Nondiscrimination Assurances

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

STATUTORY / REGULATION 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 *Nondiscrimination In Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance 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 Nondiscrimination 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 nondiscrimination 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 Federally-assisted Department of Transportation programs:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Department of Transportation programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The (Corpus Christi Metropolitan Planning Organization), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. The Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subrecipients, subgrantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal

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 Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed 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 the Regulations relative to Nondiscrimination 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 or the Federal Highway Administration 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 or the Federal Highway Administration, 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 Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration 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 respect to any subcontract or procurement as the Recipient or the Federal Highway Administration 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.

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, **(Corpus Christi Metropolitan Planning Organization)** also agrees to comply (and require any subrecipients, subgrantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the USDOT 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 USDOT. You must keep records, reports, and submit the material for review upon request to USDOT, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

(Corpus Christi Metropolitan Planning Organization) gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under all Department of Transportation programs. This ASSURANCE is binding on Texas, other recipients, subrecipients, subgrantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in all Department of Transportation programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.



The Honorable Terry A. Simpson, TPC Chair
Corpus Christi Metropolitan Planning Organization

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 the (***Corpus Christi Metropolitan Planning Organization***) will accept title to the lands and maintain the project constructed thereon in accordance with all applicable federal statutes, the Regulations for the Administration of all Department of Transportation programs, and the policies and procedures prescribed by the Federal Highway Administration of 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, Nondiscrimination 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 (***Corpus Christi Metropolitan Planning Organization***) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (***Corpus Christi Metropolitan Planning Organization***) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the (***Corpus Christi Metropolitan Planning Organization***), its successors and assigns.

The (***Corpus Christi Metropolitan Planning Organization***), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the (***Corpus Christi Metropolitan Planning Organization***) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination 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 nondiscrimination 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 (***Corpus Christi Metropolitan Planning Organization***) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, (***Corpus Christi Metropolitan Planning Organization***) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the (***Corpus Christi Metropolitan Planning Organization***) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (***Corpus Christi Metropolitan Planning Organization***) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order 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 ***Corpus Christi Metropolitan Planning Organization*** pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, ***Corpus Christi Metropolitan Planning Organization*** will have the right to terminate the (license, permit, etc., as appropriate) and to 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 Nondiscrimination covenants, ***Corpus Christi Metropolitan Planning Organization*** will there upon revert to and vest in and become the absolute property of ***Corpus Christi Metropolitan Planning Organization*** and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order 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 nondiscrimination statutes and authorities; including but not limited to:

PERTINENT NONDISCRIMINATION 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 U.S.C. § 4 71, Section 4 7123), 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, subrecipients 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 Nondiscrimination 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. 1681 et seq).

Attachment 3 - Title VI/Nondiscrimination Coordinator



METROPOLITAN PLANNING ORGANIZATION

Title VI/Nondiscrimination Coordinator

RESOLUTION

WHEREAS, the federal government enacted Title VI of the Civil Rights Act of 1964, as amended, to prevent discrimination on the grounds of race, color, sex, age disability or national origin and to ensure that individuals are not excluded from participation in, denied benefits of, or otherwise subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, sex, age, disability, religion or national origin;

WHEREAS, throughout the years, additional regulations, statutes, directives, cases and executive orders have been passed which expand the breadth of Title VI; and

WHEREAS, it is a requirement of the Texas Department of Transportation and Federal Highway Administration that agencies receiving federal financial assistance adopt a Title VI Plan; and

WHEREAS, it is a requirement of the Texas Department of Transportation and Federal Highway Administration the agencies receiving federal financial assistance to designate a Title VI/Nondiscrimination Coordinator.

NOW, THEREFORE BE IT HEREBY RESOLVED THAT:

The Corpus Christi Metropolitan Planning Organization designates Brigida C. Gonzalez, Interim Transportation Planning Director, as the MPO's Title VI/Nondiscrimination Coordinator.

Submitted by:

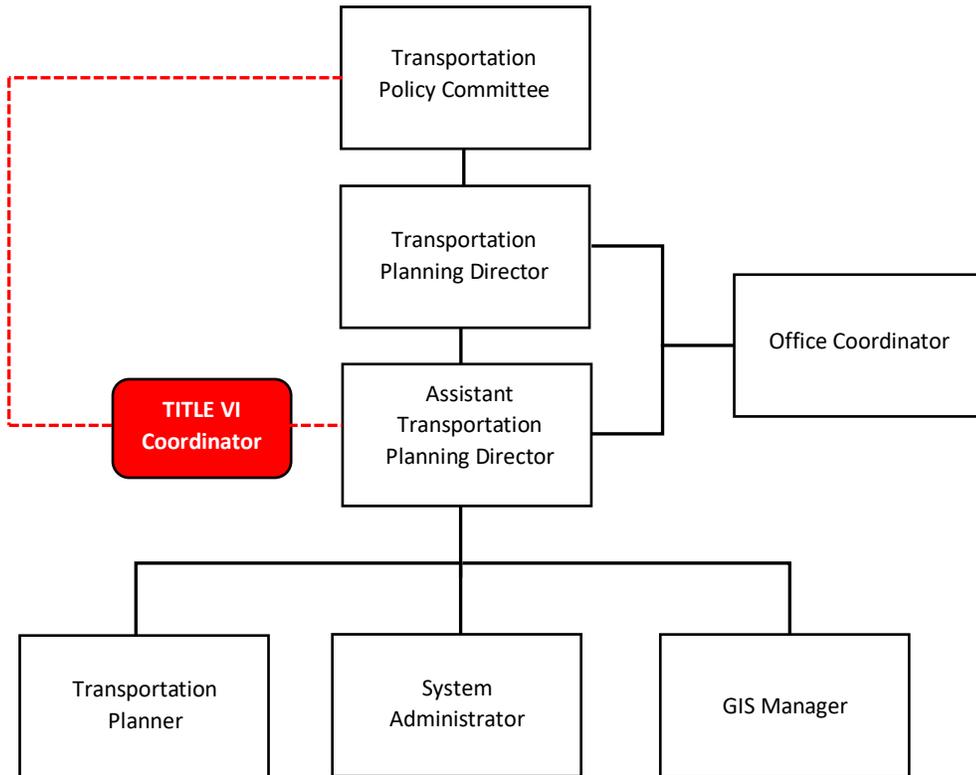
I hereby certified this resolution was adopted by the Transportation Policy Committee (TPC) of the MPO of August 2, 2018:

The Honorable Terry A. Simpson, TPC Chair
Corpus Christi Metropolitan Planning Organization

Brigida C. Gonzalez,
Interim Transportation Planning Director
Corpus Christi Metropolitan Planning Organization

Attachment 4 - Corpus Christi MPO Organizational Chart

Corpus Christi MPO Organizational Chart



Attachment 5 - Discrimination Complaint Form (English)

Corpus Christi Metropolitan Planning Organization

Discrimination Complaint Form

The Corpus Christi Metropolitan Planning Organization (MPO), as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities. These prohibitions extend from the MPO, as a direct recipient of federal financial assistance, to its sub-recipients (e.g., contractors, consultants, local governments, colleges, universities, etc). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements. The Civil Rights Restoration Act of 1987 extended this to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

Upon request, reasonable accommodations may be made for persons who are unable to complete the complaint form due to disability or limited-English proficiency. A complaint may be filed by a representative on behalf of a complainant. The complaint must be **filed** no later than 180 calendar days from the most recent date of the alleged discrimination. The **filing date** is the day you complete, sign, and mail this complaint form. The complaint form and consent/release form must be dated and signed for acceptance. You have 30 calendar days to respond to any written request for additional information. Failure to do so will result in the closure of the complaint. For assistance, call (361) 884-0687 or e-mail [ccmpo@cctxmpo.us](mailto:ccmppo@cctxmpo.us). Submit signed original forms by mailed or deliver to:

Corpus Christi Metropolitan Planning Organization
ATTN: Title VI Coordinator
602 N. Staples Street, Suite 300
Corpus Christi, TX 78401

Please read all information carefully before you begin to complete form.

_____ First Name	_____ MI	_____ Last Name	
_____ Street Address	_____ City	_____ State	_____ Zip
_____ Telephone Number	_____ e-mail Address		

Who do you believe discriminated against you?

_____ First Name	_____ MI	_____ Last Name	
_____ Name of Business/Organization	_____ Position/Title		
_____ Street Address	_____ City	_____ State	_____ Zip

When did the alleged act(s) of discrimination occur? List all dates in mm/dd/yyyy format.

Is the alleged discrimination ongoing? Yes No

Where (location) did the alleged act(s) of discrimination occur? *Attach additional pages as needed.*

Attachment 6 - Title VI/Nondiscrimination Brochure

This brochure is designed to help you understand your rights under Title VI of the Civil Rights Act of 1964.

Who may file a complaint?

A Title VI complaint may be filed by any individual or individuals who allege they have been subjected to discrimination or adverse impact under any MPO program or activity based on race, color, national origin, gender, age or disability.

What information is included in a Title VI complaint?

A signed, written Title VI complaint must be filed within 180 days of the date of the alleged act of discrimination. The complaint must include the following information:

- Your name, address and telephone number. If you are filing on behalf of another person, include their name, address, telephone number and your relation to the complainant (e.g., friend, attorney, parent, etc.).
- The name and address of the agency, program or organization that you believe discriminated against you.
- A description of how, why and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination.
- Your signature

What will the MPO do with my complaint?

Upon receipt, the MPO will investigate the allegations and an attempt will be made to resolve the violations found. The program in which the alleged discrimination occurred will be examined to ensure that the complaint was filed with the appropriate agency. MPO staff will determine the appropriate fact finding process and an investigation will be completed with 60 days of receiving the complete complaint. Within 10 days of completing the investigation, the complainant will be notified by the MPO Transportation Planning Director.

Compliant Forms

To file a Title VI complaint, you may obtain the necessary forms online by visiting: www.corpuschristi-mpo.org/02_about_titlevi.html or by contacting the MPO office at the phone number listed below.

Mail the Title VI Complaint Form and Discrimination Compliant Consent / Release Form to:

Corpus Christi Metropolitan Planning Organization
602 N. Staples Street, Suite 300
Corpus Christi, TX 78401

Phone: (361) 887-0687

If you have speech of hearing impairment, dial Texas Relay at 1-800-75-2988 or 711



602 N. Staples Street, Suite 300
Corpus Christi, TX 78401
Phone: (361) 884-0687
E-mail: cmppo@cctxmpo.us

Prepared by The Corpus Christi Metropolitan Planning Organization May 2018

Title VI and you...



EQUITY.
INCLUSION.
PARTICIPATION.

It is our policy to ensure that no person shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination." — President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

Title VI and you...

What is Title VI?

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals and groups from discrimination on the basis of their race, color and national origin in programs and activities that receive federal financial assistance. However, the Federal Highway Administration's (FHWA) reference to Title VI includes other civil rights provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance.

MPO's Title VI Policy

Pursuant to Title VI of the Civil Rights Act of 1964 as amended, the Restoration Act of 1987 and other nondiscrimination authorities, it is the policy of the MPO that discrimination based on race, color, national origin, sex, age or disability shall not occur in connection with any of its programs or activities.

The MPO's efforts to prevent discrimination will address, but not be limited to, a program's impact upon access, benefits, participation, treatment, services, contracting opportunities, training opportunities, investigation of complaints, allocation of funds, prioritization of projects and the functions of planning, project development, design, right-of-way acquisition, construction and research.

Authorities

The two main authorities enabling Title VI implementation, compliance and enforcement are the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987. However, other statutes, laws, regulations, executive orders and the United States Constitution provide guidance for the effective execution of the objectives of Title VI.

These include:

- Federal-Aid Highway Act of 1973
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- Age Discrimination Act of 1975
- Uniform Relocation Act of 1970
- Executive Orders 12898 and 13166

Title VI Compliance

Title VI compliance is a situation where the MPO has effectively implemented all the Title VI requirements or can demonstrate that every good faith effort has been made toward achieving this end.

Pursuant to 23 USC 602, the FHWA's primary recipient is the State Highway (Transportation) Agency. In Texas, TxDOT is that primary recipient. TxDOT (and its subrecipients, and contractors) irrespective of tier, is required to prevent discrimination and ensure nondiscrimination in all programs and activities whether they are federally funded or not.

Subrecipients of federal assistance include cities, counties, contractors, consultants, suppliers, universities, colleges and planning agencies, such as the MPO. The MPO will address any discovered instance of discriminatory distribution or program access to or use of services and or benefits.

Programs Covered

Federally assisted programs include any highway project, program or activity for the provision of services and/or other benefits. Such programs include education or training, work opportunities, housing or other services, whether provided directly by the MPO or indirectly through contracts or other arrangements with other agents.

What discrimination is prohibited under the MPO's Title VI program?

Discrimination under our Title VI Program is an action or inaction, intention or not, through which any intended beneficiary, solely because of race, color, national origin, gender, age or disability has been otherwise subjected to unequal treatment or impact under any MPO program or activity receiving federal financial assistance.

Discrimination based on the ground referenced above limit the opportunity for individuals and groups to gain equal access to services and programs. In administering federally assisted programs and activities, the MPO cannot discriminate either directly or through contractual or other means by:

- Denying program services, financial aids or other benefits;
- Providing different programs services, financial aids or other benefits, or providing them in a manner different from that provided to others;
- Segregating or separately treating individuals or groups in any matter related to the receipt of any program service or benefit;
- Restricting in any way the enjoyment of any advantage or privilege enjoyed by others receiving any program service or other benefits;
- Denying person(s) the opportunity to participate as a member of a planning, advisory or similar body;
- Denying person(s) the opportunity to participate in the program through the provision of services, or affording the opportunity to do so differently from those afforded others.

Attachment 7 - Title VI/Nondiscrimination Poster (English)



Title VI

Protecting your civil rights is good business

It is our policy to ensure that no person shall on the grounds of race, color, national origin, sex age or disability be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs and activities.

The Corpus Christi Metropolitan Planning Organization (MPO) hereby gives public notice that it is the policy of the MPO to assure full compliance with Title VI of the Civil Rights Acts of 1964, the Civil Rights Restoration Act of 1987 and related statutes and regulations in all programs and activities.

EQUITY. INCLUSION. PARTICIPATION.

The Corpus Christi MPO, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, will not discriminate against any person on the grounds of race, religion, color, national origin, sex, age or disability, or otherwise be denied the benefits of, or otherwise subjected to discrimination.

Any person who believes they have been subjected to unlawful discriminatory practices under Title VI has the right to file a formal complaint. Any such complaint must be filed in writing or in person with the MPO 602 N. Staples St, #300, Corpus Christi, TX 78401 within 180 days following the date of the alleged discriminatory action.



www.corpuschristi-mpo.org

Attachment 7 - Title VI/Nondiscrimination Poster (Spanish)



Título VI

Protección Sus Derechos Civiles es Buen Negocio

Es nuestra política de que ninguna persona en base de a su raza, color, origen nacionalidad, sexo, edad or incapacidad, se excluirá de la participar en, negar los beneficios de, o someter a discriminación bajo de nuestros programas y actividades.

Organización de Planificación Metropolitana de Corpus Christi (MPO) se da aviso público que es la política de la MPO para asegurar la plena conformidad con el Título VI de Los Actos de los Derechos Civiles de 1964, la ley de Restauración de Derechos Civiles de 1967 y relacionados con los estatutos y reglamentos en todos los programas y actividades.

EQUIDAD. INCLUSIÓN. PARTICIPACIÓN.

El MPO de Corpus Christi, como receptor de asistencia financiera Federal y bajo el Título VI de la ley de derechos civiles de 164 y relacionados con los estatutos, no discriminará a ninguna persona por motivos de raza, religión, color, origen nacional, sexo, edad o discapacidad, o de lo contrario ser negado los beneficios de, o esté sometido a discriminación.

Cualquier persona que crea que haya sido sometidos a prácticas discriminatorias ilegales bajo el título VI tiene derecho a presentar una queja formal. Cualquier denuncia debe ser presentada por escrito o en persona con el MPO, 602 N. Staples St, #300, Corpus Christi, TX 78401 dentro de los 180 días siguientes a la fecha de la supuesta acción discriminatoria.



METROPOLITAN PLANNING ORGANIZATION

www.corpuschristi-mpo.org