

TITLE VI PROGRAM

OCTOBER 2018

THE HOUSTON-GALVESTON METROPOLITAN PLANNING AREA





AGENDA
HOUSTON-GALVESTON AREA COUNCIL
BOARD OF DIRECTORS MEETING
October 16, 2018 10:00 AM
3555 Timmons Lane, 2nd Floor
Conference Room B
Houston, TX 77027

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT

ACTION

4. CONSENT AGENDA

Items listed are of a routine nature and may be acted on in a single motion unless requested otherwise by a member of the Board.

- a. H-GAC BOARD OF DIRECTORS MINUTES SEPTEMBER 18, 2018
Request approval of minutes of the September 18, 2018 Board Meeting. (Staff Contact: Rick Guerrero)
- b. CYPRESS CREEK WATERSHED PROTECTION PLAN
Request approval to contract with the Texas Commission on Environmental Quality for Cypress Creek Watershed Protection Plan; amount not to exceed \$154,236. (Staff Contact: Jeff Taebel)
- c. WORKFORCE ADDITIONAL FUNDS - OMBUDSMAN POSITIONS
Request authorization to receive \$200,000 from the San Jacinto College District to fund staff ombudsman positions for Workforce Solutions. (Staff Contact: Mike Temple)
- d. ON-SITE SEWAGE FACILITIES SERVICES
Request authorization to utilize qualified list of On-Site Sewage Facilities contractors on a rotating basis for the purpose of soliciting quotes for work to be performed through the Supplemental Environmental Project. (Staff Contact: Jeff Taebel)
- e. REGIONAL INCIDENT MANAGEMENT ACTIVITIES
Request authorization to enter into an Advance Funding Agreement with the Texas Department of Transportation in the amount of \$8,000,000, to continue funding the Gulf Coast Regional Tow and Go Program. (Staff Contact: Alan Clark)
- f. H-GAC TITLE VI PROGRAM UPDATE
Request approval of H-GAC's Title VI Program update. (Staff Contact: Alan Clark)
- g. CLEAN VEHICLES PROGRAM AGREEMENTS
Request authorization of agreements for acquisition of eleven vehicles; amount not to exceed \$1,348,780. (Staff Contact: Alan Clark)

- h. HGACBUY COOPERATIVE PURCHASING PROGRAM MARKET ANALYSIS
Request authorization to negotiate a contract with Amojos Consulting and Sperling Consulting for the HGACBuy Cooperative Purchasing Program Market Analysis for an amount not to exceed \$110,650. (Staff Contact: Ronnie Barnes)
- 5. FINANCE AND BUDGET COMMITTEE
Report on activities and Committee recommendations.
 - a. MONTHLY FINANCIAL REPORT
Request approval of September 2018 financial report. (Staff Contact: Nancy Haussler)
- 6. RECESS TO BUDGET AND SERVICE PLAN PRESENTATION
 - a. PRESENTATION OF PROPOSED H-GAC 2019 BUDGET AND SERVICE PLAN
Presentation and discussion of proposed H-GAC 2019 Budget and Service Plan. (Staff Contact: Nancy Haussler)
- 7. AUDIT COMMITTEE
 - a. INDEPENDENT AUDIT SERVICES
Request authorization to negotiate a contract with the firm selected by the Audit Committee for independent audit services. (Staff Contact: Charles Hill)
- 8. PLANS AND PROJECTS REVIEW COMMITTEE
 - a. MULTI-AGENCY COORDINATION CENTER PLAN
Request adoption of the Regional Multi-Agency Coordination Center Plan. (Staff Contact: Justin Riley)
 - b. ECONOMIC DEVELOPMENT ADMINISTRATION GRANTS - HARVEY RECOVERY
Request the Economic Development Administration investments identified to be consistent with plans, policies, and review criteria. (Staff Contact: Josh Owens)
 - c. C & G REALTY SCRAP TIRE MANAGEMENT
Request the project be found consistent with comments with plans, policies and H-GAC review criteria. (Staff Contact: Erin Livingston)
- 9. HUMAN SERVICES
 - a. WORKFORCE ADULT EDUCATION
Request authorization to negotiate adult education contracts through June 30, 2019, with the Association for the Advancement of Mexican Americans in the amount of \$250,000 and Community and Family Centers in the amount of \$250,000. (Staff Contact: Mike Temple)
- 10. H-GAC ADVISORY COMMITTEE APPOINTMENTS
 - a. H-GAC 2018 ADVISORY COMMITTEE APPOINTMENTS
Request approval of appointments to H-GAC advisory committees. (Staff Contact: Chuck Wemple)

11. TEXAS ASSOCIATION OF REGIONAL COUNCILS

a. TEXAS ASSOCIATION OF REGIONAL COUNCILS - BOARD DESIGNATION

Request nomination and approval of representative and alternate to the Texas Association of Regional Councils' Board of Directors. (Staff Contact: Chuck Wemple)

12. INFORMATION

a. H-GAC SPOTLIGHT - ELDER AND VULNERABLE ADULT JUSTICE PROJECT

This month, H-GAC is spotlighting the Elder and Vulnerable Adult Justice Project. (Staff Contact: Jackie Pontello)

b. EXECUTIVE DIRECTOR'S REPORT

Report on current and upcoming H-GAC activities. (Staff Contact: Chuck Wemple)

13. ADJOURNMENT

In compliance with the Americans with Disabilities Act, H-GAC will provide for reasonable accommodations for persons attending H-GAC functions. Requests should be received by H-GAC 24 hours prior to the function.

H-GAC TITLE VI PROGRAM UPDATE

Background

Title VI of the Civil Rights Act is intended to prevent discrimination under any program or activity receiving Federal financial assistance. The Houston-Galveston Area Council is and continues to be compliant with Title VI requirements. In order for H-GAC to administer federal transit funding as a direct recipient, the Federal Transit Administration requires H-GAC to adopt a Title VI program which fully documents compliance with the U.S. Department of Transportation's Title VI regulations.

In accordance with Title VI of the Civil Rights Act, H-GAC assures that no person, on the grounds of race, color, or national origin, sex, age, or disability be excluded from participation in, or denied benefits of, or be subjected to discrimination under any agency sponsored program or activity.

Current Situation

As the direct recipient of Federal Transit Administration funds, H-GAC's Title VI Program includes:

- A Public Participation Plan;
- A Language Assistance Plan;
- A description of Environmental Justice provisions; and
- Procedures for submission and resolution of Title VI complaints.

The full document can be found on the H-GAC website at: www.h-gac.com/taq/title-vi.

Funding Source

N/A

Budgeted

N/A

Action Requested

Request approval of H-GAC's Title VI Program update. (Staff Contact: Alan Clark)

ATTACHMENTS:



RESOLUTION

APPROVING THE HOUSTON-GALVESTON AREA COUNCIL TITLE VI NON-DISCRIMINATION PROGRAM AND POLICIES.

WHEREAS, pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.* ("the Act") and 49 CFR Part 21, the U.S. Department of Transportation and the Federal Transit Administration prohibit discrimination on the basis of race, color or national origin; and

WHEREAS, the Houston-Galveston Area Council intends that no person shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of the agency's programs or activities, regardless of funding source; and

WHEREAS, as a recipient of federal funds, the Houston-Galveston Area Council is required to comply with the requirements of the Act and applicable implementing regulations; and

WHEREAS, the Houston-Galveston Area Council is required to update the Title VI Program every three years; and

WHEREAS, H-GAC is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation; and

WHEREAS, the Houston-Galveston Area Council Board of Directors has considered and determined to approve the agency's Title VI program and policies, which includes a Language Assistance Plan; and

WHEREAS, the Board of Directors have authority to approve the "H-GAC Title VI Program" by resolution;

NOW, THEREFORE BE IT RESOLVED:

That the Board of Directors hereby approve the agency's Title VI program and policies as set forth in the H-GAC Title VI Program.

PASSED AND APPROVED this 16th day of October 2018, at a regularly scheduled meeting of the Board of Directors of the Houston-Galveston Area Council.

APPROVED:

The Honorable Floyd Emery
Council Member, City of Missouri City
H-GAC Chair

ATTEST:

The Honorable Nancy Arnold
Council Member, City of Waller
H-GAC Vice Chair



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**HOUSTON-GALVESTON AREA COUNCIL
TITLE VI PROGRAM**

Adopted October 16, 2018

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HOUSTON-GALVESTON AREA COUNCIL

PO Box 22777 • 3555 Timmons Ln. • Houston, Texas 77227-2777 • 713/627-3200

Title VI Policy Statement

Title VI compliance is a condition of the receipt of federal funds. The Houston-Galveston Area Council (H-GAC) assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 1000.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any agency-sponsored program or activity. Nor shall sex, age, or disability stand in the way of fair treatment of all individuals.

In the event that H-GAC distributes federal aid funds to another entity, H-GAC will include the Title VI language in all written agreements and will monitor for compliance as necessary.

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a few smaller strokes.

H-GAC Executive Director

A handwritten date in blue ink, reading "11/01/2018".

Date

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CHAPTER I

BACKGROUND AND PURPOSE

1.1 INTRODUCTION

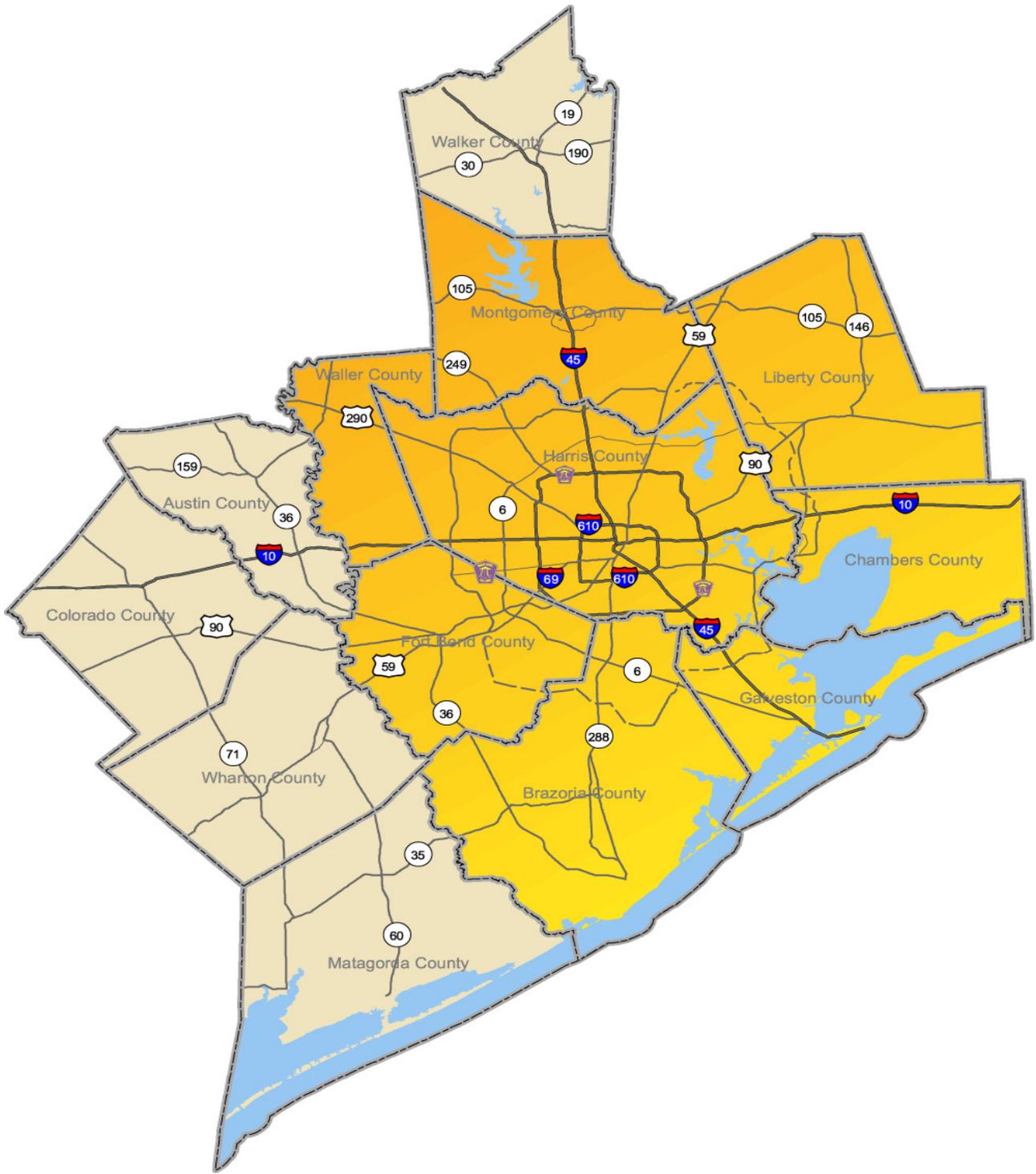
The Houston-Galveston Area Council (H-GAC) is a voluntary association of local governments located in the upper Texas Gulf Coast region. The Council of Governments functions as the Regional Planning Commission for a thirteen-county service area that is home to a rapidly growing and culturally diverse community of close to 7 million residents. H-GAC also serves as the Metropolitan Planning Organization (MPO) for a core of 8 of those counties: Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller County. The overarching mission of the agency is to foster the efficient and accountable use of local, state, and federal tax dollars for the orderly development of the region and to serve as a forum for addressing the problems and needs of its member governments.

In fulfilling its mandate as MPO, H-GAC works collaboratively with public as well as with private non-governmental partners in a continuing, cooperative, and comprehensive process to improve mobility, promote regional economic growth, protect the environment, and enhance the quality of life and welfare of all its citizens. These goals and objectives are reflected in the multi-modal transportation plans, activities, and programs that guide the near and long-term actions of the organization and shape and impact the regional community.

1.2 BACKGROUND

The Federal Transit Administration (FTA) requires all MPOs that receive federal funds to demonstrate their compliance with Title VI of the Civil Rights Act of 1964 and to report the efforts they have made to address the transportation needs of the underserved and most vulnerable members of their population in their programs and activities. The MPO is also responsible for monitoring any subrecipients to verify that they remain in compliance with Title VI requirements concerning the federal funds they receive.

This Title VI triennial report documents H-GACs efforts to conduct an inclusive transportation and regional planning program. It details the actions taken by the agency to identify and address the needs of the populations protected by the federal non-discrimination laws, and highlights agency efforts to facilitate participation by all its residents and to avoid the denial of benefits, and other discrimination because of race, color, or national origin.



Map 1: H-GAC Region showing the Eight TMA Counties

1.3 PURPOSE

The H-GAC Title VI Program was developed in response to Title VI of the Civil Rights Act of 1964 and its progeny of non-discrimination statutes, presidential executive orders, and federal regulations. These laws enjoin federal aid recipients from engaging in practices that deny equitable treatment to the historically underserved population or deny them the opportunity to contribute to the decisions that impact their lives and neighborhoods.

H-GAC receives federal funding administered by the FTA and FHWA to support many of its programs and activities and must consequently address these federal non-discrimination requirements as a condition to receiving those funds. The agency remains committed to achieving a transparent, accessible, and open transportation planning process which considers the needs of all its residents as it develops its plans and selects the studies and projects it funds.

1.4 THE CIVIL RIGHTS ACT OF 1964

The Civil Rights Act of 1964 is the foundation for most federal regulations and mandates that govern non-discrimination in federal activities. Title VI of the Act (42 U.S.C 2000d et seq.), proscribes discrimination against persons based on their race, color, or national origin. The law states, “No Person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Implementing the non-discrimination statute, Title 49 CFR Part 21 obligates governmental and private entities to provide assurances that their transportation programs will be conducted in compliance with the requirements imposed by Title VI as a condition for receiving federal financial assistance. A program or activity that is facially neutral but has a discriminatory impact on the protected populations may only be carried out if the recipient can demonstrate a substantial and legitimate justification for the program or activity, and that there is no comparably effective alternative that would result in less injurious disparate impacts.

The Title VI statute is bolstered by Executive Order 13166: “Improving Access to Service for Persons with Limited English Proficiency.” This Order requires federal agencies and federal-aid funding recipients to implement measures that make their programs and services accessible to persons with limited proficiency in the English language (LEP). The nexus between Executive Order 13166 and Title VI is that being limited in the ability to read, speak, or understand English competently is usually linked to one’s race, color, or national origin.

1.5 ENVIRONMENTAL JUSTICE

The principle of environmental justice has its legal foundations in the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution which articulates a fundamental right to be free from institutional discrimination. Years after the passage of Title VI, President Bill Clinton signed Executive Order 12898: “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” in response to concerns about pervasive discriminatory practices by governmental entities which disproportionately burdened minority and low-income communities, adversely impacting human health and degrading the environmental quality and social cohesion of their neighborhoods. The executive order expands the non-discrimination focus of Title VI by requiring federal agencies to make achieving environmental justice part of their core mission.

The U.S. Department of Transportation (DOT) defines Environmental Justice as “the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, national origin, or educational level with respect to the development, implementation and enforcement of environmental laws, regulations and policies.” Environmental justice is inextricably linked with broader social justice concerns. The directive requires the fair and equitable treatment of the disadvantaged population which includes providing them a meaningful opportunity to participate in the planning discourse. The DOT final Environmental Justice Order declared three fundamental principles which articulate procedural and substantive guidelines for achieving environmental justice:

- a. Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- b. Ensure full and fair participation by all potentially affected communities in the transportation decision-making process; and
- c. Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

These three principles are the most often cited expression of the core objectives of environmental justice and describe a succinct pathway to implementing the vision of EO 12898.

Although the non-discrimination principles of Executive Order 12898 overlap with the Title VI statute, they remain two separate mandates with different requirements and reaches. Only environmental justice addresses protection for the low-income population. However, H-GAC’s Title VI *Program* is distinguished from, and broader than the Title VI *statute*, and encompasses several non-discrimination laws: including Executive Order 12898. Some of the pertinent statutes that come under the umbrella of the Title VI Program are listed below. A more comprehensive list of pertinent legal authorities and regulations can be found in **Appendix A**.

1.6 FEDERAL NON-DISCRIMINATION LAWS AND GUIDANCE

In carrying out the mission and directives of Title VI and Environmental Justice, the DOT, FTA and FHWA have each issued policy statements and guidance for their agencies and subrecipients. Several federal statutes and regulations are interlaced to define the umbrella of the Title VI Program. The primary civil rights authorities include:

- **The National Environmental Policy Act of 1969**

The National Environmental Policy Act (NEPA) requires federal agencies to prepare a detailed statement of the effects of their actions on the environment and on human populations. NEPA represents an early attempt to protect human populations and the environment from the deleterious impacts of federal investment activity and is the underlying regulatory basis for incorporating environmental justice review within the transportation planning and policy development process.

- **Uniform Relocation Act of 1970**

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) applies when actions undertaken by federal agencies or entities that receive federal financial assistance cause the temporary or permanent displacement of persons from their property. The Uniform Act requires that all groups of people should be treated uniformly and fairly in any residential relocations resulting from the exercise of eminent domain pursuant to a federal-aid program or project.

- **Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in programs conducted by federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors.

- **Age Discrimination Act of 1975**

The Age Discrimination Act of 1975 prohibits discrimination against an individual based on their age in programs and activities that receive federal financial assistance. The Act protects persons of all ages, young and old, from disparate treatment except where age bears a direct and substantial relationship with the normal operations or the achievement of a program's statutory goals. The law does not apply where it can be shown that any disparate treatment is based on a reasonable factor other than age.

- **Civil Rights Restoration Act of 1987**

The Civil Rights Restoration Act of 1987 expands the interpretation of Title VI by establishing that the non-discrimination restrictions pertain to *all* programs and activities of federal aid recipients, subrecipients, and contractors, and not only those programs and activities that directly receive federal financial support. Because of this Act, MPOs and local governments that receive

federal funds for any of their projects must comply with Title VI in the performance of programs and activities that are entirely State or locally funded.

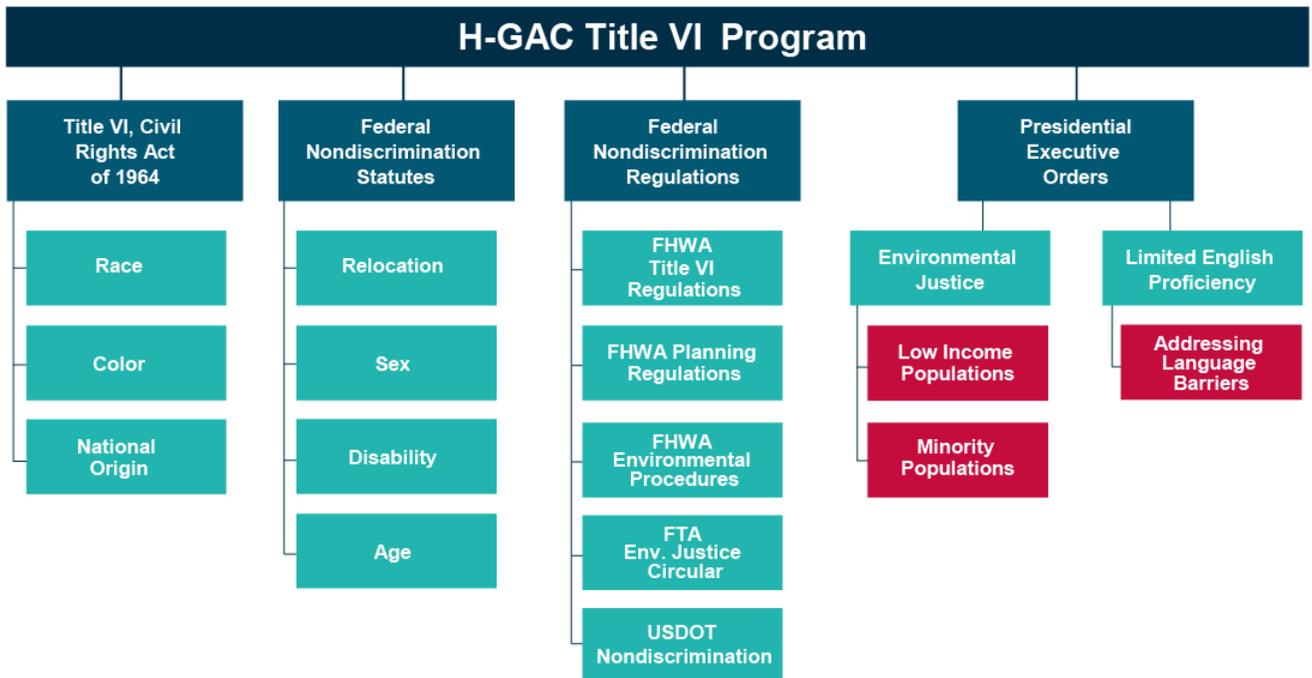
- **Americans with Disabilities Act of 1990**

The Americans with Disabilities Act of 1990 (ADA) prohibits public entities from discriminating against people with disabilities or implicitly excluding them from participation in the services, programs, or activities provided by the entity. The Act broadens the Rehabilitation Act by extending its application to include entities that do not receive federal funds.

- **Title IX of the Education Amendments Act of 1972**

Title IX prohibits discrimination on the basis of sex in education programs or activities.

Figure 1. Non-Discrimination Authorities in the Title VI Program



1.7 ADMINISTRATION OF THE TITLE VI PROGRAM

H-GAC's Title VI Program is implemented under the oversight of the Title VI Coordinator and assisted by several H-GAC staff liaisons. This section describes the framework of the Title VI Program and outlines the roles played by staff who help to implement the non-discrimination mandates of the Title VI Statute and its related Orders and Regulations.

(a) Coordination and Administration

The Chief Operating Officer of the Houston-Galveston Area Council is the designated Title VI Coordinator for the agency and the respondent for all legal process related to Title VI. Under the supervision of the Houston-Galveston Area Council Executive Director, the Title VI Coordinator provides oversight to the administration and development of the Title VI Program. Responsibilities of the Title VI Coordinator include:

- Ascertaining that agency operations are in compliance with Title VI;
- Receiving service of process for Title VI lawsuits filed against the Agency;
- Addressing Title VI complaints received by the agency in accordance with defined procedures;
- Discussing significant Title VI implementation issues and challenges with the Executive Director and staff liaisons, as necessary;
- Periodically reviewing the Title VI progress and making recommendations on how the agency can better serve the communities of concern; and
- Integrating best practices and constructive feedback from staff liaisons into the Title VI program.

(b) Communication Services and Public Outreach

The Public Outreach Manager leads the effort to provide timely and culturally competent communication to the general public, including those persons protected under Title VI. Measures taken to comply with Title VI requirements through communication services include:

- Maintaining a Public Participation Plan (PPP) and a Language Assistance Plan (LAP) that meet Title VI requirements and are appropriate for the MPO region;
- Ensuring that a Title VI Notice to the Public is posted in all appropriate public spaces within the agency and on the agency website;
- Maintaining a mailing list of Title VI stakeholders, including non-profit agencies, community organizations, faith-based groups, and advocates;
- Disseminating timely and culturally competent notices of public outreach events and public meetings to the Title VI stakeholders to keep them informed of opportunities for involvement in the planning process;
- Notifying affected protected groups of the availability of translation and interpreter services in public meetings and outreach events;

- Maintaining a list of staff members and external sources who can provide translation and interpreter services;
- Connecting bi-lingual staff with members of the public who need language assistance;
- Assessing and improving the strategies and resources available to assist people with limited English proficiency (LEP); and
- Facilitating meaningful access by the LEP population by translating vital documents and informational materials into other languages widely spoken by area residents.

(c) Demographic Data Collection and Mapping Analysis

Demographic data collection and mapping analysis related to Title VI is performed by H-GAC transportation planning staff. The Title VI demographic data and mapping liaisons facilitate Title VI compliance by:

- Collecting and analyzing demographic data for the planning region, including demographic trends data related to the communities of concern;
- Developing and updating demographic maps of the region, indicating the locations of the communities of concern;
- Obtaining data related to transportation projects and proposed investments as defined by the Long-Range Transportation Plan and the Transportation Improvement Plan;
- Collaborating with other transportation planners and outreach staff to collect and analyze information related to the transportation needs of the underserved population;
- Assessing potential impacts of transportation investments on the protected population, including transportation equity evaluations; and
- Facilitating the reporting of the agency’s Title VI compliance.

(d) Procurement Control and Contract Administration

The MPO’s procurement and financial staff ensure that RFP respondents, subrecipients, and contractors (“Third Party Participants”) are informed that they must agree to comply with federal non-discrimination laws as a condition to contracting with H-GAC. Contract administration performed by H-GAC project managers includes compliance monitoring. Title VI compliance through procurement control and contract administration involves:

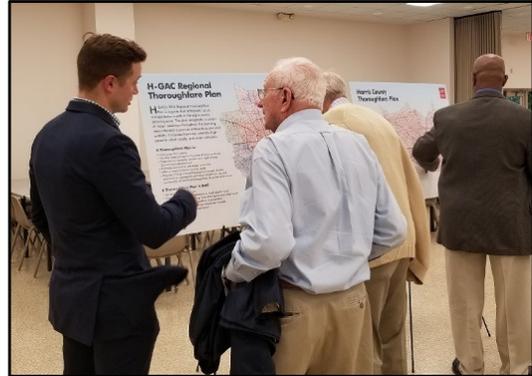
- Including Title VI language in public postings of RFP and RFQ notices, as required;
- Including Title VI language in contracts and procurement documents;
- Obtaining executed Title VI certifications and assurances from subrecipients and contractors;
- Complying with the Disadvantaged Business Enterprise requirements specified in the agreement with the Texas Department of Transportation (TxDOT), including the submission of periodic DBE reports on all active contracts;
- Maintaining information on Title VI requirements for contractors and subrecipients on the agency website; and
- Periodic on-site visits to subrecipients as needed, or after the filing of a Title VI complaint.

1.8 THE MPO PLANNING PROCESS

The core functions of the MPO include developing the Regional Transportation Plan (RTP), the Ten-Year Plan; the Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP). The MPO is also responsible for the Congestion Management Process (CMP). These plans guide the choice of multimodal projects and actions designed to build and maintain an efficient and functional regional transportation system.

1.8.1 Regional Transportation Plan

The Regional Transportation Plan is a conceptual expression of a transportation system anticipated to meet the region's projected mobility needs over a 25-year planning horizon. The RTP is developed every 4 years through local and state planning efforts and serves as a blueprint for prioritizing the funding of a mix of projects anticipated to produce the desired future multimodal transportation network. Focus areas within the Plan include the establishment of vision and goal statements; selection of performance measures for evaluating system performance and investment effectiveness; an assessment of regional transit needs and opportunities; environmental considerations and implications for project development; and the consideration of infrastructure needs to facilitate the movement of goods and people. Projects or investment programs must be contained in the RTP to be programmed in the TIP.



1.8.2 The Ten-Year Plan

The 84th Texas Legislature passed HB 20 in 2015, modifying the planning and programming process governing the prioritization and finance of transportation infrastructure projects. HB 20 requires MPOs to develop a 10-year transportation plan with specific details on how the funding allocated to their region would be used. The first 4 years of the plan must be consistent with the TIP as well as the Statewide Transportation Improvement Program (STIP). HB 20 also requires MPOs to consider projects that address benchmarks like congestion, safety, economic development opportunities for area residents, available funding, air quality, and the project's impact on the underserved communities. H-GAC's ten-year transportation plan prioritizes projects from the RTP based on these criteria.

1.8.3 The Transportation Improvement Program

The Transportation Improvement Program (TIP) is a cooperatively developed list of multimodal transportation projects consistent with the RTP and approved for implementation within a four-year window. The TIP outlines transit, highway, and traffic improvements, as well as other transportation and air quality related activities conceived for the MPO planning area. TIP projects are considered the highest priorities for the region and are adopted by the Transportation Policy Council (TPC) after a public hearing. The adopted TIP is incorporated into the Statewide Transportation Improvement Program (STIP).

TIP projects are accurately defined, and their sponsors are identified. The projects must conform to adopted vehicle emissions reduction targets and be financially constrained within reasonable estimates of federal, state, and local revenues for the four-year time frame. Any significant changes to a project in the TIP or its funding source must be approved by the TPC. New projects are added to the TIP periodically through a “call for projects” process conducted on a biennial schedule. Projects are selected for the TIP based on the evaluation of certain defined criteria, one of which is the potential to impact Title VI populations.

1.8.4 The Unified Planning Work Program

The Unified Planning Work Program (UPWP) is developed biennially and serves as a statement of the work to be performed within the metropolitan planning area in fulfillment of the continuing, cooperative, and comprehensive transportation planning responsibilities of the MPO. The UPWP outlines the planning tasks and specific activities that will be performed over the course of two fiscal years and includes a summary of the amount and source of State and federal funds to be used for the planning activities. The UPWP is produced through a collaborative and coordinated decision-making process between state, local government agencies, and the private transportation stakeholders in the region. The work program may be modified when needed, with the approval of the TPC.

1.8.5 The Congestion Management Process

The Congestion Management Process (CMP) is a systematic set of procedures that involve identifying congestion and its causes, applying mitigation strategies to improve transportation system performance and reliability, and evaluating the effectiveness of implemented strategies. All metropolitan areas with populations greater than 200,000 residents, (referred to as Transportation Management Areas (TMAs)), are required by the Moving Ahead for Progress in the 21st Century (MAP 21) Act to develop and maintain a CMP. The H-GAC MPO is responsible for administering the CMP for the Houston-Galveston Transportation Management Area which includes the 8 MPO counties – Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties.

The CMP is an important function of the MPO because of the potentially negative impacts of traffic congestion on economic growth and business activity. In addition, traffic congestion can adversely impact the regional air quality, (a significant concern because of the Houston-Galveston region’s non-attainment status with respect to federal NAAQS air quality standards) and impairs the quality of life of area residents.

1.9 FORMAT OF THE TITLE VI PROGRAM

The Chapters that follow respond to the FTA Circular 4702.1B to demonstrate that H-GAC is in compliance with the mandates of Title VI. In conducting its Title VI oversight and for reporting purposes, the MPO is required to collect demographic data and to complete various analyses to evaluate the impact of their planning activities on the protected populations. The MPO is further required to analyze how equitably transportation investments are distributed in the region, and to determine whether the projects funded by the MPO cause disparate impacts or disproportionately burden the minority and low-income population.

CHAPTER 2

GENERAL REQUIREMENTS

2.1 TITLE VI PROGRAM UPDATE

The Houston-Galveston Area Council submits its 2018 Triennial Title VI Program Update report to the FTA. The submittal follows the outline of requirements detailed in the FTA Circular 4702.1B and states the actions taken by the agency to meet the requirements. The program is consistent with the principles, federal laws and guidelines, and related requirements of Title VI, and is responsive to the needs of the protected population.

2.2 TITLE VI CERTIFICATIONS AND ASSURANCES

The Houston-Galveston Area Council submits its updated Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements (Certifications and Assurances) electronically on the grant making system TrAMS as is required under current FTA policy. The FTA Certifications and Assurances for the federal fiscal year 2018 have been duly executed by H-GAC's Executive Director and are pinned electronically in TrAMS, assuring the FTA that agency is in compliance with Title VI of the Civil Rights Act of 1964.

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FTA FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

**FEDERAL FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**
(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: Houston-Galveston Area Council

The Applicant agrees to comply with applicable provisions of Categories 01 – 21. X
OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Private Sector Protections.	_____
04.	Rolling Stock Reviews and Bus Testing.	_____
05.	Demand Responsive Service.	_____
06.	Intelligent Transportation Systems.	_____
07.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
08.	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements.	_____
09.	Alcohol and Controlled Substances Testing.	_____
10.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
11.	State of Good Repair Program.	_____
12.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
13.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
14.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.	_____
15.	Rural Areas and Appalachian Development Programs.	_____
16.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
17.	State Safety Oversight Grant Program.	_____
18.	Public Transportation Emergency Relief Program.	_____
19.	Expedited Project Delivery Pilot Program.	_____
20.	Infrastructure Finance Programs.	_____
21.	Construction Hiring Preferences.	_____

FTA FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2018 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for federal assistance to be awarded by FTA in FY 2018)

AFFIRMATION OF APPLICANT

Name of the Applicant: Houston-Galveston Area Council

Name and Relationship of the Authorized Representative: Jack Steele, Executive Director

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2018, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2018.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 3-7-18
Name Jack Steele, Executive Director
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name _____
Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

U.S. DEPARTMENT OF LABOR SPECIAL SECTION 5333(B) WARRANTY CERTIFICATION

(TxDOT requires this form to be completed by ALL §5311, §5311 and §5339 Subrecipients)

The following language shall be made part of the contract of assistance with the State or other public body charged with allocation and administration of funds provided under 49 U.S.C. 5333(b):

A. General Application

The Public Body agrees that, in the absence of waiver by the Department of Labor, the terms and conditions of this warranty, as set forth below, shall apply for the protection of the transportation related employees of any employer providing transportation services assisted by the Project ("Recipient"), and the transportation related employees of any other surface public transportation providers in the transportation service area of the Project.

The Public Body shall provide to the Department of Labor and maintain at all times during the Project an accurate, up-to-date listing of all existing transportation providers which are eligible Recipients of transportation assistance funded by the Project, in the transportation service area of the Project, and any labor organizations representing the employees of such providers.

Certification by the Public Body to the Department of Labor that the designated Recipients have indicated in writing acceptance of the terms and conditions of the warranty arrangement will be sufficient to permit the flow of Section 5311 funding in the absence of a finding of non-compliance by the Department of Labor.

B. Standard Terms and Conditions

- (1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect employees of the Recipient and of any other surface public transportation provider in the transportation service area of the Project. It shall be an obligation of the Recipient and any other legally responsible party designated by the Public Body to assure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of affected employees. The term "Project," as used herein, shall not be limited to the particular facility, service or operation assisted by Federal funds, but shall include any changes, whether organizational, or otherwise, which are a result of the assistance provided. The phrase "as a result of the Project," shall when used in this arrangement, include events related to the Project occurring in anticipation of, during, and subsequent to the Project and any program of efficiencies or economies related thereto; provided, however, that volume rises and falls of business, or changes in volume and character of employment brought about by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this arrangement.

An employee covered by this arrangement, who is not dismissed, displaced or otherwise worsened in his position with regard to his employment as a result of the Project, but who is dismissed, displaced or otherwise worsened solely because of the total or partial termination of the Project, discontinuance of Project services, or exhaustion of Project funding shall not be deemed eligible for a dismissal or displacement allowance within the meaning of paragraphs (6) and (7) of the Model agreement or applicable provisions of substitute comparable arrangements.

- (2)(a) Where employees of a Recipient are represented for collective bargaining purposes, all Project services provided by that Recipient shall be provided under and in accordance with any collective bargaining agreement applicable to such employees which is then in effect.
- (2)(b) The Recipient or legally responsible party shall provide to all affected employees sixty (60) days' notice of intended actions which may result in displacements or dismissals or rearrangements of the working

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

forces. In the case of employees represented by a union, such notice shall be provided by certified mail through their representatives. The notice shall contain a full and adequate statement of the proposed changes, and an estimate of the number of employees affected by the intended changes, and the number and classifications of any jobs in the Recipient's employment available to be filled by such affected employees.

- (2)(c) The procedures of this subparagraph shall apply to cases where notices involve employees represented by a union for collective bargaining purposes. At the request of either the Recipient or the representatives of such employees negotiations for the purposes of reaching agreement with respect to the applications of the terms and conditions of this arrangement shall commence immediately. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (4) of this warranty. The foregoing procedures shall be complied with and carried out prior to the institution of the intended action.
- (3) For the purpose of providing the statutory required protections including those specifically mandated by 49 U.S.C. Section 5333(b)¹, the public Body will assure as a condition of the release of funds that the Recipient agrees to be bound by the terms and conditions of the National (Model) Section 5333(b) Agreement executed July 23, 1975, identified below², provided that other comparable arrangements may be substituted therefore, if approved by the Secretary of Labor and certified for inclusion in these conditions.
- (4) Any dispute or controversy arising regarding the application, interpretation, or enforcement of any of the provisions of this arrangement which cannot be settled by and between the parties at interest within thirty (30) days after the dispute or controversy first arises, may be referred by any such party to any final and binding disputes settlement procedure acceptable to the parties, or in the event they cannot agree upon such procedure, to the Department of Labor or an impartial third party designated by the Department of Labor for final and binding determination. The compensation and expenses of the impartial third party, and any other jointly incurred expenses, shall be borne equally by the parties to the proceeding and all other expenses shall be paid by the party incurring them.

In the event of any dispute as to whether or not a particular employee was affected by the Project, it shall be his obligation to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of either the Recipient or other party legally responsible for the application of these conditions to prove that factors other than the Project affected the employees. The claiming employee shall prevail if it is established that the Project had an effect upon the employee even if other factors may also have affected the employee.

- (5) The Recipient or other legally responsible party designated by the Public Body will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by these arrangements, or the union representative of such employee, may file claim of violation of these arrangements with the Recipient within sixty (60) days of the date he is terminated or laid off as a result of the Project, or within eighteen (18) months of the date his position with respect to his employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitation shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim.
- (6) Nothing in this arrangement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements, nor shall this arrangement be deemed a waiver of any rights or any union or of any represented employee derived from any other agreement or provision of federal, state or local law.

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

- (7) In the event any employee covered by these arrangements is terminated or laid off as a result of the Project, he shall be granted priority of employment or reemployment to fill any vacant position within the control of the Recipient for which he is, or by training or retraining within a reasonable period, can become qualified. In the event training or retraining is required by such employment or reemployment, the Recipient or other legally responsible party designated by the Public Body shall provide or provide for such training or retraining at no cost to the employee.
- (8) The Recipient will post, in a prominent and accessible place, a notice stating that the Recipient has received federal assistance under 49 U.S.C. Chapter 53 and has agreed to comply with the provisions of 49 U.S.C. Section 5333(b). This notice shall also specify the terms and conditions set forth herein for the protection of employees. The Recipient shall maintain and keep on file all relevant books and records in sufficient detail as to provide the basic information necessary to the proper application, administration, and enforcement of these arrangements and to the proper determination of any claims arising thereunder.
- (9) Any labor organization which is the collective bargaining representative of employees covered by these arrangements, may become a party to these arrangements by serving written notice of its desire to do so upon the Recipient and the Department of Labor. In the event of any disagreement that such labor organization represents covered employees, or is otherwise eligible to become a party to these arrangements, as applied to the Project, the dispute as to whether such organization shall participate shall be determined by the Secretary of Labor.
- (10) In the event the Project is approved for assistance under 49 U.S.C. Chapter 53, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the Public Body or Recipient of federal funds; provided, however, that this arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by an upon the parties thereto, and by any covered employee or his representative, in accordance with its terms, nor shall any other employee protective agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

C. Waiver

As part of the grant approval process, either the Recipient or other legally responsible party designated by the Public Body may in writing seek from the Secretary of Labor a waiver of the statutory required protections. The Secretary will waive these protections in cases, where at the time of the requested waiver, the Secretary determines that there are no employees of the Recipient or of any other surface public transportation providers in the transportation service area who could be potentially affected by the Project. A 30-day notice of proposed waiver will be given by the Department of Labor and in the absence of timely objection, the waiver will become final at the end of the 30-day notice period. In the event of timely objection, the Department of Labor will review the matter and determine whether a waiver shall be granted. In the absence of waiver, these protections shall apply to the Project.

¹ Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training and retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employments which shall in no event provide benefits less than those established pursuant to 49 U.S.C. Section 11347 [the codified citation of Section 5(2)(f) of the Act of February 4, 1887 (24 Stat. 379), as amended].

² For purposes of this warranty agreement, paragraphs (1); (2); (5); (15); (22); (23); (24); (26); (27); (28); and (29) of the Model Section 5333(b) Agreement, executed July 23, 1975 are to be omitted.

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

Office of Labor-Management Standards (OLMS)

Public Transit Employee Protections

49 U.S.C. 5333(b) (also known as Section 13(c) of the Federal Transit Act)

(1) As a condition of financial assistance under sections 5307-5312, 5316, 5318, 5323(a)(1), 5323(b), 5323(d), 5328, 5337, and 5338(b) of this title, the interests of employees affected by the assistance shall be protected under arrangements the Secretary of Labor concludes are fair and equitable. The agreement granting the assistance under sections 5307-5312, 5316, 5318, 5323(a)(1), 5323(b), 5323(d), 5328, 5337, and 5338(b) shall specify the arrangements.

(2) Arrangements under this subsection shall include provisions that may be necessary for--

- a. the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise;
- b. the continuation of collective bargaining rights;
- c. the protection of individual employees against a worsening of their positions related to employment;
- d. assurances of employment to employees of acquired public transportation systems;
- e. assurances of priority of reemployment of employees whose employment is ended or who are laid off; and
- f. paid training or retraining programs.

(3) Arrangements under this subsection shall provide benefits at least equal to benefits established under section 11326 of this title.

(4) Fair and equitable arrangements to protect the interests of employees utilized by the Secretary of Labor for assistance to purchase like-kind equipment or facilities, and grant amendments which do not materially revise or amend existing assistance agreements, shall be certified without referral.

(5) When the Secretary is called upon to issue fair and equitable determinations involving assurances of employment when one private transit bus service contractor replaces another through competitive bidding, such decisions shall be based on the principles set forth in the Department of Labor's decision of September 21, 1994 ([HTML](#)) ([PDF](#)), as clarified by the supplemental ruling of November 7, 1994 ([HTML](#)) ([PDF](#)), with respect to grant NV-90-X021. This paragraph shall not serve as a basis for objections under section 215.3(d) of title 29, Code of Federal Regulations.

<https://www.dol.gov/olms/regqs/compliance/statute-sect5333b.htm>

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

49 U.S.C 5333(b) (also known as Section 13C of the Federal Transit)

STATE SUBRECIPIENT SERVICE AREA INFORMATION	
Subrecipient Name: Houston-Galveston Area Council	
Contact Name: Jack Steele	Date: 4-9-18
Area Code & Phone Number: (713) 627-3200	Email Address: jack.steele@h-gac.com
Description of subrecipient's service area: N.A. Planning organization only.	
Are the Subrecipient's Transit Employees Private or Public? <input type="radio"/> Private or <input type="radio"/> Public	
Identify the Labor Organization(s) which represent the Subrecipient's or its Contractor's Employees or check NA for no labor organizations	NA <input checked="" type="checkbox"/>
<div style="border: 1px solid black; height: 50px;"></div>	
List OTHER Public Transit Providers in the service area of the subrecipient (commuter, paratransit, fixed route...etc.) and their associated labor organization(s) or check NA, no other services providers in the Subrecipient's area	NA <input checked="" type="checkbox"/>
<div style="border: 1px solid black; height: 50px;"></div>	

Printed Name: **Jack Steele**

Signature 

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

LOBBYING CERTIFICATION REQUIRED FOR EACH APPLICATION EXCEEDING \$100,000

(TxDOT requires this form to be completed by all Applicants)

An Applicant that submits, or intends to submit this fiscal year, an application for Federal assistance exceeding \$100,000 from all Federal sources must provide the following certification. FTA may not provide Federal assistance for an application exceeding \$100,000 until the Applicant provides this certification by selecting Category II on the Signature Page.

The undersigned certifies to the best of his or her knowledge and belief, that:

- A. As required by U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application for a Federal assistance exceeding \$100,000:
- (1) No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement; and
 - (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Lobbying Certification", in accordance with its instructions; and
 - (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- B. The Applicant understands that this certification is a material representation of fact upon which reliance is placed and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Houston-Galveston Area Council

Legal Name of Applicant


Signature of Certifying Official
Title: **Executive Director**
Date: 4-9-2018

Approved by
OMB0348-0046

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.



NA

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES
DISCLOSURE OF LOBBYING ACTIVITIES
 Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
 (See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: ^{4c}			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency:			7. Federal Program Name/Description: CFDA Number, if applicable: _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____		
Federal Use Only:				Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)	

NA

TxDOT FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

DEBARMENT AND SUSPENSION (NONPROCUREMENT)

(TxDOT requires this form to be completed by all Applicants)

Applicability to Contracts

2 CFR Part 180 and Part 1200, prohibits FTA recipients and sub-recipients from contracting for goods and services from organizations that have been suspended or debarred from receiving Federally-assisted contracts. As part of their applications each year, recipients are required to submit a certification to the effect that they will not enter into contracts \$25,000 and over with suspended or debarred contractors and that they will require their contractors (and their subcontractors) to make the same certification to them.

- (1) The Subrecipient certifies to the best of its knowledge and belief, that it and its principals, including its first tier subrecipients:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded or disqualified from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction; violation of any Federal or State antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local);
 - (d) Have not within a three-year period preceding this certification had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) The Subrecipient certifies that it and its principals, including its first tier subrecipients will assure that each lower tier participant involved in the Project is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded or disqualified from participation in this transaction by any Federal department or agency;
- (3) The Subrecipient certifies that if, later, it or its principals, including any of its first tier subrecipients, become aware of any information contradicting the statements of subparagraphs (1)(2), it will promptly provide any necessary information to FTA;
- (4) Where the Subrecipient is unable to certify to any of the statements in this certification, such Subrecipient shall attach an explanation to this certification.

EXCEPTIONS :

Signature of Certifying Official: _____



Title: Executive Director

Date: 4-9-2018



Internal Compliance Program Certification

Form 2433
(Rev. 01/17)
Page 1 of 2

BACKGROUND

Title 43 of the Texas Administrative Code requires specific state and federal funds recipients to adopt and enforce an internal ethics and compliance program that satisfies the requirements of 43 Texas Administrative Code §10.51. The department may, at its discretion, request that the entity provide the department with written evidence of the entity's internal ethics and compliance program

MINIMUM REQUIREMENTS SET FORTH IN TITLE 43 TEXAS ADMINISTRATIVE CODE §10.51:

1. High level personnel are responsible for oversight of compliance with the standards and procedures.
 - ♦ *High level personnel shall be knowledgeable about the content and operation of the entity's internal ethics and compliance program and shall promote an organizational culture that encourages ethical conduct and a commitment to compliance with all applicable laws and regulations.*
2. Appropriate care is being taken to avoid the delegation of substantial discretionary authority to individuals whom the entity knows, or should know, have a propensity to engage in illegal activities
 - ♦ *The entity shall have a consistent process to vet the background of current and future employees in high level positions and those involved in the handling of financial and/or highly confidential information.*
3. Ensure that compliance standards and procedures are effectively communicated to all of the entity's employees, including members of the governing board if the entity has a governing board, by requiring them to participate in periodic training in ethics and in the requirements of the program.
 - ♦ *The entity shall ensure that employees and the governing board (if applicable) are made aware of all internal ethics and compliance policies, procedures, and practices by requiring them to participate in periodic ethics and compliance training. A record of those participating in training shall be kept.*
4. Ensure that compliance standards and procedures are effectively communicated to all of the entity's agents
 - ♦ *The entity shall notify and require its partners doing business on its behalf to comply with the entity's internal ethics and compliance policies, procedures, and practices through written or verbal communication.*
5. Ensure that reasonable steps are being taken to achieve compliance with the compliance standards and procedures by using monitoring and auditing systems that are designed to reasonably detect non-compliance and providing and publicizing a system for the entity's employees and agents to report suspected non-compliance without fear of retaliation
 - ♦ *The entity shall have in place a reporting system, which may include mechanisms for anonymity or confidentiality, that allows employees, the governing board and entity agents to report suspected incidents of non-compliance without fear of retaliation.*
 - ♦ *The entity shall have an established process for assessing compliance with its code of conduct as well as policies and procedures adopted to promote adherence with laws and regulations.*
6. Ensure consistent enforcement of compliance standards and procedures is administered through appropriate disciplinary mechanisms
 - ♦ *The entity shall respond to incidents of non-compliance by following an established internal disciplinary process.*

7. Ensure reasonable steps are being taken to respond appropriately to detected offenses and to prevent future similar offenses

- ♦ *The entity shall have established protocols and processes for monitoring and responding to risk that could potentially result in violations.*
- ♦ *The entity shall act appropriately to prevent similar conduct by implementing a plan remedying past non-compliance, preventing future non-compliance and making modifications as necessary to the entity's policies to ensure effective compliance.*

8. Have in place a written employee code of conduct that, at a minimum, addresses record retention, fraud, equal opportunity employment, sexual harassment, conflicts of interest, personal use of the entity's property, and gifts honoraria

- ♦ *The entity shall adopt a code of conduct that, at a minimum, addresses each element of this requirement.*

CERTIFICATION

The undersigned organization would like to be eligible to receive state or federal funds from or through the Texas Department of Transportation.

To comply with the requirements set forth in the Texas Administrative Code, the undersigned entity certifies that:

1. the entity has a written internal ethics and compliance program that provides compliance standards and procedures that are designed to detect and prevent violations of the law, and ethical standards;
2. the entity enforces employee compliance with its internal ethics and compliance program; and
3. the entity's internal ethics and compliance program specifically includes, at a minimum, the items contained in 43 Tex. Admin. Code §10.51.

Any other requirements by any state, federal, or local law, rule, regulation, ordinance or otherwise is not included in these requirements and it is the sole responsibility of the undersigned to comply with such laws. This is not intended to provide legal advice or representation to the undersigned.

The department may, at its discretion, request that the entity provide the department with written evidence of the entity's internal ethics and compliance program (43 Tex. Admin. Code §10.51(c)).

Houston-Galveston Area Council

Organization Name

Signed by: **Jack Steele**

Printed Name

Executive Director

Title

4-9-2018
Date


Signature

2.3 TITLE VI NOTICE TO THE PUBLIC

H-GAC is required to post a notice that informs the public about the agency's obligations under DOT's Title VI regulations. The notice must describe the protections against discrimination afforded the public by Title VI and demonstrate that the agency complies with the federal non-discrimination regulations. H-GAC's Title VI notice is posted for public information in the following places:

- At the entrance to the H-GAC office building at 3555 Timmons Lane, Houston TX 77027;
- On all publicly accessible notice boards within the H-GAC office building;
- On the H-GAC website at www.h-gac.com.

The Title VI notice to the public is provided in English as well as in the three languages other than English that are most widely spoken by the area residents - Spanish, Mandarin Chinese, and Vietnamese. A copy of the multi-lingual notice is provided in **Appendix B**. The text of the Title VI notice is provided in Figure 2 below, in English.

Figure 2. H-GAC Title VI Notice to the Public in English

TITLE VI - KNOW YOUR RIGHTS

**Notifying the Public of Rights Under Title VI
Houston-Galveston Area Council**

- The Houston-Galveston Area Council (H-GAC) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with H-GAC.
- For more information on H-GAC's civil rights program, and the procedures to file a complaint, contact (713) 627- 3200; email title.vi.coordinator@h-gac.com; or visit our administrative office at 3555 Timmons Lane, Houston, TX 77027. For more information, visit www.h-gac.com.
- A complainant may file a complaint with:

**Federal Transit Administration Office of Civil Rights
Attention: Title VI Civil Rights Officer
819 Taylor Street, Rm 8A36
Fort Worth, TX 76102**
- If information is needed in another language, contact (713) 627-3200.

2.4 FILING A TITLE VI COMPLAINT

H-GAC has a formal process through which aggrieved parties may file a complaint alleging they have suffered from discrimination based on their race, color, or national origin in circumstances that relate to a planning process, program, or activity administered by the agency. As a recipient of federal financial assistance, H-GAC is required to comply with the requirements of Title VI of the Civil Rights Act of 1964 and other related non-discrimination statutes and regulations. H-GAC is committed to protecting the right of all individuals to participate in the planning process, and to providing them meaningful access to the benefits and services that are available through the agency's programs or activities. This policy extends from the Houston-Galveston Council of Governments to all its sub-recipients and other third-party participants.

Any person or groups of persons who believe H-GAC or an individual or entity that is engaged in a contractual relationship with the agency has subjected them to unlawful discrimination may file a complaint to the H-GAC Title VI Coordinator. Pursuing a Title VI complaint through H-GAC does not deprive a complainant from the right to file a formal complaint with other state or federal agencies, or to seek redress through the legal process. H-GAC's Title VI complaint process is detailed in **Appendix C**. A copy of the Title VI complaint form is provided below and is also available on the H-GAC website at www.h-gac.com.

2.5 TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS

The Houston-Galveston Area Council has not received any complaints nor has there been any investigations or lawsuits filed against the agency alleging discrimination based on race, color, and/or national origin since the 2015 triennial report was submitted.





HOUSTON-GALVESTON AREA COUNCIL

COMPLAINT NO. _____

Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of **race, color, or national origin**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Environmental Justice component of Title VI guarantees fair treatment for all people and provides for H-GAC, to identify and address, as appropriate, disproportionately high and adverse effects of its programs, policies, and activities on minority and low-income populations, such as undertaking reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information H-GAC provides.

H-GAC works to ensure nondiscriminatory transportation in support of our mission to be the Gulf Coast Region leader in providing effective, coordinated and integrated multimodal transportation solutions to enhance the social and economic quality of life for all Gulf Coast Region citizens. H-GAC's Contract Compliance Program Office is responsible for Civil Rights Compliance and Monitoring to ensure non-discriminatory provision of transit services and programs.

NAME:	HOME NO.:
EMAIL ADDRESS:	WORK NO.:
MAILING ADDRESS:	CITY:
	STATE: ZIP:
Please indicate the basis of your complaint: <input type="checkbox"/> Race _____ <input type="checkbox"/> Age _____ <input type="checkbox"/> National Origin _____ <input type="checkbox"/> Color _____ <input type="checkbox"/> Gender _____ <input type="checkbox"/> Disability _____	
Date and place of alleged discriminatory action(s). _____ (Please include the earliest date of discrimination and the most recent date of discrimination.)	
Name(s)/Position title(s) of the person(s) who allegedly subjected you to Title VI discrimination:	
How were you discriminated against? Please describe the nature of the action, decision, or conditions of the alleged discrimination. Be as clear as possible in your description of what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (You can attach additional pages, if necessary.)	

The law prohibits intimidation or retaliation against anyone because s/he has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional pages, if necessary.)

Name	Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you filed, or do you intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- U.S. Department of Transportation _____
- Federal Highway Administration _____
- Federal Transit Administration _____
- Office of Federal Contract Compliance _____
- U.S. Equal Employment Opportunity Commission _____
- U.S. Department of Justice _____
- Other: _____

Have you discussed the complaint with any H-GAC representative? If yes, provide the name, position, and date of discussion.

What remedy or action are you seeking for the alleged discrimination?

Please provide any additional information, documents, photographs, etc., if applicable, that you believe will assist in an investigation.

Sign and date the complaint below. *We are unable to consider unsigned complaints.*

Complainant's Signature _____ Date _____

FOR OFFICE USE ONLY

Date complaint received: _____	Case #: _____
Processed by: _____	Date Referred: _____
Referred to: <input type="checkbox"/> USDOT <input type="checkbox"/> FHWA <input type="checkbox"/> FTA <input type="checkbox"/> OFCCP <input type="checkbox"/> Other: _____	

Continuation Sheet:

2.6 THE NEED FOR PUBLIC INVOLVEMENT

“Public Involvement” is an integral part of the planning process and is considered the panacea for achieving the non-discrimination mandates of Title VI and Executive Order 12898. This term of art has dual connotations: it includes activities purposed for public participation and secondly, it incorporates the efforts taken towards public outreach. The DOT requirement for a continuous public involvement program is calculated to bring the range of community needs and interests to the table prior to, and during the period that important planning decisions are made. An effective public engagement process provides for the open exchange of information and ideas between the public and the transportation decision makers. It is H-GAC’s policy to proactively engage the general public, especially members of the disadvantaged and traditionally underserved communities, through its public outreach activities.

2.7 THE PUBLIC PARTICIPATION PLAN

Federal law requires MPO’s to document their public engagement process in a written public participation plan. Federal law also requires MPO’s to conduct periodic evaluations of the effectiveness of their public participation process, to see that it provides “full and open” access to all parties. The FTA requires Title VI programs to have a defined outreach strategy to engage minority and limited English proficient (LEP) populations. Best practice standards suggest that an effective public participation strategy would include:

- A clearly defined purpose and objective for initiating the dialogue with the public;
- A method to accurately identify the affected public and interested stakeholder groups;
- A variety of notification methods that can reach different target groups effectively;
- Outreach to organizations and advocates that represent the underserved populations;
- Practical strategies to overcome participation barriers for minority and low-income populations;
- A practical technique for engaging the minority and low-income population in the public participation process;
- Communication methods that help the public understand transportation issues and enables them to identify practical solutions and potential opportunities for their community;
- Multiple ways to receive public comments and other input;
- A process to document, acknowledge, and consider matters raised by the public and thereby demonstrate that the decision makers have seriously considered the public input; and
- Periodic review of the effectiveness of outreach strategies to the underserved population.

H-GAC developed a Public Participation Plan in 2007. This Plan was updated in 2012 and more recently, in 2017. The current update recognizes changes in the demographic composition of the region, including the size and characteristics of the minority and non-English speaking population. It also reflects the ongoing revolution in communication technology, particularly in the way people obtain news and share information. H-GAC’s Public Participation Plan updates reflect the MPO’s continued desire to expand opportunities for broad-based participation, and to provide timely notices and full public access to important information regarding key transportation decisions.

Informing and involving residents in the transportation planning process is a continuous effort. The Public Participation Plan outlines fresh strategies for engaging the minority and LEP citizens. Demographic data is analyzed and mapped to identify communities of concern. This data guides the selection of locations for public meetings and other outreach events to venues that are reasonably accessible to the target population. The demographic maps also guide efforts to achieve a more targeted and diverse outreach program. The H-GAC Public Participation Plan is translated into Spanish, Mandarin Chinese, and Vietnamese. A copy of the document can be found in **Appendix D** of this report. The Public Participation Plan can be accessed on the H-GAC website at <https://www.h-gac.com/taq/transportation-public-outreach/default.aspx>.

2.8 COMMUNICATION CHANNELS AND STRATEGIES

H-GAC utilizes several communication channels and strategies in its public outreach program with the goal of reaching as large a group of area residents and concerned stakeholders as possible. The MPO focuses on disseminating information about Board/Committee meetings, public outreach events, transportation planning studies, the development or amendment of the vital documents like the LRTP, TIP, and UPWP, business and grant opportunities, including opportunities for disadvantaged enterprises (DBE), training workshops, and other issues for which public notice is required or public comment is sought. Some of H-GAC's communication channels are highlighted below.

H-GAC Website

The agency website is the primary channel through which H-GAC distributes information. The website is a broad and flexible resource that contains information on the programs, activities, and policies of every department - tailored to the needs of the region's residents, business interests, and local government entities. This encompasses a wide range of interests: hurricane evacuation routes, disaster recovery resources, air and water quality concerns, cooperative purchasing opportunities, commute solutions, transportation safety, regional housing coordination, and workforce solutions. H-GAC's website contains information on the agency's governing boards along with their meeting agendas and minutes. The website also provides public access to an extensive library of web-based applications, socio-economic data, publications, and technical reports, which researchers and other interested parties may access and retrieve. Contents of the website may be translated to different languages based on perceived user needs.

The H-GAC website is also a medium through which the agency can obtain public comments and contributions about ongoing projects. Members of the public and stakeholders are always invited to submit comments to the MPO electronically and to sign up for the MPO newsletters and email notices.

Facebook and Twitter

H-GAC takes advantage of the speed, connectivity, and cost effectiveness of social media and uses these channels as one of its primary methods of disseminating news and sharing information. Social media is an effective way to reach a large audience instantaneously. It is particularly useful for advertising upcoming events such as meetings, seminars, workshops, and outreach events. H-GAC's social media presence include accounts on Facebook (with an average of 560 likes), and Twitter (with about 500 followers).

Email Lists

H-GAC maintains several email lists through which it distributes newsletters and notifies interested parties about upcoming meetings and public events they could participate in. The agency's email lists contain over 5,000 contacts and serve several different interest groups and affiliations, some of which target Title VI stakeholders such as non-profit agencies, community organizations, faith-based groups, and advocates. Citizens are continually invited to sign up to receive project specific updates or general information through these email messaging. Disparate lists may be merged for one message broadcast when there is a confluence of interests for members on the different lists. A drawback of the email channel is the cost of maintaining the lists and keeping them updated with the changing circumstances of the email account owners.

U.S. Post Office Mailouts

The H-GAC outreach program uses the U.S. Postal Service as a communication channel particularly when formal and individualized communication is needed, or when proof of delivery of the mailed item is desired. Bulk mailouts are made to transportation management organizations, business entities, and targeted individuals, particularly to distribute promotional items on the MPO programs, activities, and special events.

Broadcast Media

For a region as large and diverse as the Houston metropolitan area, public service announcements on community radio and television stations are a particularly effective way of reaching the underserved population, especially residents with limited English comprehension skills. H-GAC routinely makes English and Spanish language broadcasts on the community radio and television stations to provide the target audience with status reports about on-going road projects, or to inform them about upcoming meetings and public outreach events that may be important to the community.

Newspapers

H-GAC places legal notices in newspapers that are widely circulated within the metropolitan region, some of which cater to specific ethnic communities. The legal notices are generally placed in English but may also be placed in Spanish, Vietnamese, Mandarin Chinese, or Korean, depending on the market community of the publication.

Community Partnerships

Community partnerships have been found to be a particularly successful strategy for boosting participation in the minority and LEP communities. H-GAC partners with elected officials, community centers, churches, chambers of commerce, management districts, transportation management organizations and agencies, advocacy organizations, neighborhood groups, municipal leaders, and other recognized community representatives who can use their access and knowledge of the target community to spread information about public meetings and other opportunities for their constituents to be informed about MPO activities that could impact their lives and the future of their communities.

2.9 SUMMARY OF OUTREACH EFFORTS

The outreach program of the MPO will be described in this section using two recent examples to highlight outreach efforts that are typically undertaken in furtherance of the MPO's transportation planning functions. In community outreach, however, one size does not fit all circumstances. The examples cited may be distinguished by their size, their context, and the general approach employed in engaging the public. The examples include messaging targeted at the underserved communities, including the LEP population.

2.9.1 The 2045 Regional Transportation Plan (2045 RTP)

Status: Ongoing

Background

The 2045 RTP is H-GAC's long-range transportation plan which is updated every four years in coordination with the state, transit providers, public agencies, freight interests, and public/private community organizations. The plan analyzes the regional transportation needs and goals and lays out investment priorities for the region's multimodal transportation system - projected to the future a minimum of 20 years. The goals for the 2045 RTP are to:

- Improve safety;
- Move people and goods efficiently;
- Achieve and/or maintain a state of good infrastructure repair;
- Strengthen regional economic competitiveness; and
- Conserve and protect natural and cultural resources.

These goals were chosen to guide the strategies that would be adopted to realize the desired future transportation network and to inform the choice of multi-modal projects to include in the Plan. The process of development of the H-GAC 2045 regional transportation plan has been divided into three phases, each of which includes a course of public outreach activities:

Phase 1 - The Initial Assessment (Vision and Trends)

Phase 2 - Corridor Analysis (System Evaluation)

Phase 3 - Regional Analysis (Investment Priorities)

The substantive activities performed during each of the phases of plan development are described in Table 1.

Table 1: H-GAC 2045 RTP Development Process

Phase 1: Vision & Trends	<ul style="list-style-type: none"> • Update Demographics • Review Goals and Vision • Define Challenges and Gaps ➔ <i>Public Outreach [Spring 2018]</i>
Phase 2: System Evaluation	<ul style="list-style-type: none"> • Evaluate Alternative Transportation Scenarios • Develop Financial Plan • Develop Priorities and Strategies ➔ <i>Public Outreach [Spring 2019]</i>
Phase 3: Investment Priorities	<ul style="list-style-type: none"> • Finalize Investment Priorities • Establish Performance Measures and Standards • Determine Regional Impacts (Air Quality, Environment, Social Justice) • Prepare Final Plan ➔ <i>Final Public Comment [Spring 2019]</i>

The following section describes the outreach efforts for Phase 1 of the RTP 2045 Plan development process and shows some of the ways the agency reached out to the historically underserved and under-represented population within the metropolitan planning region. The outreach tasks were conducted and managed by the MPO public outreach staff.

Public Meetings:

Several public meetings were held at venues in every county within the MPO region, to educate the community about the planning process and on the need and purpose of the long-range transportation plan. Members of the public were invited to indicate the transportation-related issues they were concerned about in their neighborhoods. Written comments were taken at the live events as well as through the 2045 RTP website which may be accessed at <http://2045rtp.com>.

Several of the public meetings were held in central and accessible locations within neighborhoods identified as underserved communities that were sensitive for environmental justice recognition. The venues are:

- (1) Kashmere Gardens Multi-Service Center;
- (2) Alief Community Center;
- (3) Leon Z. Grayson Community Center; and
- (4) Prairie View A&M University.

Map 2 shows the venues of the public meetings held during Phase 1 of the H-GAC 2045 RTP Plan development and highlights the locations chosen specifically because they were in a chronically underserved and disadvantaged part of the regional community. The public meeting venues are shown over a background of the communities identified as environmental justice sensitive. It is anticipated that other underserved communities will be included as public meeting venues during future phases of the 2045 RTP Plan development.

Accommodations:

Depending on the demographic characteristics of the neighborhoods, Spanish, Hindi, Mandarin Chinese, and Vietnamese translators were available at public meetings, along with sign language interpreters, to provide participants with limitations relating to language or hearing impairment the opportunity for better and more meaningful participation.

Media Releases, Broadcasts, Message Signs:

H-GAC's public outreach staff created and released notices about the public meetings and their venues to newspapers and periodic publications of wide circulation, including the community newspapers published in the different native languages spoken in the region. Public service announcements were also made on foreign language television and radio stations. Information about public meetings was delivered on changeable message signs on the area highways.

U.S. Mail and Email Campaign:

Factsheet flyers were developed in English and Spanish, the most widely spoken languages in the region. These flyers were included in invitation mail-outs and electronic mail blasts to businesses, civic clubs, chambers of commerce, educational institutions, faith-based organizations, homeowners associations, management districts, non-profit organizations, public libraries, and research institutions, among others.

Community Partnerships:

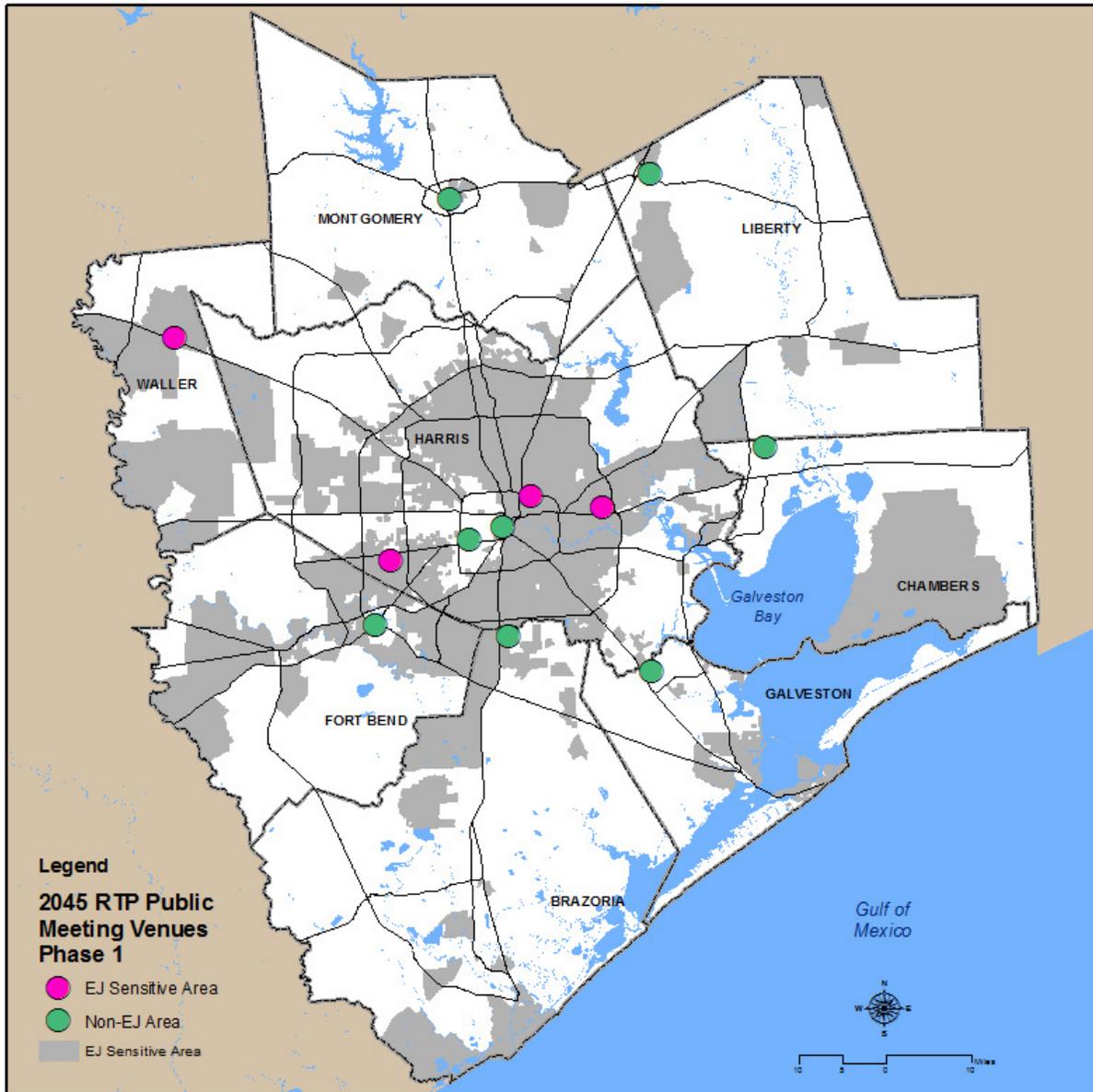
H-GAC staff engaged local elected leaders, community advocates, and interested citizens to spread information about proposed meetings regarding the 2045 RTP development to their constituents, friends, and neighbors: implementing a recognized community outreach best practice of using individuals with known community links to act as liaisons with the target community.

H-GAC also implemented another community outreach best practice by going out to make 2045 RTP presentations at the existing community gatherings of the target communities. Places visited include neighborhood meetings, community centers, and the United Way. MPO staff also engaged the aging community in its outreach efforts through its contacts with the Area Agency on Aging, senior service centers, and the Coalition for Independent Living.

Information Survey:

To assist in the analysis of the effective outreach methods to the community, an informal survey was taken of some of the public meeting participants who were identified as minority citizens, requesting how they learnt about the public meeting and what made them decide to attend the event. Responses included media releases, personal contact from friends and family (including MPO staff), and email notification.

Map 2: Public Meeting Venues – 2045 RTP Phase 1



2.9.2 Waller County Transportation Plan

Status: Complete

Background:

H-GAC partnered with Waller County, several local cities, and TxDOT to create a transportation plan for the county. The 18-month long study examined the transportation, land use, demographic, and socio-economic conditions within the county and its environs. The goal was to determine the region's short and long-range transportation infrastructure needs, and to create a transportation plan that would improve mobility and moderate the current and anticipated traffic problems while preserving the county's environmentally sensitive areas, its high value agricultural resources, and its cultural heritage and character.

Waller county is a largely rural region located in the northwestern quadrant of the Houston metropolitan area. The county has the third largest minority population by proportion of all the counties in the planning region. The rapid population growth and continuous expansion of urban development from the Houston metropolitan area towards its Waller suburbs suggests that the rural character of the county could soon be changing. The expected increase in the intensity of development would mean more people and more cars, and consequently the need for better transportation facilities to accommodate the increased demand and to avoid congestion.

Public involvement was considered critically important to the plan development process and indispensable to identifying the needs and concerns of the population. An inclusive process would be needed to create a plan that would serve the best interests of the entire community. A Public Involvement Plan was prepared to guide the public outreach efforts. However, because of differences in the racial characteristics of the population as well as the large distances between the few localities that had a concentration of residents in this rural county, an important decision was made right from the onset to hold public meetings in both the north and the south ends of the county. H-GAC retained the services of a consulting firm to conduct and manage the public outreach activities.

Public Meetings:

Several public hearings and stakeholder meetings were held in the cities of Prairie View and Hempstead to the north, and in Brookshire to the south of the county. Presentations were given to educate the community about the purpose of the study and what H-GAC hoped to achieve through the thoroughfare plan development process. Residents were asked to identify the transportation related problems and concerns they felt strongly about, and to indicate their preferred solutions. Written comments were taken at the live events but interested citizens could make comments online or by phone. The project website may be accessed at <http://hgacmpo.com/waller/index.html>.

Accommodation:

A review of demographic information from the U.S. Census Bureau indicated that the LEP population in Waller County was predominantly Spanish speaking. A provision was made for bilingual Spanish speakers to be available for translation services at public meetings. Meeting flyers were produced in English as well as Spanish and were distributed widely in the neighborhoods and community centers.

Comment cards were also produced in Spanish to accommodate participants who preferred to communicate in that language.

Media Releases, Broadcasts, Message Signs:

H-GAC's public outreach staff created and recorded radio public service announcement spots for broadcast on the Prairie View A&M University station (KPVU). The goal was to try to encourage participation by the student population, most of whom are minority citizens like the communities around them. Public meeting notices in English and Spanish were also placed in community newspapers and other local publications that catered to diverse audiences. Information about public meetings was delivered on changeable message signs on the area highways.

U.S. Mail and Email Campaign:

Custom flyers and other educational literature were produced in both English and Spanish, the most widely spoken languages in the region. These flyers were included in mail-outs to businesses, educational institutions, faith-based organizations, homeowners associations, non-profit organizations, public libraries, and research institutions among others. Posters and flyers were also placed on transit buses in an effort to reach the transit dependent population. Flyers were also posted in public venues within the target communities, including grocery stores, washeterias, post offices, and barber shops.

Community Partnerships:

H-GAC staff engaged local community leaders including the county judge, mayors, police officers, first responders, community advocates, and interested citizens to spread information about the public meetings on the transportation plan. In the communities in northern Waller County, these community contacts were mostly minority citizens like the communities they represented or served.

Staff also conducted focused outreach on area churches in the underserved communities. Additional efforts to reach the minority citizens were made through the home owners associations and the multi-cultural chambers of commerce.

University Outreach:

Prairie View is primarily a college town and home to a distinguished historically black institution. Turnout to public meetings by minority residents, especially the college students, was low even when the event was held on the college campus. An interesting and novel move was taken in the effort to improve participation. In addition to accentuating community partnerships, specific departments of study at the university were targeted with messaging that emphasized the educational value of the transportation plan development process, the importance of civic involvement, and the opportunity to be a part of an effort that would have real life consequences and impact the future of their community. These efforts achieved a measure of success as several university students attended the final public meeting.

Information Survey:

An informal survey was taken of some meeting participants who were identified as minority citizens, requesting how they learnt about the public meeting and what made them decide to attend the event. Responses included, personal contact from friends and co-workers, information on the changeable message signs, invitations by email, and a student project.



2.9.3 Other Public Outreach Activities

Similar efforts to include the LEP population and other underserved public were made in the preparation of the State Highway 146 Sub-Regional Study, Transportation Improvement Program, Unified Planning Work Program, Regional Safety Plan, and the Hurricane Evacuation Preparedness Plan.

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2.10 THE LANGUAGE ASSISTANCE PLAN

The Houston metropolitan region is the fifth largest metropolitan area in the United States while the City of Houston is ranked the fourth largest city in the nation. The population of the H-GAC region is as diverse as it is large. Given the size and diversity of the population, a language assistance plan is a logical necessity.

Having a limited ability to read, speak, or understand the English language can be an enormous barrier to participation and impede one's access to the benefits, services, and information offered by the MPO. H-GAC implements a Language Assistance Plan consistent with Title VI and Presidential Executive Order 13166 to resolve the language isolation problem. It is H-GAC's policy to see that LEP persons are included and offered meaningful access to programs, activities, and services provided by the MPO.

Guidance from the U.S. DOT recommends a four-factor analysis for evaluating the extent to which language assistance is needed to effectively engage the diverse residents of a community. These factors are:

- *Demography*: The size of the LEP population served or that will potentially be encountered in the course of business;
- *Frequency*: The frequency with which LEP individuals are involved in the agency's overall programs, activities, and services;
- *Importance*: The nature and importance of agency's programs, activities, or services in the residents' lives;
- *Resources*: The resources available to the agency and the relative cost of providing specialized services.

A summary of the four-factor analysis for the Gulf-Coast region are as follows.

1. Demography:

According to the 2011 – 2015 American Community Survey (ACS) five-year estimates, as many as 993,243 or 17% of the 5.8 million residents of the region aged 5 and over speak the English language at a level of proficiency that is less than "very well." This contrasts with an estimated 14.2% statewide, and only 8.6% nationally. These residents constitute the LEP population for the MPO region.

The predominant home language spoken by the LEP residents is Spanish. Other languages prominently spoken by LEP populations in the region include Vietnamese, Mandarin Chinese, Urdu, Arabic, Korean, Tagalog, and a mix of African languages. The FTA standard is for MPOs to translate vital documents into the dominant home language when at least 5% in the region speak English less than "very well." Based on this standard, there is a strong basis for instituting a language assistance program for the Houston metropolitan area.

2. Frequency:

H-GAC interacts continuously with members of the public in the development and administration of its programs, activities, and services. Some of these functions directly or indirectly influence daily travel by area residents while others like public engagement events are sporadic. Residents of the region, including the LEP, must nevertheless have continuous access to information regarding the operations of the MPO and would probably be best informed when the communication is made in their dominant home language.

3. Importance:

The ability to travel safely and efficiently is indispensable to the lives of all residents in the region. The transportation planning functions of the MPO facilitate this regional travel and provide area residents, including the LEP, with modal choices for their daily access to employment, housing, social services, education, and recreation. Inclusive community engagement is critical to ensuring that the 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 MPO is committed to translating the vital documents produced by the agency. H-GAC will continue to assess the need for language assistance interventions as it designs and implements its planning programs, activities, and services and as it is made aware of the need.

As MPO, H-GAC's plans, programs, and activities unavoidably impact the entire regional community and are indispensable to the daily lives of every community group – including the residents with limited English language communication skills.

H-GAC's language assistance strategy contains certain key elements:

- Translate vital documents, reports, documents, and marketing/outreach materials in the languages with the largest population of native speakers - Spanish, Mandarin Chinese, and Vietnamese, and other languages as the residents may request;
- Provide language translators at public meetings and workshops as needed, and provide timely and effective notice of the availability of these services to persons in need of those services within the planning region;
- Periodically update census database and mapping records of the location of the LEP to effectively support outreach efforts and the distribution of vital information;
- Employ best practices to reach and engage ethnic communities and overcome the language barrier to access to services and meaningful participation; and
- Periodically evaluate the effectiveness of the PPP to assess whether it has been successful in creating opportunities for meaningful involvement for the LEP population.

The H-GAC Language Assistance Plan may be found within the Public Participation Plan document in **Appendix D**. The document may also be retrieved on the agency website at <https://www.h-gac.com/taq/transportation-public-outreach/default.aspx>

2.10.1 The LEP Population in the Region

In 2017, H-GAC updated its environmental justice basemaps with demographic data from the U.S. Census Bureau 2011-2015 American Community Survey (ACS) 5-Year estimates, represented at the geographical resolution of the census block-group. ACS 5-Year estimates data at the spatial aggregation of the block-group offers a precision that is suitable for analyzing small population pockets and limited geographies. Furthermore, this dataset is more current than the latest decennial census and contains certain demographic statistics tables that are not available in other ACS datasets.

As mentioned earlier, LEP individuals are defined by the U.S. Census Bureau as persons five years and older who speak the English language less than “very well.” Out of a regional population of about 5,839,411 persons who are five years and older, approximately 993,243 persons or 17% of this group are identified as LEP. Again, while Spanish language speakers constitute about 13.7% of the MPO population that is 5 years and older, they make up 80% of the persons classified as LEP. Other large LEP populations in the region include Vietnamese, Mandarin Chinese, Urdu, Arabic, Tagalong, and Korean language speakers.



DOT Safe Harbor Provisions

The U.S. Department of Transportation (DOT) has adopted the U.S. Department of Justice’s (DOJ) “Safe Harbor Provisions” which stipulates that it is strong evidence of compliance with document translation obligations if vital written materials are translated for each language group that constitutes five percent (5%) of the total population of persons eligible to be served or else 1,000 persons: whichever is less. Table 2 provides information about the LEP groups in the Houston metropolitan region and the size of the population that have languages other than English as the primary home language but cannot communicate in English “very well.”

For an area as heavily populated and dominated by one ethnic minority group as the Houston metropolitan region, the foreign languages spoken by 5% or more of the LEP population arguably represents a more practical safe harbor threshold for mandating a policy to translate every vital MPO document than the absolute measure of 1,000 persons, given limitations in the resources available to the MPO. The 1,000-person threshold is more sustainable for engagement at the project level. H-GAC is nevertheless committed to responding to any requests for translation or oral interpretation services when such requests are received.

TABLE 2. Non-English Languages Spoken in the Houston Metropolitan Planning Region

Dominant Home Language	Region Aggregate	Percent of LEP Population
Spanish: Speak English less than “very well”	799,676	80.51%
Vietnamese: Speak English less than “very well”	56,668	5.71%
Chinese: Speak English less than “very well”	35,308	3.55%
Urdu: Speak English less than “very well”	10,588	1.07%
Other Asian Languages: Speak English less than “very well”	10,534	1.06%
Arabic: Speak English less than “very well”	9,527	0.96%
African Languages: Speak English less than “very well”	9,367	0.94%
Tagalong: Speak English less than “very well”	7,686	0.77%
Other Indic Languages: Speak English less than “very well”	6,690	0.67%
Hindi: Speak English less than “very well”	6,197	0.62%
Korean: Speak English less than “very well”	5,400	0.54%
Guajarati: Speak English less than “very well”	4,797	0.48%
French (Patois, Cajun): Speak English less than “very well”	4,299	0.43%
Persian: Speak English less than “very well”	4,126	0.42%
Russian: Speak English less than “very well”	2,685	0.27%
Mon-Khmer, Cambodia: Speak English less than “very well”	2,271	0.23%
Portuguese: Speak English less than “very well”	2,052	0.21%
Japanese: Speak English less than “very well”	2,022	0.20%
Other Pacific Island Languages: Speak English less than “very well”	1,686	0.17%
Thai: Speak English less than “very well”	1,532	0.15%
German: Speak English less than “very well”	1,450	0.15%
Other Indo-European Languages: Speak English less than “very well”	1,250	0.13%
Italian: Speak English less than “very well”	1,147	0.12%
French Creole: Speak English less than “very well”	1,017	0.10%

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimate

2.11 MINORITY REPRESENTATION ON PLANNING ADVISORY BODIES

The Houston-Galveston Area Council acknowledges the intent of Title 49 CFR 21.5(b)(1)(vii) which states that a recipient of federal financial aid may not, on the grounds of race, color, or national origin, deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program. FTA guidance on the issue indicates that recipients of federal funds that have non-elected planning boards, advisory councils or committees, or similar decision-making bodies, the membership of which is *selected* by the recipient, must provide a table depicting the racial breakdown of the membership of those bodies and a description of efforts made to encourage the participation of minorities on such decision-making bodies. H-GAC does not have any planning or advisory bodies for which the MPO selects the membership.

There are two primary decision-making bodies that provide guidance and approve the policies and programs of the MPO. They are (1) The Houston-Galveston Area Council Board of Directors; and (2) The Transportation Policy Council (“TPC”). These bodies have bylaws with operative guidelines that govern who can serve as a member. A common requirement is that the primary representative must be an elected official of a member local government or a high ranking official of a participating public agency. The bylaws for these governing bodies are available in **Appendix E**. The section that follows summarizes the responsibilities of these bodies and the basic qualifications for their membership.

Board of Directors

The H-GAC Board of Directors (Board) is a 36-member governing body for the thirteen-county Houston-Galveston Area Council of Governments and is responsible for overseeing the general policies and programs of the agency and for the control of its funds. Membership on the Board is limited to elected officials of the county commissioner’s courts, elected city council members, and members of the board of trustees of the independent school districts that are under the umbrella of the council of governments. The Board meets monthly to deliberate on issues that concern the welfare and development of its member local government entities.

Transportation Policy Council

The Transportation Policy Council (TPC) is the policy board for the eight-county H-GAC metropolitan planning organization. The TPC provides policy guidance and overall coordination for the multimodal transportation planning efforts of the Houston-Galveston transportation management area conducted by TxDOT, H-GAC, the local city and county governments, the Metropolitan Transit Authority of Harris County (METRO), special purpose governmental entities, and regional planning agencies. The TPC is the forum for public discussion relating to transportation planning in the Houston-Galveston transportation management area. In addition, the council approves the region-wide transportations plans and promotes the adoption and implementation of these plans by the local governments. The H-GAC Board serves as the contracting agent for the TPC.

The TPC consists of 28 voting members who must be local elected officials, ranking officials of public agencies that manage or operate a major transportation service in the transportation management area, or ranking officials of TxDOT. For the cities and counties who can be represented by only one council member, the member must be the chief elected official, the chief administrative officer, or other such designated ranking official. For the cities or counties that can present more than one member, the additional voting members designated must be ranking officials of the administration.

Each of the 28 primary members of the TPC must have an alternate who is counted as a voting member when they appear in the absence of the primary representative. The alternate must be appointed in the same manner as the primary member and must be an elected public official of a local government, a ranking official of a public agency that manages or operates a major transportation service in the Houston-Galveston transportation management area, or a ranking official of TxDOT.

H-GAC Sub-Committees

All H-GAC sub-committees serve in an advisory role and assist the decision-making bodies in fulfilling their responsibilities. Representation on the appointed sub-committees is determined by the member communities and agencies. The MPO encourages participation by all citizen groups and interested parties on the advisory sub-committees in all capacities outlined in the Public Participation Plan.



2.12 EFFORTS TO ENCOURAGE MINORITY PARTICIPATION

Participation by representatives of the underserved communities on planning and advisory bodies is one of the practical ways to ensure that their needs are effectively represented and that policy decisions reflect the interests of the entire population. To assure fair and equitable opportunities exist for all residents to present their comments before the decision-making bodies, the H-GAC board of directors and the TPC encourage public comments on all matters relevant to regional transportation planning at every public meeting of these bodies. Guidelines related to citizen comments at open meetings are available in the PPP.

2.13 SUBRECIPIENT COMPLIANCE PROCEDURES

H-GAC works proactively to ascertain that its subrecipients and consultants (“Third Party Participants”) who are engaged to provide any products or services to the agency are informed about federal non-discrimination regulations and are also made aware that they are required to remain in compliance with Title VI throughout the period of their engagement. Compliance by a subrecipient is fostered by direct consultation and facilitated through the actions described below:

- Title VI non-discrimination language is included in Contracts, Request for Proposals (RFP), and Requests for Qualifications (RFQ) for all participants.
- All RFP respondents and selected consultants are informed of H-GAC’s DBE goal concerning small and minority owned businesses, and women owned business enterprises.
- Subsequent to the execution of a contract agreement, subrecipients must submit a certification and assurance statement indicating that they would conduct fair and open third party contracting practices that include DBE enterprises.
- Subrecipients and consultants are required to execute a certificate indicating that they are fully in compliance with all requirements imposed under 49 CFR, Part 21.
- Information regarding subrecipient performance is collected through monthly invoicing and progress reports, site visits by the project manager, as appropriate, and financial audits.
- Any complaints or lawsuits based on an alleged violation of Title VI by a subrecipient are referred to the Title VI Coordinator who investigates and adjudicates the matter.
- Subrecipients or consultants found to be out of compliance with Title VI are advised on how to correct the deficiency. This may include providing information, technical assistance, or practical guidance. If the subrecipient or consultant fails to correct the deficiency within a reasonable time, the Title VI Coordinator may implement appropriate remedies provided in the executed agreements.
- Outreach activities to provide small, disadvantaged, minority, women, and disabled veteran businesses with information about opportunities to compete for consulting contracts.

CHAPTER 3

REQUIREMENTS SPECIFIC TO THE MPO

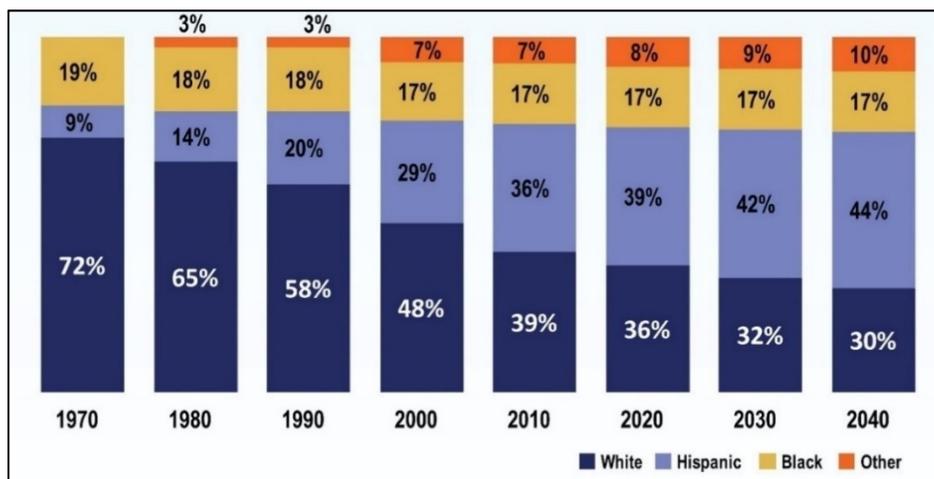
FTA Title VI Circular 4703.1B requires metropolitan planning organizations to present a demographic profile of their metropolitan area and to demonstrate how this information is utilized in furtherance of the MPO’s responsibilities as a regional transportation planning organization. The demographic profile must at a minimum identify where the minority, low-income and other vulnerable residents are located, followed by a description of how the mobility needs of the underserved population are identified and considered in the planning process. The FTA Circular further requires a discussion of the analytical process by which the MPO identifies and responds to disparate benefits and burdens of transportation investments on different socio-economic groups.

3.1 DEMOGRAPHIC PROFILE OF THE METROPOLITAN AREA

The metropolitan planning area for the H-GAC MPO is an eight-county region comprised of Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller counties. The Houston metropolitan area has grown rapidly over the last several decades and has become increasingly diverse. Harris, Fort Bend and Montgomery counties have each had the distinction of being one of the fastest growing counties in the nation.

Figure 3 shows changes in the racial/ethnic composition of the region’s population since 1970, revealing a steady and continuous decline in the proportion of the White residents. It is anticipated that the 2020 decennial census will confirm that Hispanic/Latino residents are the most numerous racial/ethnic group in the Houston metropolitan area. The region is effectively a “majority minority region.” White residents however remain the majority racial group in the small metro areas and in the region’s rural counties.

Figure 3: Change in Race/Ethnic Composition of the Eight-County MPO Region



Source: U.S. Census Bureau and H-GAC Regional Socio-Economic Forecast.

Table 3: Racial Composition of the Counties in the MPO Region

Population by Race	Brazoria County		Chambers County		Fort Bend County		Galveston County	
	Population	% of County	Population	% of County	Population	% of County	Population	% of County
White Alone	247,806	74.7%	31,317	84.1%	345,668	52.5%	240,126	77.9%
Black/African American Alone	43,117	13.0%	2,957	7.9%	137,227	20.8%	41,017	13.3%
Indian or Alaska Native Alone	1,058	0.3%	86	0.2%	1,501	0.2%	1,107	0.4%
Asian Alone	19,735	5.9%	486	1.3%	121,050	18.4%	10,200	3.3%
Hawaiian/Pacific Islander Alone	7	0.0%	13	0.0%	200	0.0%	73	0.0%
Others	13,855	4.2%	1,4332	3.8%	35,653	5.4%	7,458	2.4%
Two or More Races	6,163	1.9%	959	2.6%	17,032	2.6%	8,182	2.7%
Total Population:	331,741	100%	37,251	100%	658,331	100%	308,163	100%
Median Age (years)	35.5	-	36.2	-	35.5	-	37.5	-

Source: US Census Bureau, 2011-2015 American Community Survey 5-Year Estimates.

Population by Race	Harris County		Liberty County		Montgomery County		Waller County	
	Population	% of County	Population	% of County	Population	% of County	Population	% of County
White Alone	2,749,811	63.1%	62,608	80.8%	434,264	86.4%	31,627	69.0%
Black/African American Alone	821,686	18.9%	8,287	10.7%	17,809	3.5%	11,629	25.4%
Indian or Alaska Native Alone	19,522	0.4%	232	0.3%	2,750	0.5%	106	0.2%
Asian Alone	286,331	6.6%	517	0.7%	12,631	2.5%	354	0.8%
Hawaiian/Pacific Islander Alone	3,060	0.1%	15	0.0%	131	0.0%	0	0.0%
Others	380,495	8.7%	4,485	5.8%	35,001	7.0%	908	2.4%
Two or More Races	95,457	2.2%	1,342	1.8%	18,679	3.7%	1,223	2.7%
Total:	4,356,362	100%	77,486	100%	502,586	100%	45,847	100%
Median Age (years)	32.8	-	36.4	-	36.4	-	29.1	-

Source: US Census Bureau, 2011-2015 American Community Survey 5-Year Estimates.

Broken down by ethnicity, the population in the H-GAC MPO is 38% White, 36% Hispanic, 17% Black or African American, 7% Asian, and 2% Other (Figure 4).

Figure 4: Race\Ethnic Distribution in the MPO Region

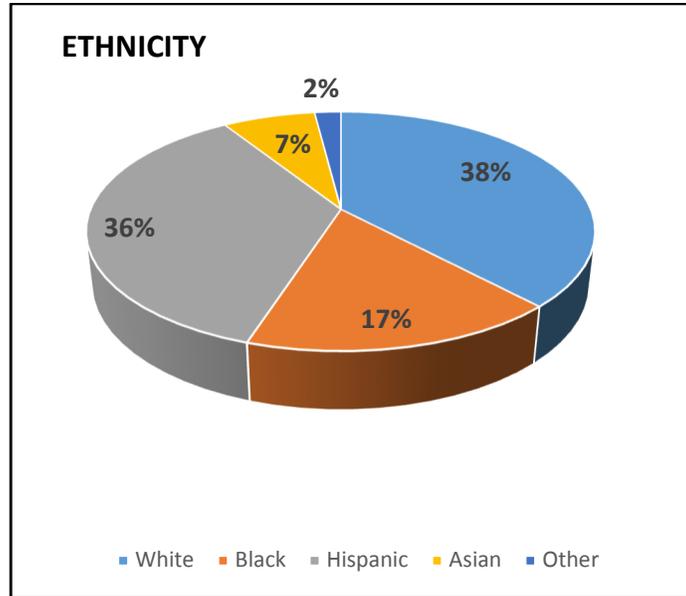


Table 4: Race\Ethnic Profile of the MPO Region

Population by Race	H-GAC MPO	
	Population	% of MPO
White Alone	2,429,034	38%
Hispanic	2,347,092	36%
Black/African American Alone	1,088,203	17%
Indian or Alaska Native Alone	11,731	0.18%
Asian Alone	466,962	7%
Hawaiian/Pacific Islander Alone	3,381	0.05%
Others	12,013	0.19%
Two or More Races	95,069	1%
Total Population:	6,453,485	100%
Median Age (years)	34.9	-

Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates.

3.1.1 Racial and Ethnic Distribution in the Metropolitan Area

H-GAC developed an updated set of demographic and environmental justice maps in 2017 which are being used in the development of the 2018 TIP and the 2045 RTP. The demographic maps broadly show the location of concentrations of racial\ethnic minority communities within and around the Houston metropolitan area. Many of these concentrated population centers correspond with the historical Houston communities officially designated as “super neighborhoods.” The maps below show the population density of the main minority populations groups in the region. The normalization of the population data by a logarithmic function helps to accent the zones with the highest concentrations of the racial\ethnic groups with statistical significance and allows for a direct comparison between the individual maps. An important finding from the race\ethnic concentration maps is that while the White majority population can be traced to distinct and largely segregated communities, some of the minority-dominant communities are blended in such a way that it is difficult to assign a specific characteristic to the composite ethnic\racial structure. This is especially true with the growth of the Hispanic population in the region.

Black Communities:

Neighborhoods with a high concentration of Black\African American residents are located concentrically around the urban core of the Houston metropolitan region, reaching as far out as Highway 6 (Map 3). Distinct neighborhoods with a high concentration of black residents include the Greater Third Ward – Macgregor – South Park – Sunnyside zone to the south; the Westchase – Westwood – Sharpstown – Alief zone to the southwest; and the Independence Heights – Acres Home – Greater Fifth Ward – Kashmere Gardens – Denver Harbor – Settegast zone to the north.

Hispanic Communities:

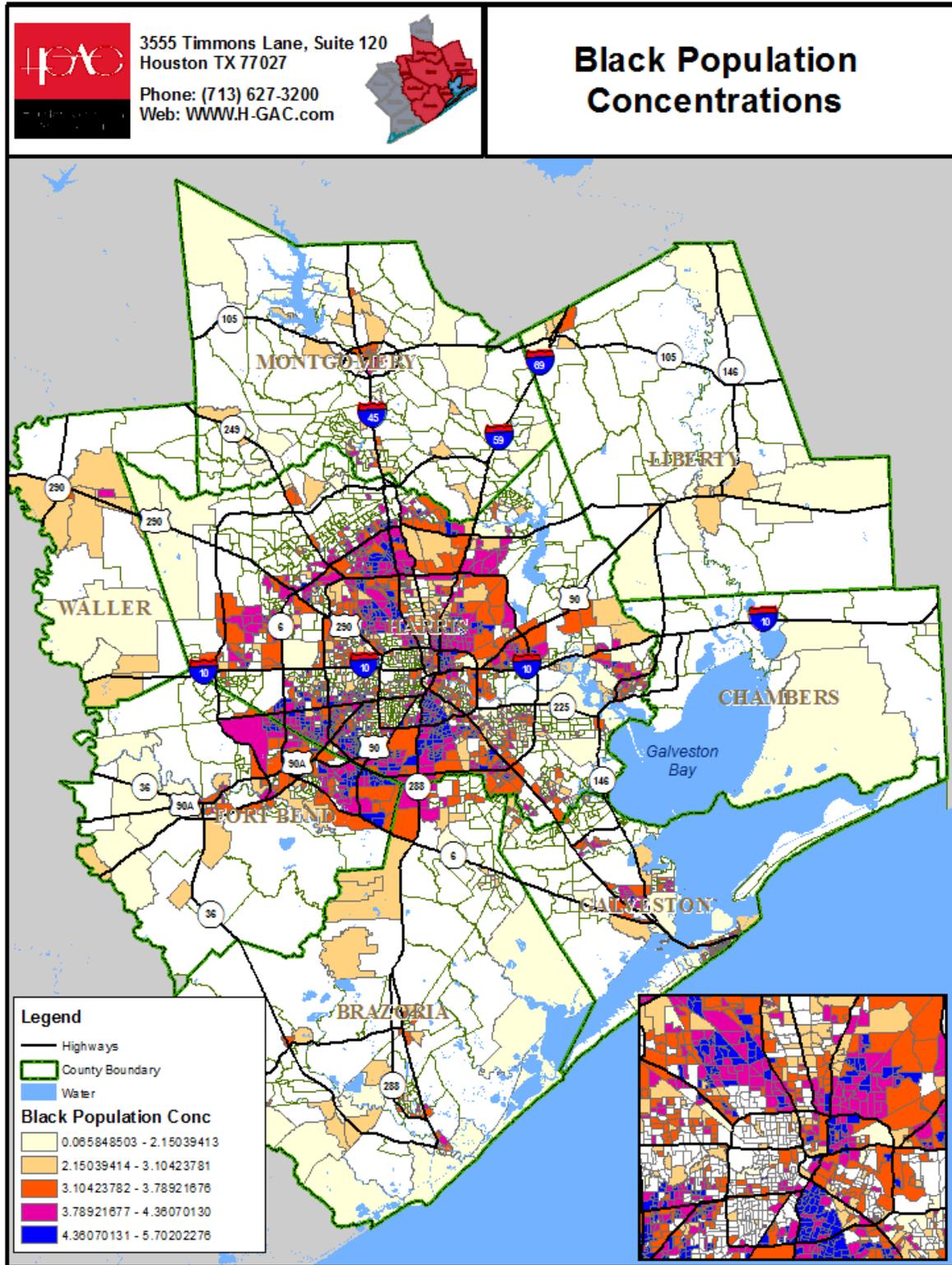
Like the black community, the Hispanic residents are spread around the central core of the Houston metropolitan area, excluding a wedge to the west that includes Inner West Loop, the River Oaks – Greater Memorial – Katy corridor (Map 4). Distinct neighborhoods with a heavy concentration of Hispanic residents include Greater Eastwood – Lawndale – Wayside; Gulfton – Sharpstown – Alief; and Northside Village. Individuals of Hispanic origin are the majority in many of the inner-city neighborhoods and they reside in large numbers alongside other minority populations

Asian Communities:

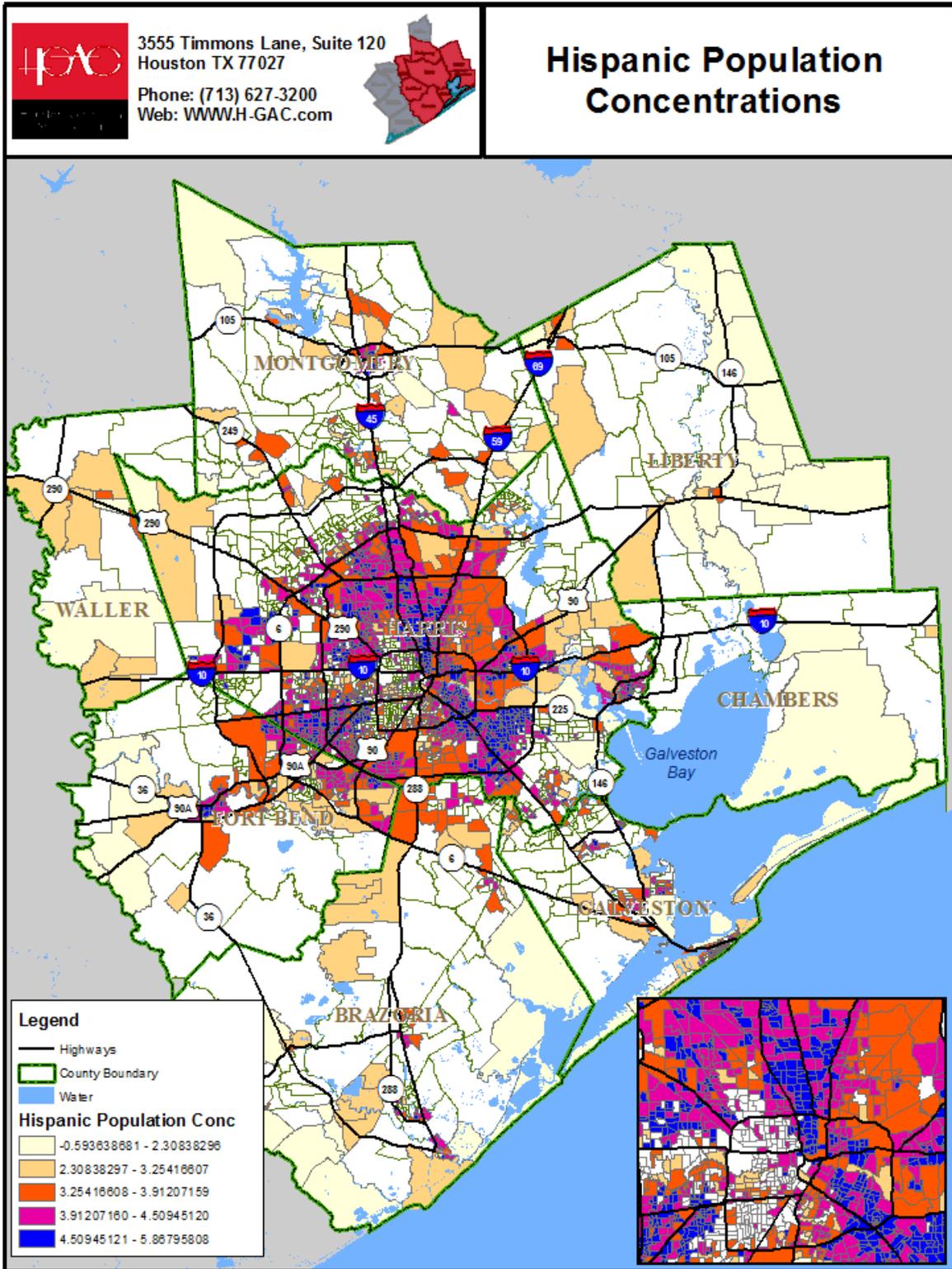
The Asian community is more distinctly segregated than other racial groups and make their residence mainly in the west side of the Houston Metropolitan region - between the West Loop and SH 6 (Map 5). The Asian community has a significant presence in Southwest Houston: in Sugarland, and particularly in the Alief – Sharpstown – Westchase super neighborhoods, a locale popularly known as “Chinatown.” This Asian community includes a mix of individuals of Indian, Chinese, Vietnamese, and Korean origin.

The data on the location of concentrations of minority populations indicate that there is a high level of blending of the minority communities in certain parts of the region, especially within the Northside super neighborhood (which has a significant concentration of both Black and Hispanic residents), and the Alief super neighborhood (which has a high concentration of both Black and Asian residents). There is however comparatively little similar blending of large populations of minority residents in the many neighborhoods that have a high concentration of the White population (Map 6).

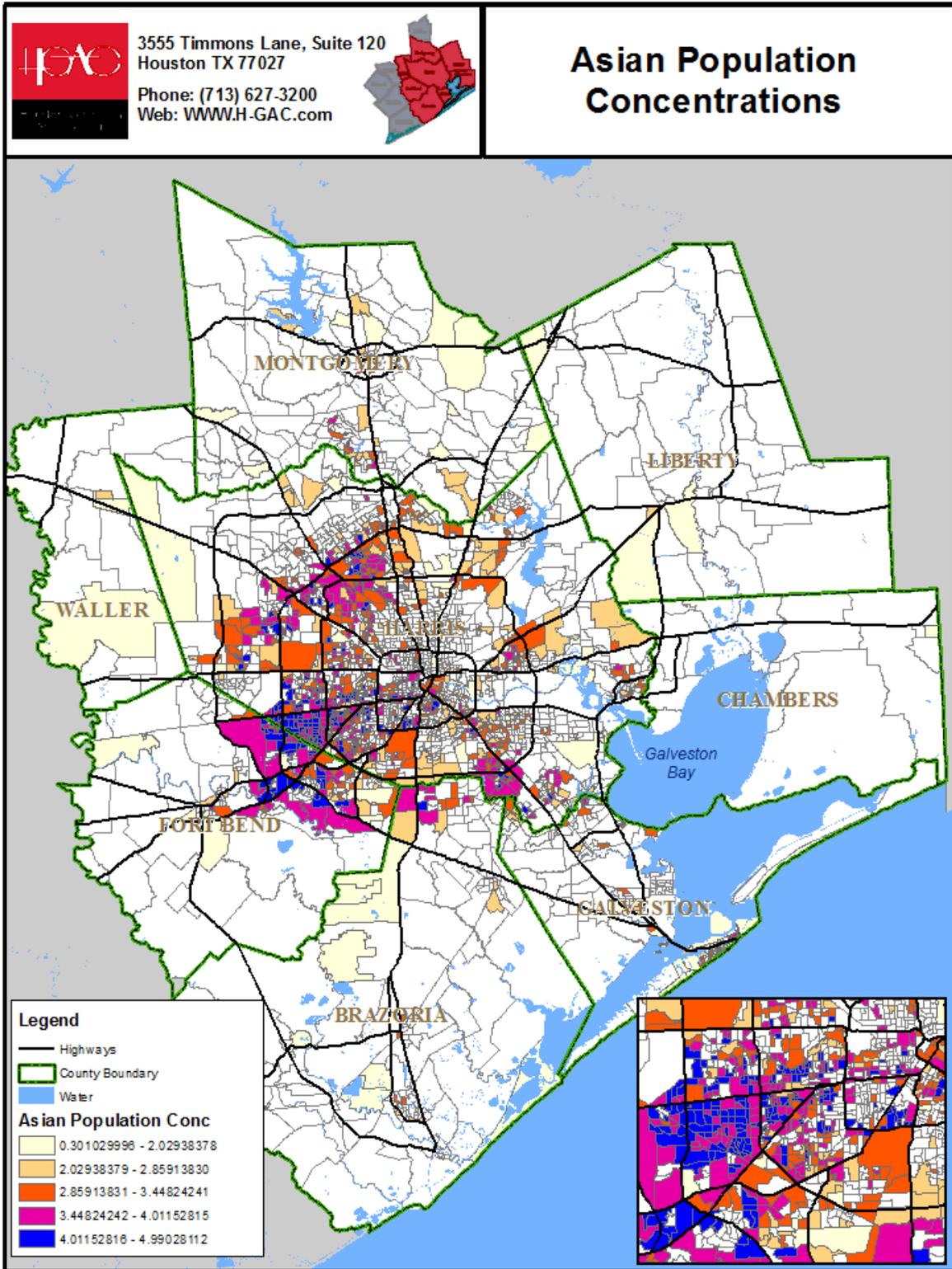
Map 3: Black Population Concentrations – By Census Block-Group



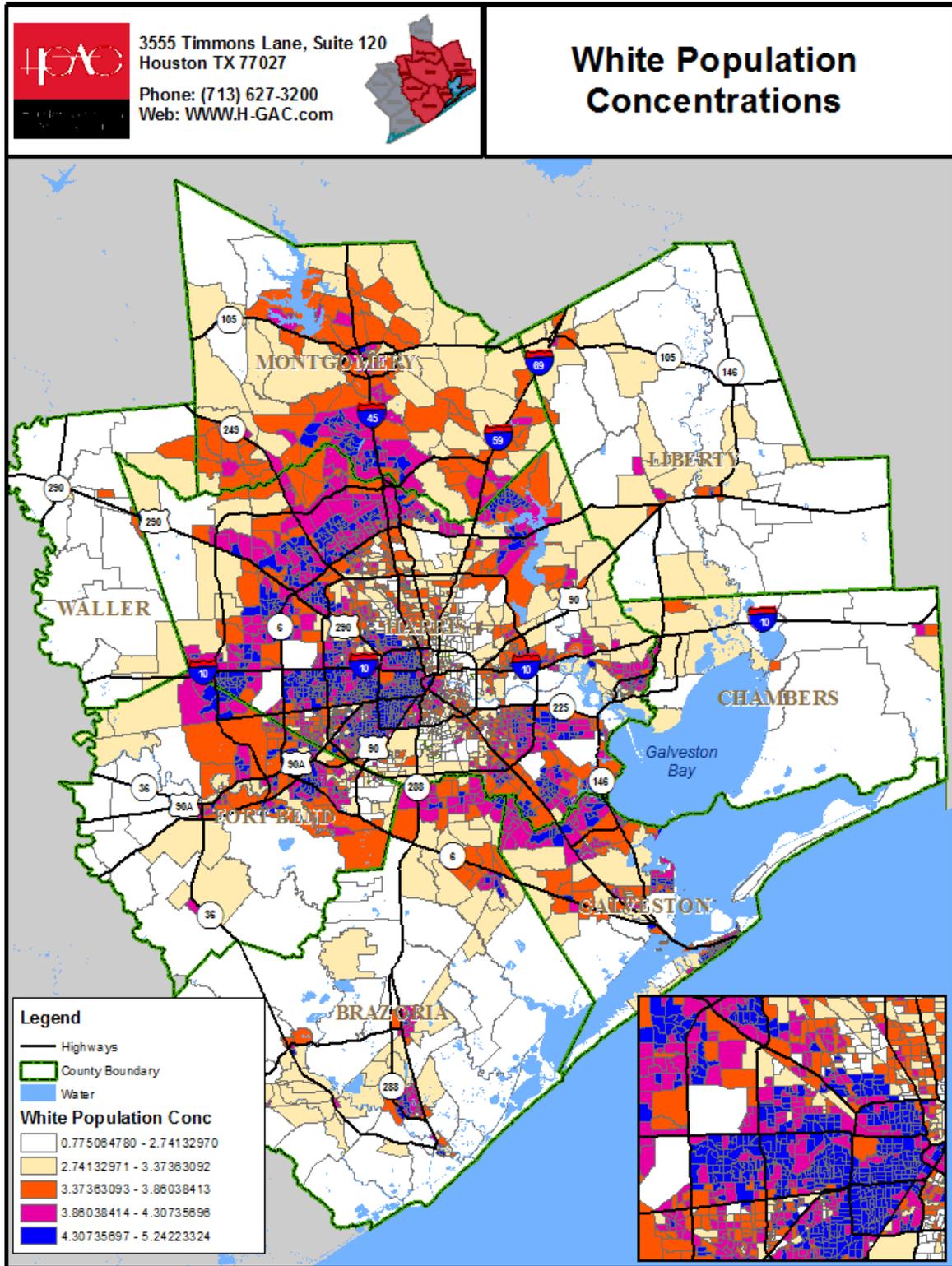
Map 4: Hispanic Population Concentrations – By Census Block-Group



Map 5: Asian Population Concentrations – By Census Block-Group



Map 6: White Population Concentrations – By Census Block-Group



3.2 ENVIRONMENTAL JUSTICE ANALYSIS

H-GAC published updated socioeconomic maps for Title VI Environmental Justice analysis in its 2017 Environmental Justice guidebook. Knowing where the protected communities are located is essential to recognizing what kind of impacts they may be exposed to from a project or activity. Furthermore, knowing the distinguishing characteristics of the protected community can guide public outreach efforts and inform the choice of strategies to maximize their involvement in the planning process. Again, having a good understanding of the needs and desires of the protected population would permit the strategic allocation of beneficial transportation investments to those underserved communities and facilitate the selection of appropriate actions to avoid, minimize, or mitigate any potentially adverse project impacts that have been identified. Executive Order 12898 defines the protected population for environmental justice oversight as minority and low-income residents.

3.2.1 Defining the Protected Population

H-GAC uses the FTA and FHWA definition of minority persons: (1) Blacks: persons having origins in any of the black racial groups of Africa; (2) Hispanic or Latino: persons having Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race; (3) Asian Americans: persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent; (4) American Indian and Alaskan Native: persons having origins in any of the original people of North America, South America (Including Central America), and who maintain cultural identification through tribal affiliation or community recognition; and (5) Native Hawaiian and other Pacific Islanders: persons having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. Low-income status is defined as a household income level that is at or below the prevailing poverty guidelines of the U.S. Department of Health and Human Services (HHS).

3.2.2 Threshold Analysis

The communities sensitive for environmental justice are identified through a threshold analysis. H-GAC’s threshold for the Houston metropolitan region is determined as the regional average of the socioeconomic indicator, plus one standard deviation. A census block-group that exceeds this threshold value is considered an environmental justice sensitive zone. Environmental justice sensitive zones account for less than one-quarter of the geographical area of the MPO region (24.3%) but include over half (53%) of the census block-groups identified as having environmental justice concerns, and over half (53%) of the region’s population (Table 5).

Table 5: Distribution of Census Block-Groups by Income and Minority Status

Minority Block-Groups	Percent of All Block-Groups	Low-Income Block-Groups	Percent of All Block-Groups	EJ Block-Groups*	Percent of All Block-Groups
1,557	51.9%	510	17.0%	1589	53.0%

Source: US Census Bureau, 2011-2015 American Community Survey Estimates 5-Year Estimates.

* Combined minority and low-income census block-groups.

3.2.3 Secondary Environmental Justice Indicators

Executive Order 13166 requires federal agencies and recipients of federal funds to provide special accommodations for persons with Limited English Proficiency (LEP). Although directed at a Title VI review, the LEP disadvantage is concurrent in individuals protected for environmental justice purposes. To better serve the needs of the spectrum of the underserved and disadvantaged populations for whom environmental justice oversight may be relevant, H-GAC recognizes additional demographic indicators for its environmental justice analysis. These secondary indicators and their relevance for environmental justice purposes are:

Elderly Persons (Seniors) - (*Population 65 years and over*).

Generally, mobility challenges and age are often related. The likelihood of a mobility challenge increases as people age. Furthermore, the elderly are less likely to be able to drive themselves with a personal automobile and consequently must depend on transit services or on other persons to get around. Elderly status could be a clear disadvantage for the minority population, especially when aggravated by poverty.

Limited English Proficiency (LEP) - (*Individuals 5 years and over whose ability to communicate in the English language is less than “very well”*).

The inability to speak and understand English can be a barrier to accessing transportation services and other related benefits of federal investments. To avoid linguistic isolation from being a limitation, special attention must be given to this population in the distribution of information regarding participation opportunities at public events.

Carless Households - (*Households without an automobile*)

While some people live without a car as a lifestyle choice, there is a population that is truly transit dependent who out of necessity rely on public transit services for their daily travel needs. Automobile ownership is unattainable for them due to income constraints and/or disability.

Female Head of Households - (*Households with a female head*)

A household headed by a female is often directly correlated with poverty. The economic burdens on these households is especially aggravated by the presence of young dependent children.

Limited Educational Attainment (LEA) - (*Persons 25 years and over with no high school diploma*).

Persons with limited education typically have limited career choices and, barring unique enterprise, will usually end up in poverty. A limited educational attainment will sometimes coincide with a limited ability to communicate effectively in the English language

Table 6: Comparison of the Size of Environmental Justice Populations in the Planning Region

Region	Minority Population	Low-Income Population	Senior Population	Limited Education Attainment	Zero Car Households	Female Headed Household	LEP Population
Texas	25.1%	17.3%	11.7%	18.1%	5.8%	14.3%	14.2%
Gulf Coast Region	34.4%	15.7%	9.3%	11.5%	5.4%	14.5%	17.0%
Brazoria County	25.3%	10.5%	10.2%	14.0%	4.2%	11.9%	7.9%
Chambers County	15.9%	10.6%	10.5%	16.9%	2.6%	7.0%	9.6%
Fort Bend County	47.5%	8.2%	8.8%	11.1%	2.3%	12.6%	13.0%
Galveston County	22.1%	13.9%	12.0%	12.5%	6.8%	13.1%	6.4%
Harris County	36.9%	18.0%	8.8%	20.4%	6.1%	15.6%	20.4%
Liberty County	19.2%	17.6%	12.1	23.8%	5.5%	11.6%	6.5%
Montgomery County	13.6%	12.0%	11.5%	13.7%	3.4%	10.7%	8.1%
Waller County	31.0%	18.2%	10.9%	21.9%	5.6%	13.4%	10.5%

Source: US Census Bureau, 2011-2015 American Community Survey Estimates 5-Year Estimates.

Table 6 contains a summary of the proportion of the disadvantaged populations in every county of the MPO region.

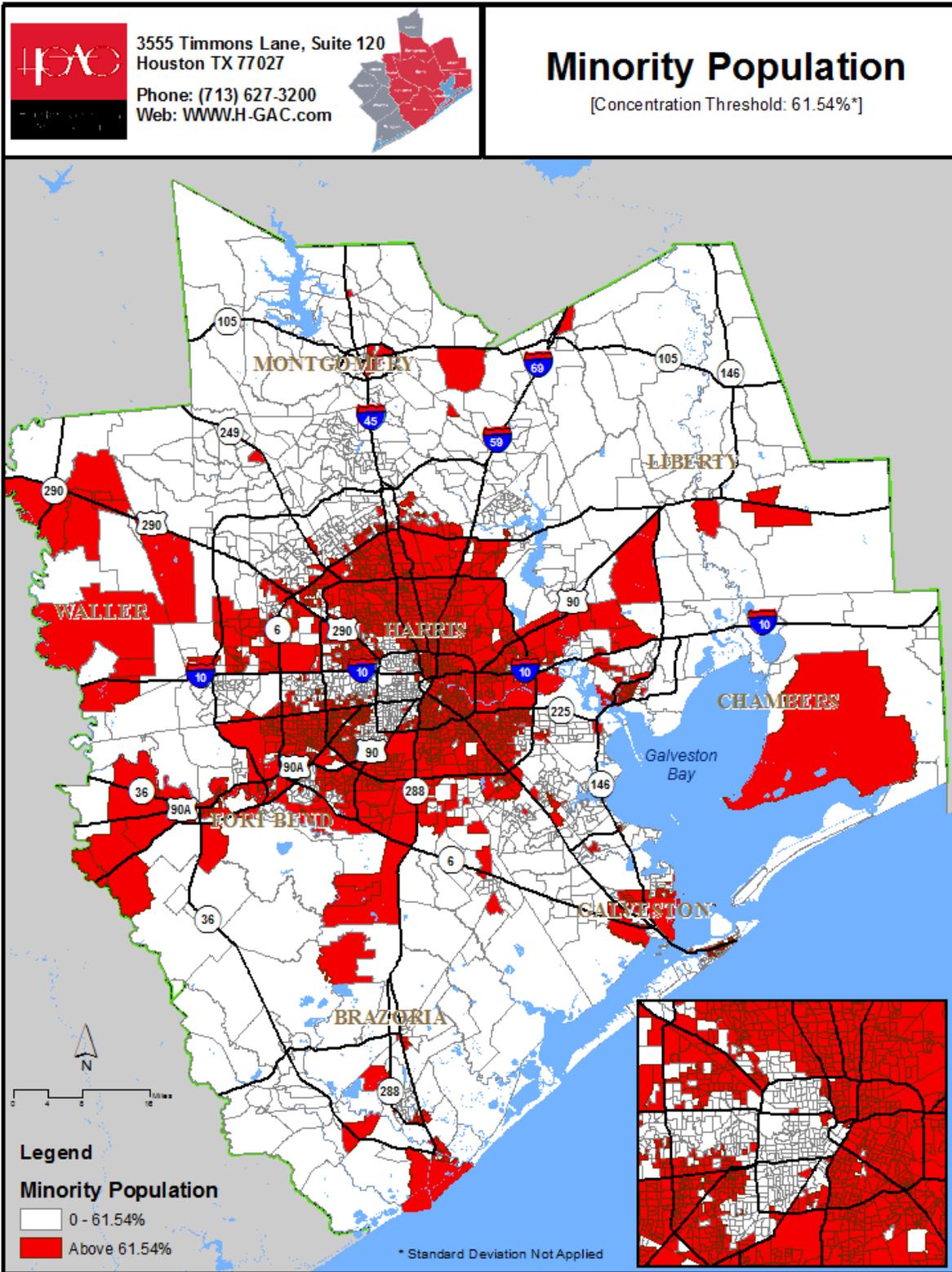
- On average, about 15.7% of the MPO region’s population live below poverty. The highest concentration of poverty is found in Waller County (18.2%), followed by Harris County (18.0%), and Liberty County (17.6%). The lowest concentration of poverty is in Fort Bend County (8.2%).
- At 47.5%, Fort Bend County has the highest proportion of its population that are minority residents, followed by Harris County with 36.9%. The lowest proportion of minority residents occurs in Chambers County with 15.9%.
- Five out of eight counties in the MPO region have minority populations over 20%. Three out of the eight counties have minority populations over 30%.
- The size of the LEP population across the MPO region ranges from 6.4% in Galveston County to 20.4% in Harris County.
- Counties with a significant proportion of persons with limited education attainment are Liberty County (23.8%), Waller County (21.9%), and Harris County (20.4%).
- Harris County surpasses the entire Gulf Coast Region and the State of Texas in the proportion of its residents represented in every category of disadvantage except the population of the elderly (8.8%).
- The LEP population within the MPO region (17.0%) is higher than the average for the entire state of Texas (14.2%).

The methodology used in calculating the concentration threshold value for the environmental justice indicators of disadvantage may be found in **Appendix F**. The maps that follow below show the communities that are identified as environmental justice sensitive because they exceed the threshold concentrations for environmental justice concern.

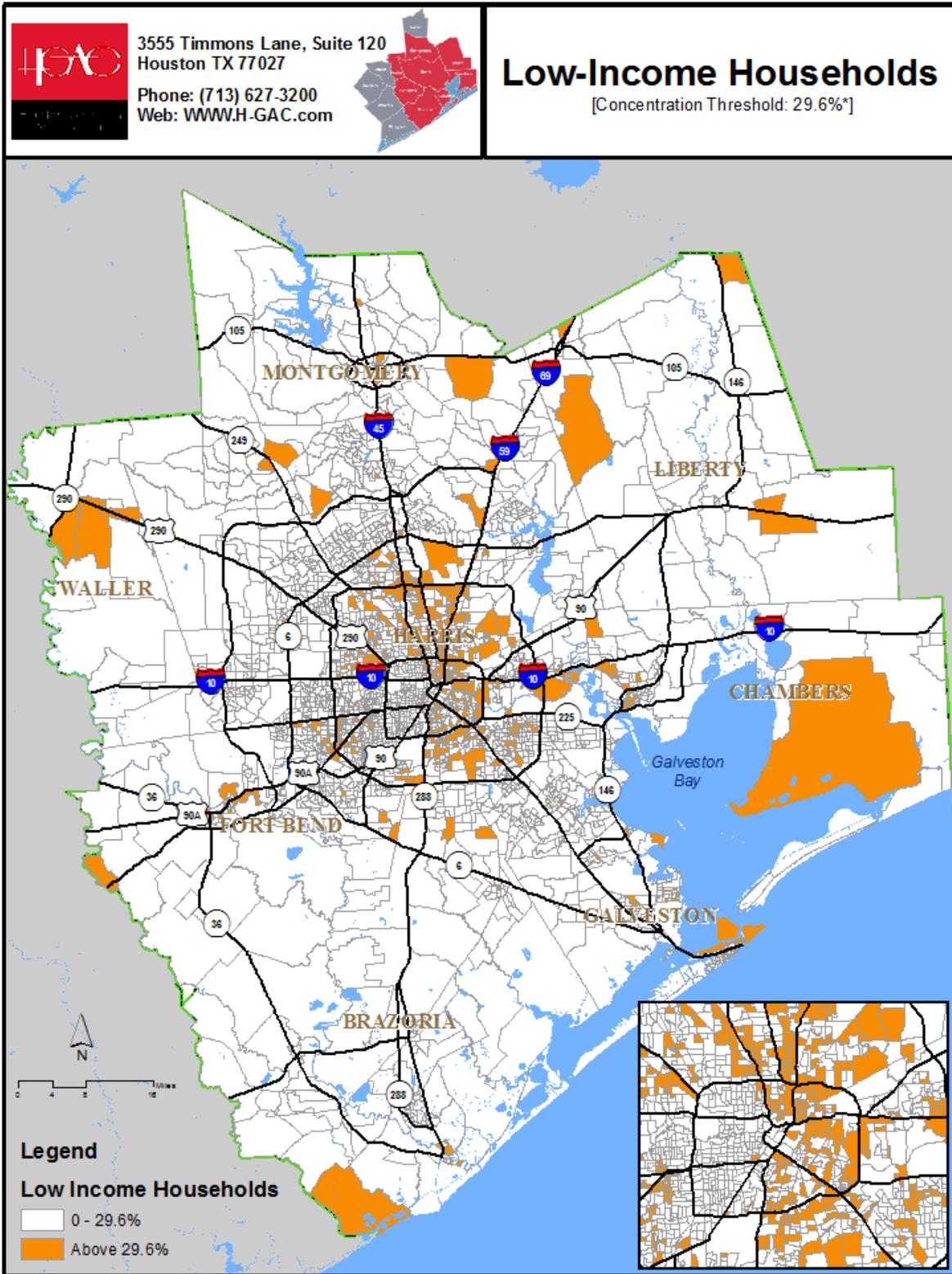


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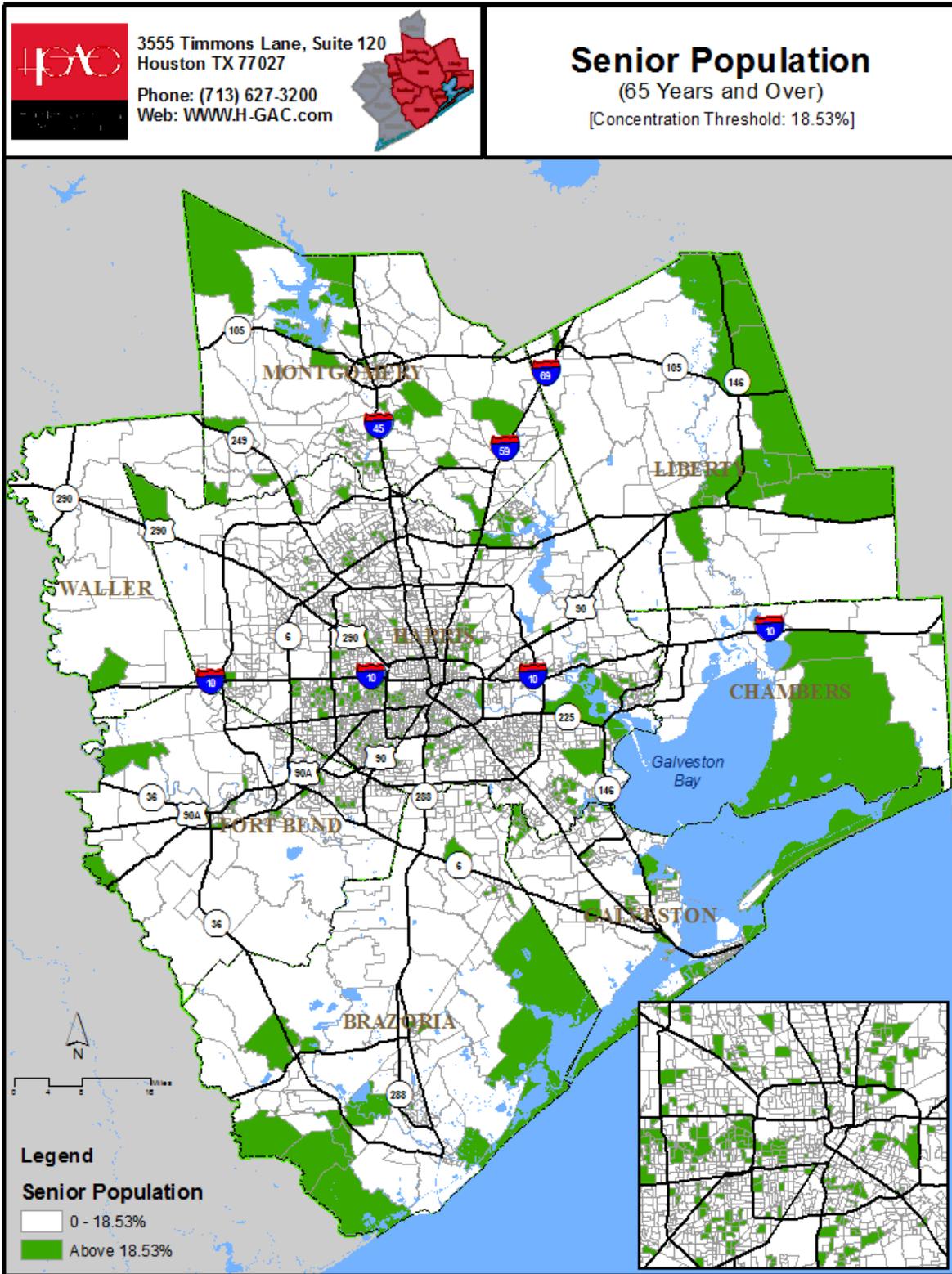
Map 7: Census Block-Groups with a High Minority Population Concentration



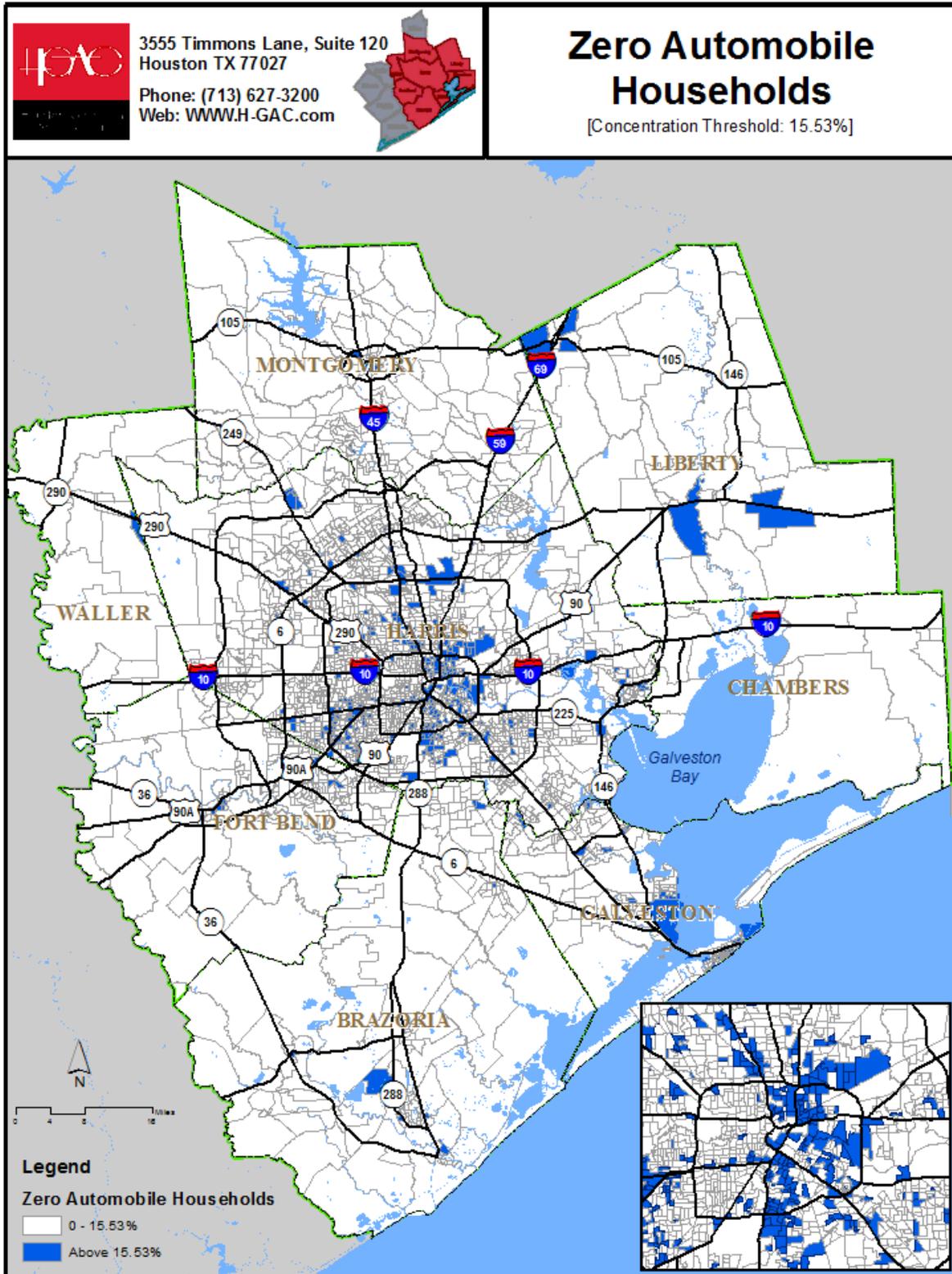
Map 8: Census Block-Groups with a High Concentration of Low-Income Households



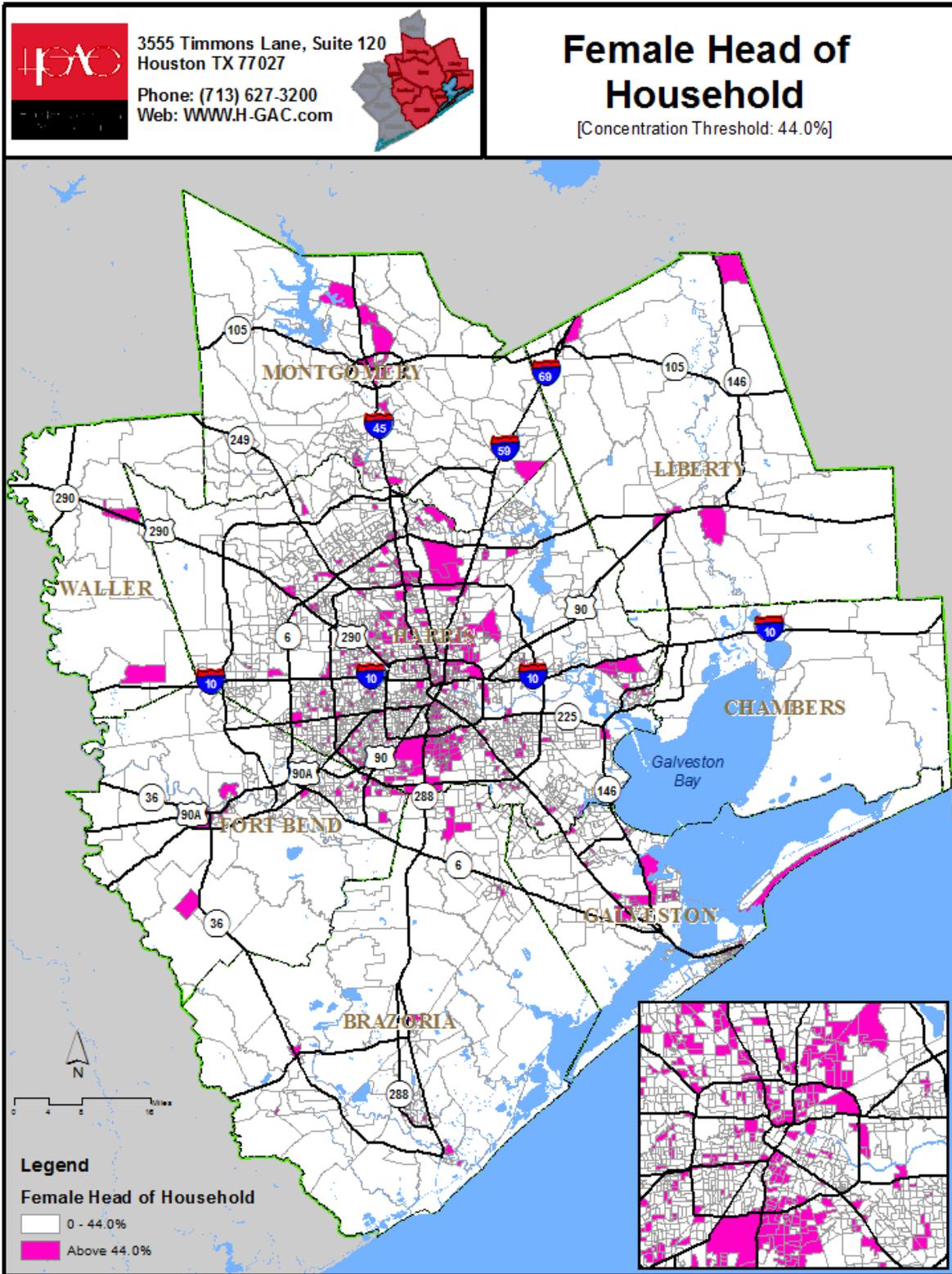
Map 9: Census Block-Groups with a High Senior Population Concentration



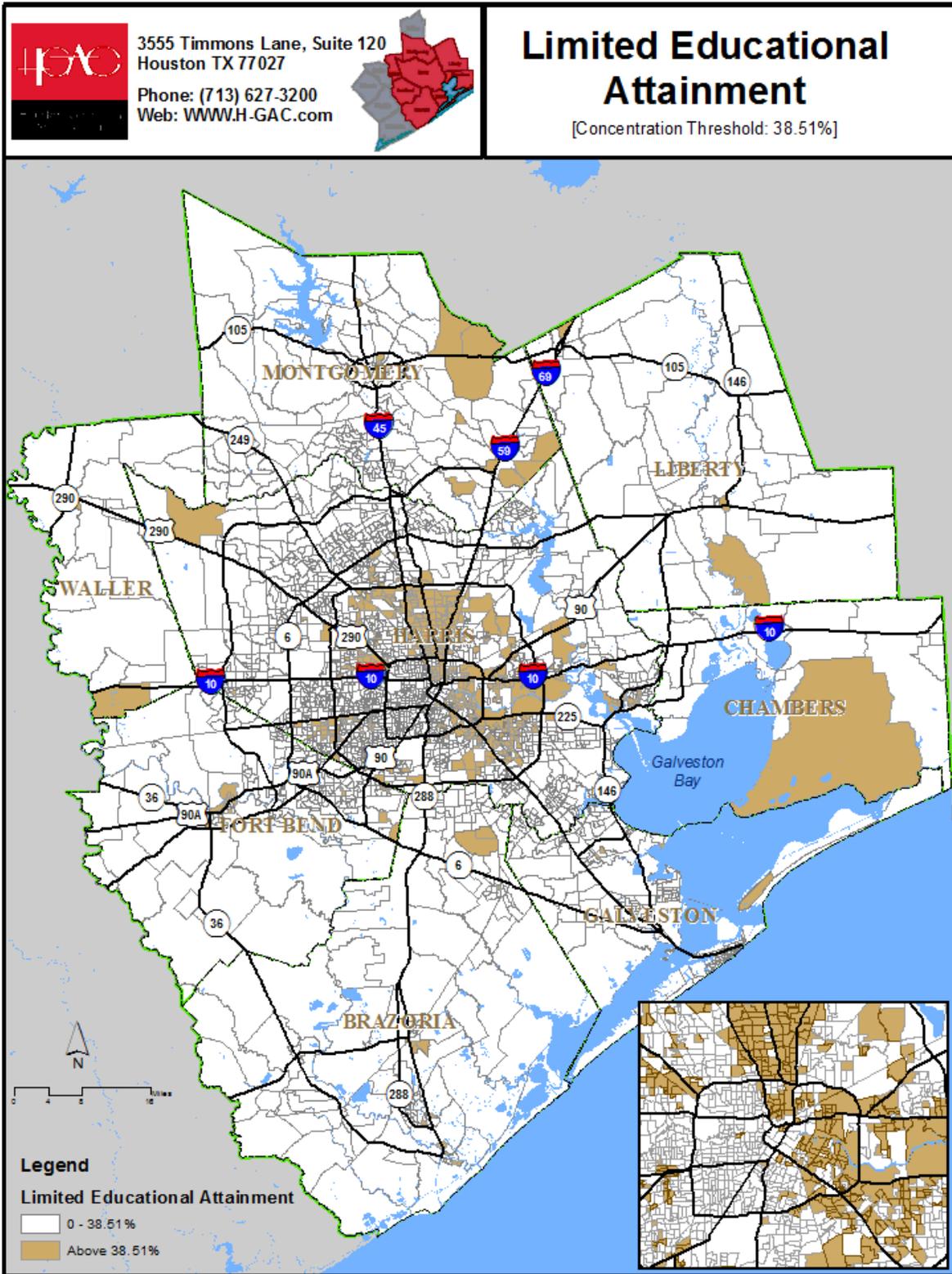
Map 11: Census Block-Groups with a High Concentration of Zero Automobile Households



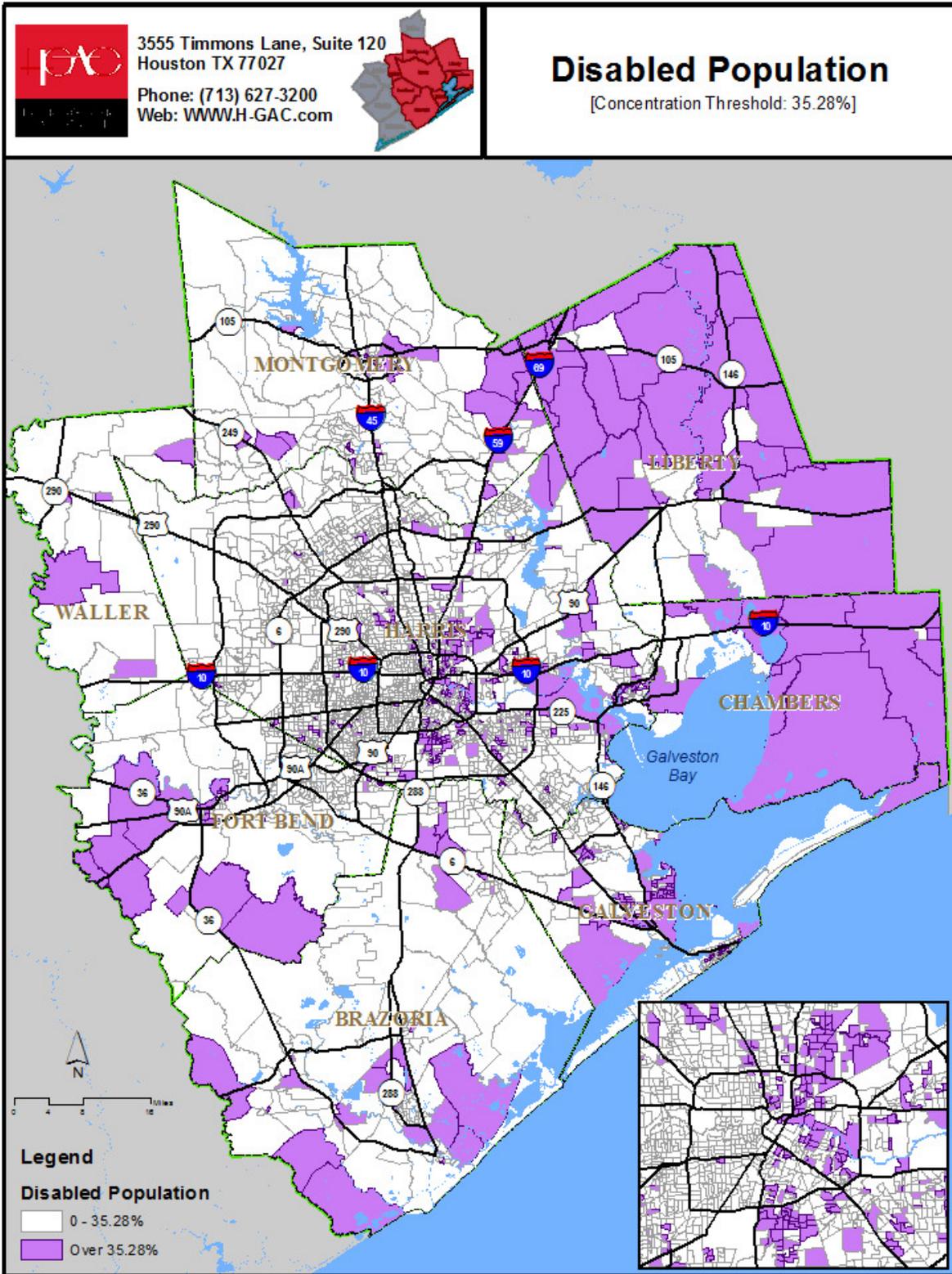
Map 12: Census Block-Groups with a High Concentration of Female Headed Households



Map 13: Census Block-Groups with a High LEA Population Concentration



Map 14: Census Block-Groups with a High Disabled Population Concentration



3.2.4 Concentrations of Disadvantage

In H-GAC’s transportation equity analysis, minority and low-income status are the primary markers of disadvantage for environmental justice considerations. Some census block-groups have been found to have high concentrations of several indicators of disadvantage. A “concentration of disadvantage” exists in a census block-group where one or more of the secondary indicators of disadvantage occur *in addition* to minority and/or low-income status. While every environmental justice population is a community of concern, H-GAC recognizes those communities where the residents have a concentration of four or more indicators of socio-economic hardship as communities with “high disadvantage” (Map 15). Arguably, a community beset with multiple factors of hardship will be less resilient in the face of adverse conditions arising from natural disasters or displacement resulting from development activities.

Table 7: Concentrations of Disadvantage by Low-Income and Minority Status

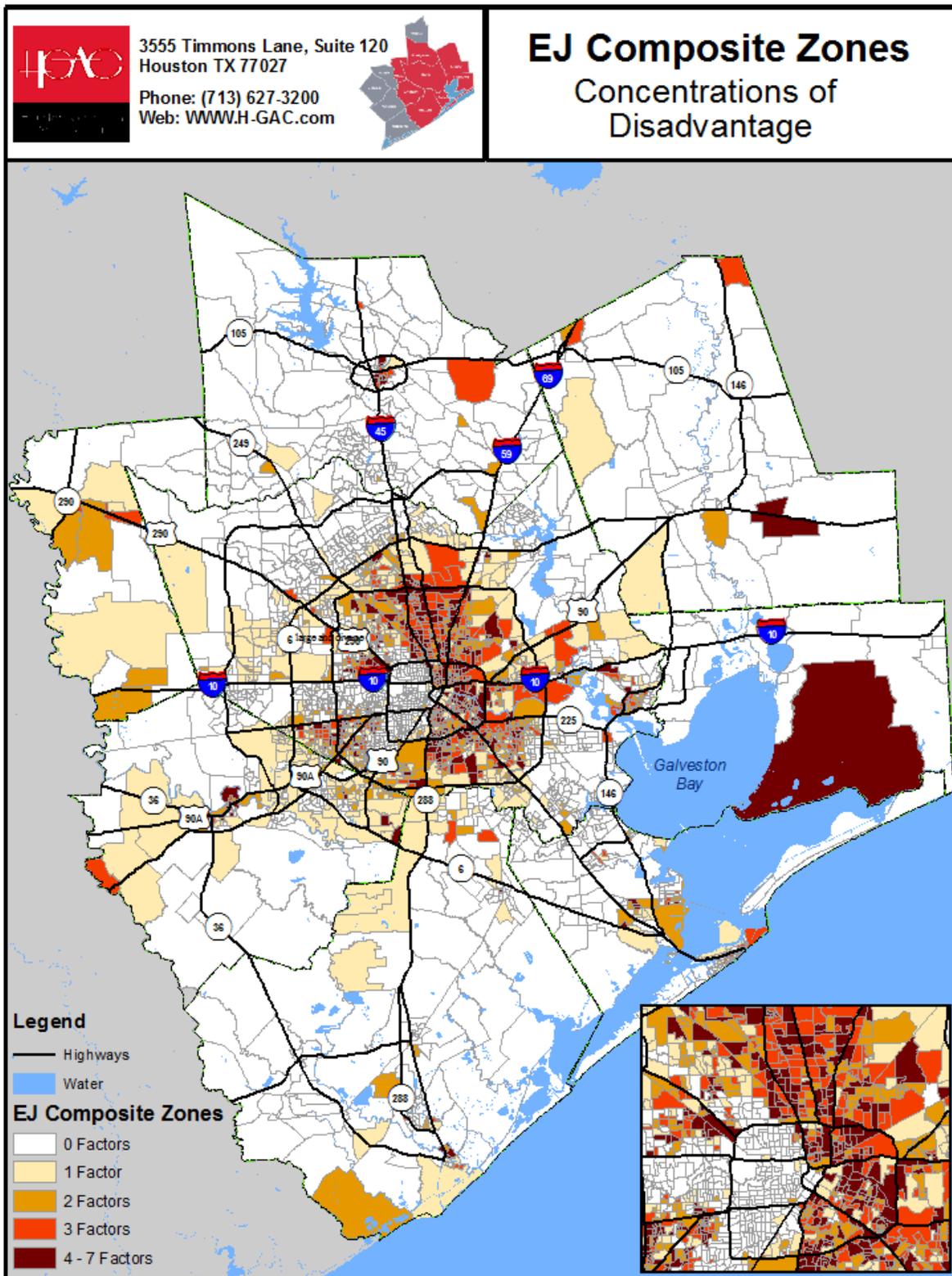
Number of Indicators	% of All Block-Groups	Minority Block-Groups	% of Minority Block-Groups	Low-Income Block-Groups	% of Low-Income Block-Groups
0	47.1%	0	0.0%	0	0.0%
1	17.4%	513	32.9%	10	2.0%
2	11.7%	338	21.7%	46	9.0%
3	11.6%	342	22.0%	121	23.7%
4	7.8%	232	14.9%	205	40.2%
5	3.7%	111	7.1%	107	21.0%
6	0.7%	20	1.3%	20	3.9%
7	0.03%	1	0.1%	1	0.2%

Source: US Census Bureau, 2011-2015 American Community Survey Estimates 5-Year Estimates.

Of the 1589 census block-groups within the MPO that are identified as environmental justice sensitive zones, 366 or 23% of these zones are characterized as zones of high disadvantage. The propensity to suffer from multiple factors of disadvantage appears to be higher because of a status of poverty than because one is a member of a racial minority group. All this information is used by H-GAC to model the effect of transportation on the MPO region’s most vulnerable population.

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Map 15: Census Block-Groups with Concentrations of Disadvantage



3.3 IDENTIFYING MOBILITY NEEDS OF THE MINORITY POPULATION

3.3.1 Public Involvement

H-GAC has a well-established transportation planning process which is anchored by the Regional Transportation Plan. The primary method for identifying the mobility needs of the minority, low-income, and other disadvantaged populations is through an effective public involvement program. The federal requirement for continuous participation by the public during the transportation planning process is calculated to bring the range of community needs and interests to the table prior to, and during the period the substantive decisions are made. Planning decisions properly informed by the public participation process tend to be more sustainable because they consider the needs and interests of all stakeholders, including the minority, low-income, and other vulnerable populations. The MPO's public engagement efforts are designed to stimulate comments and create discussion threads on mobility issues, and the needs and challenges that face the residents of the region. MPO staff record these comments and consider them in the development of the pertinent regional transportation plans and mobility studies.

The MPO's outreach to the underserved population is increasingly focused on leveraging community partnerships. H-GAC collaborates with ethnic/racially focused community partners to obtain critical feedback on the needs of the minority and low-income populations and to facilitate greater access to the targeted populations. MPO outreach staff continue to build relationships with civic groups and neighborhood associations and utilize opportunities to make presentations and obtain feedback at existing community events and neighborhood meetings in the minority and low-income neighborhoods.

3.3.2 Coordinated Transportation Planning

Another important way by which H-GAC identifies the mobility needs of the minority, low-income, and other disadvantaged populations is through directed transportation studies. A good example of this is the Regionally Coordinated Transportation Plan (RCTP). H-GAC facilitates the Gulf Coast regionally coordinated transportation planning process which looks to identify and document gaps in the available transportation service, and to quantify the un-met demand for transportation service across the H-GAC thirteen-county Gulf Coast planning region. The purpose of the regionally coordinated transportation plan is to create effective and more efficient transportation services across the region and improve the mobility options for a priority population that includes persons with disabilities, individuals aged 65 and over, individuals with lower incomes, persons with limited proficiency in the English language, youth, and veterans. A large proportion of this population are minority and low-income residents. There is particular concern for the residents of the suburban and rural counties of the planning region who only have access to sporadic and generally unaccommodating transportation service, or no service at all.

The RCTP was updated in 2017. The update process involved several public meetings and open house events, seminars, focus group studies, and field surveys. A transportation inventory and stakeholder agency survey enumerated existing active transportation service providers and documented their services, fleet resources, market areas, and operating parameters (see **Appendix G**). Survey respondents included human service agencies, public transportation agencies, school districts, private non-profit organizations,

and city\county government entities. The RCTP update study documented the extent of coverage of the existing transportation network and sought to identify obstacles and opportunities for improving regional coordination in the delivery of transportation services. The “Power of Transit” symposium provided a forum for panelists to discuss their expert viewpoints on regional partnerships and collaboration among transportation providers. Panelists advanced the position that by leveraging individual services and existing funding, transportation could be made to reach those populations not served by the region’s major transit providers.

A key component of the RCTP development process was the Transit Need Index (TNI) and Gap Analysis study which assessed the relative levels of actual demand/need for transit service within the thirteen counties of the H-GAC Council of Governments region and determined where existing transit service was inadequate. Several socio-economic factors were considered in deriving the index of transit need. These included population density, household income, percentage of children 6-17 years, persons with disabilities, the size of the elderly population, and the number of households without an automobile. The results of the RCTP study are applied in deciding how to prioritize transportation service improvements for the target population.



3.4 TRANSPORTATION EQUITY ANALYSIS

The effectiveness of a Title VI non-discrimination program may be assessed by the quality of participation in the transportation planning and decision-making process that is afforded the minority and other disadvantaged populations, and by the equity of the distribution of transportation benefits and of its related burdens. H-GAC conducts an extensive set of geo-spatial and quantitative technical analyses to produce a snapshot of transportation equity for the region. The analyses among other things examine the distribution of transportation investments and how the mobility benefits of network improvements accrue to both the protected communities and the non-protected communities. The results suggest how well the state and local transportation partners provide for access to opportunities, community facilities and to vital services for the region's residents.

This section includes a compilation maps, charts, and tables pertinent to the broad-based transportation equity analyses performed by the agency. The impact of transportation plans and investments are assessed for the environmental justice sensitive zones, environmental justice sensitive zones classified as highly disadvantaged, and the non-environmental justice zones.

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Map 16: Major Transportation Investments in H-GAC Ten-Year Plan (2017 – 2026)

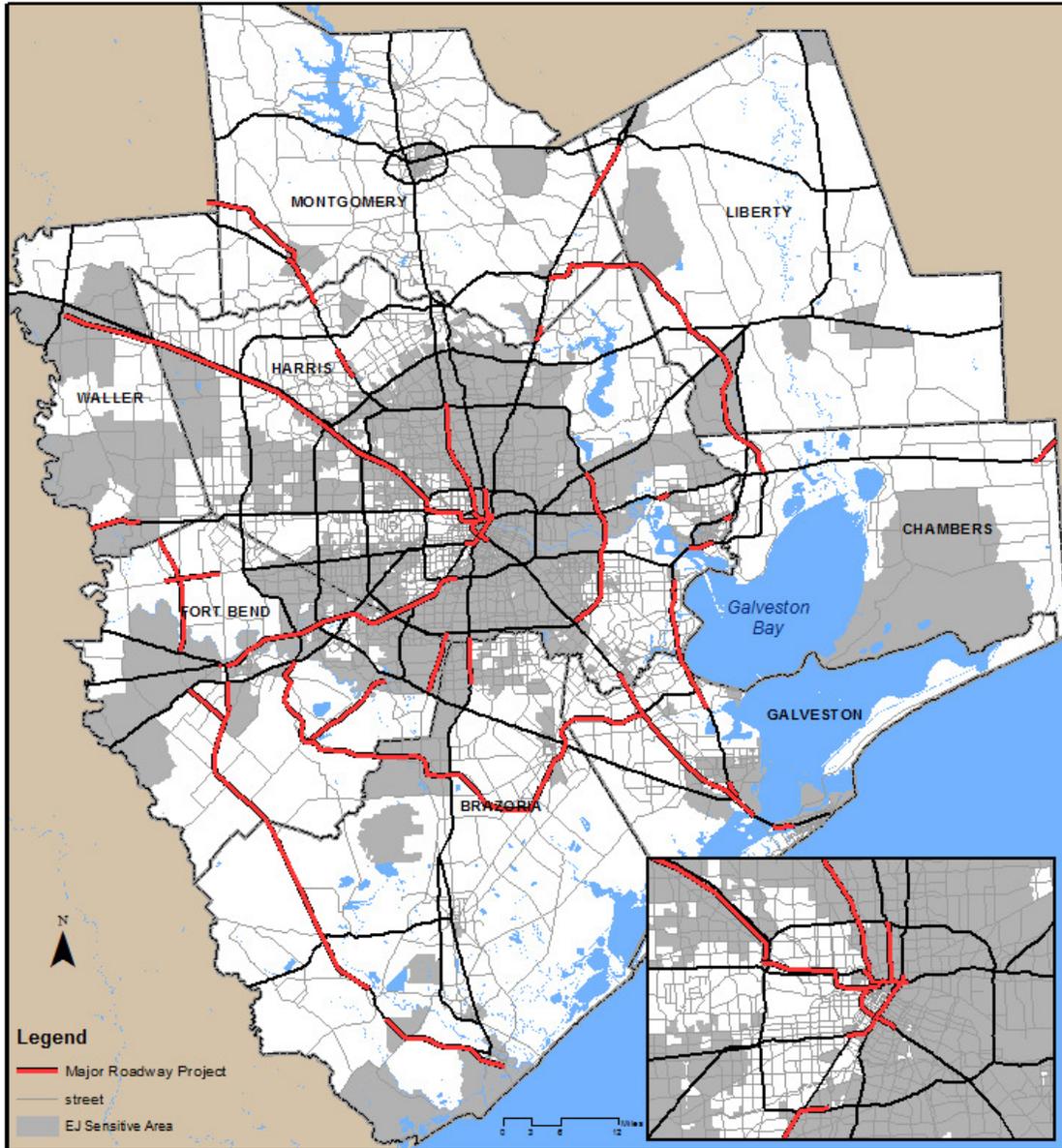


Table 8: Major Investments in the H-GAC 10-Year Plan (2017 – 2026)

	EJ Target Areas	EJ Target Areas of High Disadvantage	Non EJ Target Areas
Number of Projects (Percent of Projects)	77 out of 124 (62%)	28 out of 124 (23%)	110 out of 124 (89%)
Cost of Projects (Percent of Budget)	17,299,192,141 (83%)	10,206,081,459 (49%)	18,110,893,331 (86%)

Source: H-GAC Ten-Year Plan (FY 2017 – 2026)

Map 17: Local Thoroughfare Investments in H-GAC Ten-Year Plan (2017 – 2026)

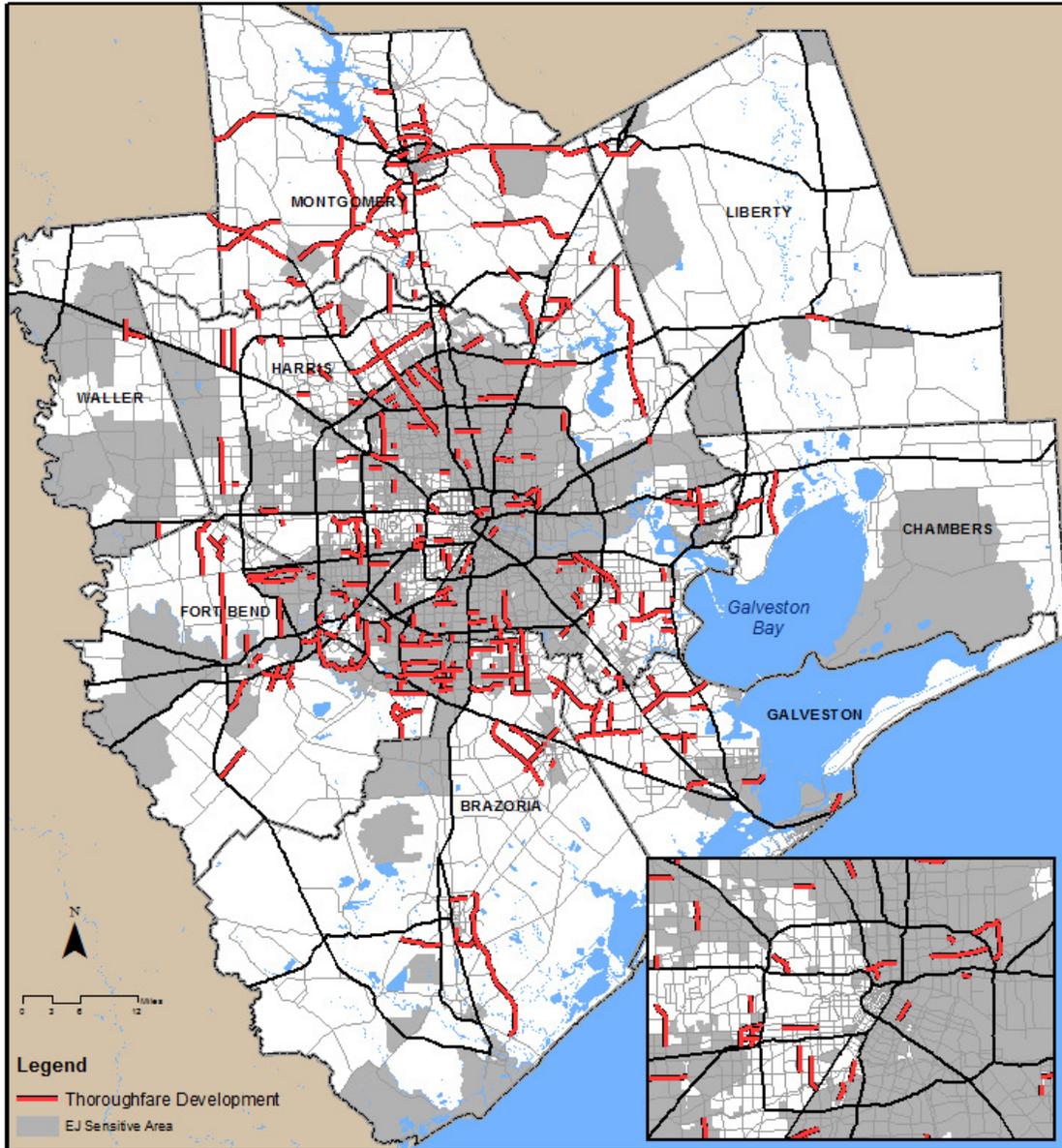


Table 9: Local Thoroughfare Improvement Projects in the H-GAC 10-Year Plan (FY 2017 – 2026)

	EJ Target Areas	EJ Target Areas of High Disadvantage	Non EJ Target Areas
Number of Projects (Percent of Projects)	98 out of 149 (66%)	21 out of 149 (14%)	116 out of 149 (78%)
Cost of Projects (Percent of Budget)	1,883,026,217 (50%)	331,286,749 (9%)	3,272,353,545 (88%)

Source: H-GAC Ten-Year Plan (FY 2017 – 2026)

Map 18: Regional Toll Road Analysis: Proposed Priced Facilities in the H-GAC 2040 RTP Update

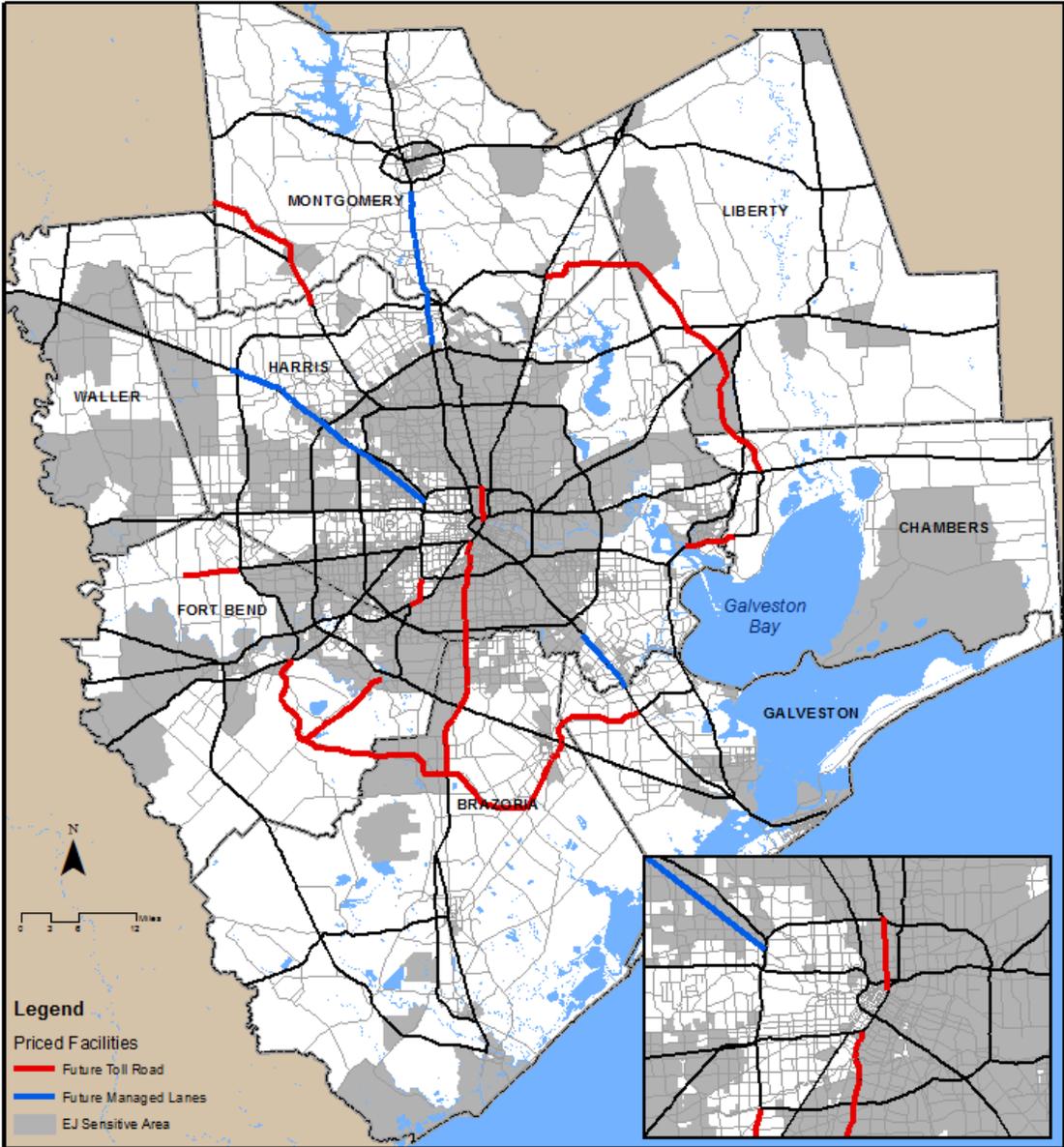


Table 10: Regional Toll Road Analysis: Level of Service – Morning Peak Period (6am – 9am)

Roadway Classification	Year 2017		2040 Conformity Network		2040 No-Build Network	
	LOS	% by Class	LOS	% by Class	LOS	% by Class
Freeways	A-B-C	85.4%	A-B-C	71.8%	A-B-C	71.3%
	D-E	10.5%	D-E	10.2%	D-E	9.8%
	F	4.1%	F	18.0%	F	18.9%
Toll Roads	A-B-C	94.9%	A-B-C	81.3%	A-B-C	76.1%
	D-E	3.6%	D-E	8.8%	D-E	10.6%
	F	1.5%	F	10.0%	F	13.3%
Principal Arterials	A-B-C	93.3%	A-B-C	83.8%	A-B-C	83.6%
	D-E	4.3%	D-E	8.8%	D-E	8.4%
	F	2.4%	F	7.4%	F	7.9%
Other Arterials	A-B-C	95.0%	A-B-C	85.6%	A-B-C	84.9%
	D-E	3.8%	D-E	7.5%	D-E	7.7%
	F	1.2%	F	6.9%	F	7.4%
Collectors	A-B-C	97.9%	A-B-C	92.2%	A-B-C	91.0%
	D-E	1.2%	D-E	3.3%	D-E	3.7%
	F	0.9%	F	4.6%	F	5.3%
Ramps	A-B-C	91.2%	A-B-C	87.0%	A-B-C	86.2%
	D-E	3.8%	D-E	3.8%	D-E	4.4%
	F	5.0%	F	9.3%	F	9.4%
Frontage Roads	A-B-C	93.2%	A-B-C	84.1%	A-B-C	82.8%
	D-E	3.9%	D-E	6.6%	D-E	6.9%
	F	2.9%	F	9.3%	F	10.3%
HOV	A-B-C	92.8%	A-B-C	72.5%	A-B-C	52.7%
	D-E	5.7%	D-E	6.9%	D-E	19.8%
	F	1.5%	F	20.6%	F	27.5%
HOT	A-B-C	88.2%	A-B-C	75.7%	A-B-C	64.9%
	D-E	8.7%	D-E	7.7%	D-E	16.1%
	F	3.0%	F	16.6%	F	19.0%

Source: H-GAC Travel Demand Model, 2017.

Table 11: Regional Toll Road Analysis: Accessibility to Jobs by Automobile and Transit Modes

EJ Category	Jobs Accessible in 30 Mins by Auto			Jobs Accessible in 60 Mins by Transit		
	Year 2017	2040 Conformity	2040 No-Build	Year 2017	2040 Conformity	2040 No-Build
Non-EJ	854,979	793,196	786,446	1,872,643	1,798,243	1,766,642
All EJ	1,421,506	1,496,144	1,484,508	2,520,834	2,874,770	2,852,519
Minority	1,421,506	1,582,842	1,579,597	2,578,044	3,000,809	2,980,488
Low-Income	1,748,741	1,911,711	1,898,613	2,646,059	3,156,093	3,142,314
LEP	1,803,397	2,009,788	1,998,758	2,731,861	3,271,198	3,258,878
Female HH	1,634,122	1,815,543	1,803,334	2,551,605	3,006,048	2,989,101
Zero Auto HH	1,819,396	2,129,759	2,117,936	2,670,658	3,302,170	3,291,869
LEA	1,747,191	1,897,956	1,884,909	2,709,158	3,235,743	3,221,056
Elderly	1,526,818	1,662,046	1,650,729	2,429,841	2,846,640	2,831,602
High Disadv.	1,957,150	2,264,518	2,252,147	2,776,351	3,432,997	3,423,531

Source: H-GAC Travel Demand Model, 2017.

Table 12: Regional Toll Road Analysis: 2040 HBW Person Trips – AM Peak Average Trip Lengths

Production Zones	Segmentation of 2040 HBW Person Trips by potential time savings	Number of 2040 HBW Person Trips		2040 Conformity Network		2040 No-Build Network	
				ATL using a Toll Path (Minutes)	ATL using a Free path (Minutes)	ATL using a Toll Path (Minutes)	ATL using a Free Path (Minutes)
EJ Zones	Candidate (Trips that can save 0+ minutes using a new toll facility)	730,582	17.3%	33.84	37.22	34.77	37.75
	Non-Candidate Trips that cannot save 0+ minutes using a new toll facility	1,455,407	34.4%	17.12	17.52	17.25	17.67
Non-EJ Zones	Candidate Trips that can save 0+ minutes using a new toll facility	914,175	21.6%	49.68	54.97	52.81	56.97
	Non-Candidate Trips that cannot save 0+ minutes using a new toll facility	1,131,611	26.7%	20.54	21.09	20.79	21.38
	TOTAL	4,231,775	100.0%	-	-	-	-

Source: H-GAC Travel Demand Model, 2017.

Table 13: Regional Toll Road Analysis: 2040 Candidate and Non-Candidate HBW Person Trips – By Trip Origin

Trip Classification	EJ Zones		Non - EJ Zones	
	Predicted Trips	Percentage	Predicted Trips	Percentage
Candidate Trips that can save 0+ minutes using a new toll facility	730,582	33.4%	914,175	44.7%
Non-Candidate Trips that cannot save 0+ minutes using a new toll facility	1,455,407	66.6%	1,131,611	55.3%
Total <i>(% of All Trips)</i>	2,185,989 <i>(51.7%)</i>	100.0%	2,045,786 <i>(48.3%)</i>	100.0%

Source: H-GAC Travel Demand Model, 2017.

Table 14: Regional Toll Road Analysis: 2040 HBNW Person Trips – 24 Hour Average Trip Lengths (in Minutes)

Production Zones	Segmentation of HBNW Person Trips by potential time saving	Number of 2040 HBNW Persons Trips		2040 Conformity Network		2040 No-Build Network	
				ATL using a Toll Path (Minutes)	ATL using a Free Path (Minutes)	ATL using a Toll Path (Minutes)	ATL using a Free Path (Minutes)
EJ Zones	Trips that can save 0+ minutes using a new toll facility	1,099,720	6.1%	23.86	26.62	24.29	26.76
	Trips that <u>cannot</u> save 0+ minutes using a new toll facility	8,149,688	44.9%	9.45	9.58	9.46	9.60
Non-EJ Zones	Trips that can save 0+ minutes using a new toll facility	1,584,998	8.7%	32.56	36.47	34.00	37.20
	Trips that <u>cannot</u> save 0+ minutes using a new toll facility	7,307,924	40.3%	11.16	11.45	11.20	11.49
	TOTAL	18,142,329	100.0%				

24 Hour Average Trip Length (ATL) in minutes for Free Path and Tolloed Path options under the Build and the No-Build networks. Difference in AM Peak Average Trip Lengths (ATL) in Minutes.

Table 15: Regional Toll Road Analysis: Differences in Average Trip Lengths for 2040 HBNW Person Trips

Production Zones	Segmentation of HBNW Person Trips by potential time saving	Number of 2040 HBNW Persons Trips	Differences in ATL for Toll Path Options (No-Build ATL – Conformity ATL)	Differences in ATL for Free Path Options (No-Build ATL – Conformity ATL)
EJ Zones	Trips that can save 0+ minutes using a new toll facility	1,099,720	0.43 Minutes	0.14 Minutes
	Trips that <u>cannot</u> save 0+ minutes using a new toll facility	8,149,688	0.01 Minutes	0.02 Minutes
Non-EJ Zones	Trips that can save 0+ minutes using a new toll facility	1,584,998	1.44 Minutes	0.73 Minutes
	Trips that <u>cannot</u> save 0+ minutes using a new toll facility	7,307,924	0.04 Minutes	0.04 Minutes

Difference in 24 Hour Average Trip Lengths for 2040 HBNW Person Trips.

Map 19: Distribution of Pedestrian-Bicyclist Facilities in the Eight-County TMA Region

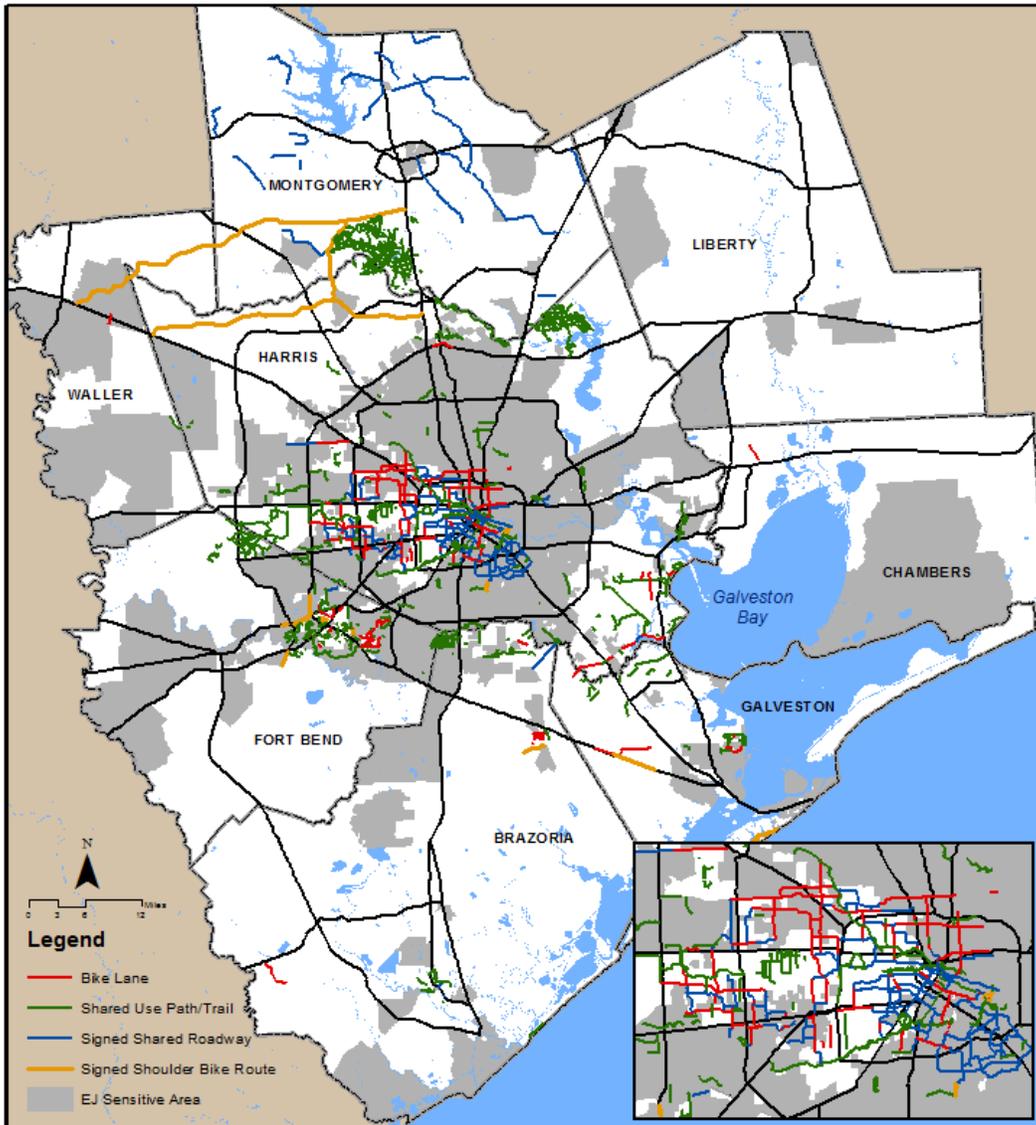


Table 16: Bikeway Infrastructure in the Eight-County TMA Region

Ped-Bike Facility	Regional Total	In Non EJ Area	% of Network	In EJ Area	% of Network	EJ with High Disadvantage	% of Network
Bike Lane	174 Miles	89 Miles	51%	85 Miles	49%	24 Miles	14%
Shared Use Path	811 Miles	544 Miles	67%	267 Miles	33%	22 Miles	3%
Signed Shared Roadway	281 Miles	185 Miles	66%	97 Miles	34%	24 Miles	9%
Signed Shoulder Bike Route	103 Miles	83 Miles	80%	20 Miles	20%	1 Mile	1%
Total	1,370 Miles	901 Miles	66%	469 Miles	34%	70 Miles	5%

Source: H-GAC Regional Bikeway Plan 2014

Map 20: METRO Local and Express Bus Routes – Approximate Hours of Operation

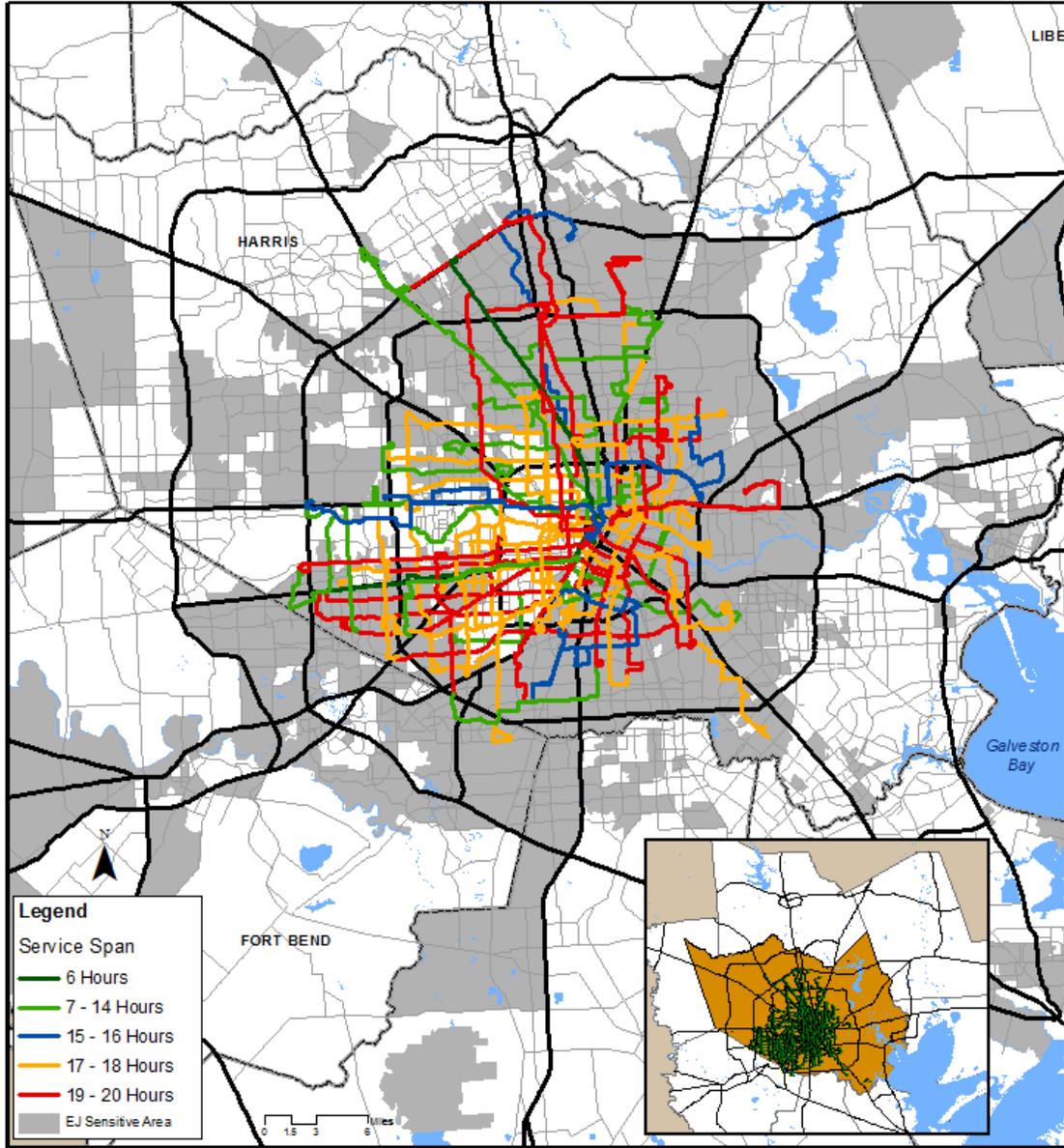
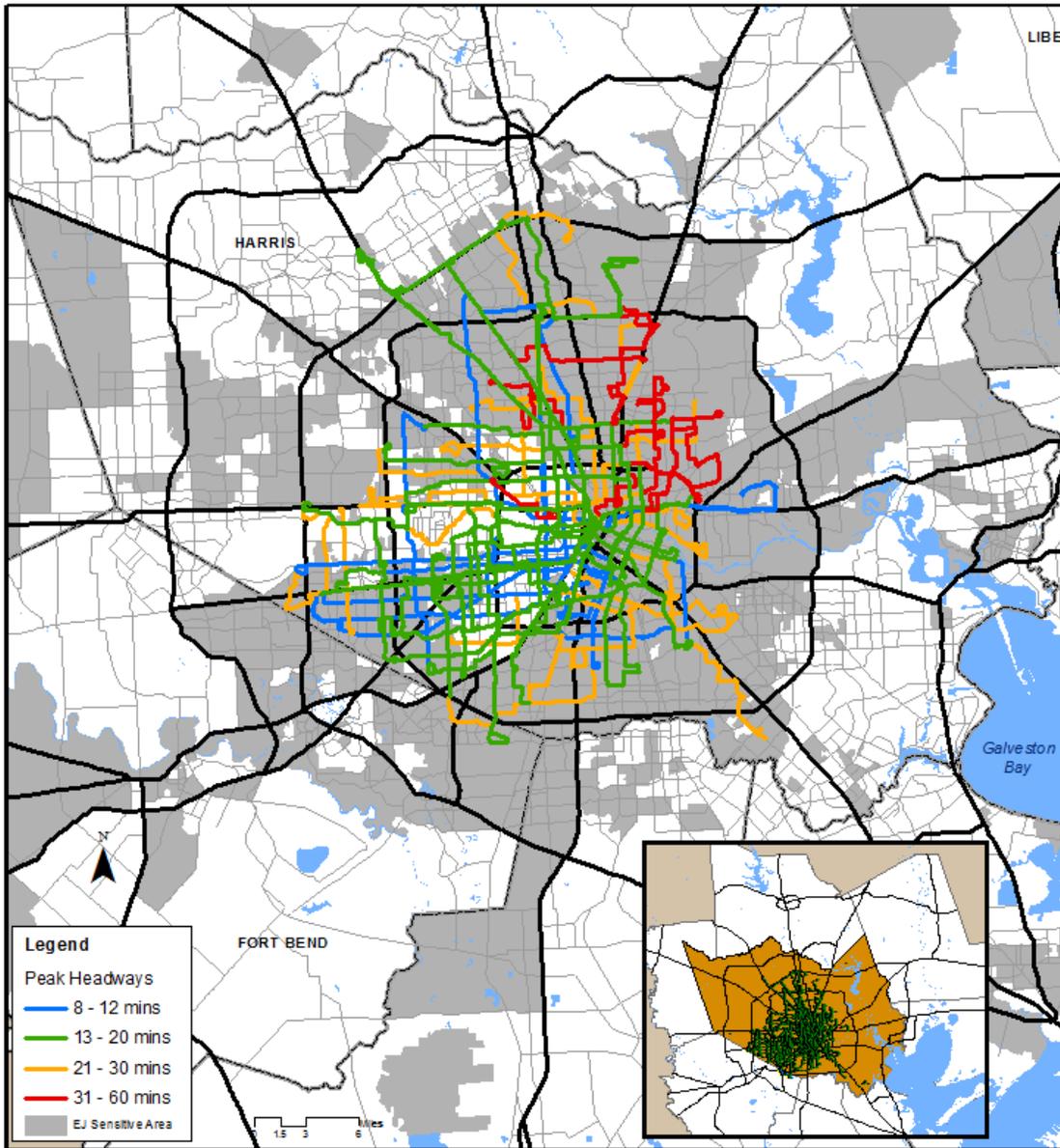


Table 17: Distribution of METRO Bus Stops in the Houston Metropolitan Region

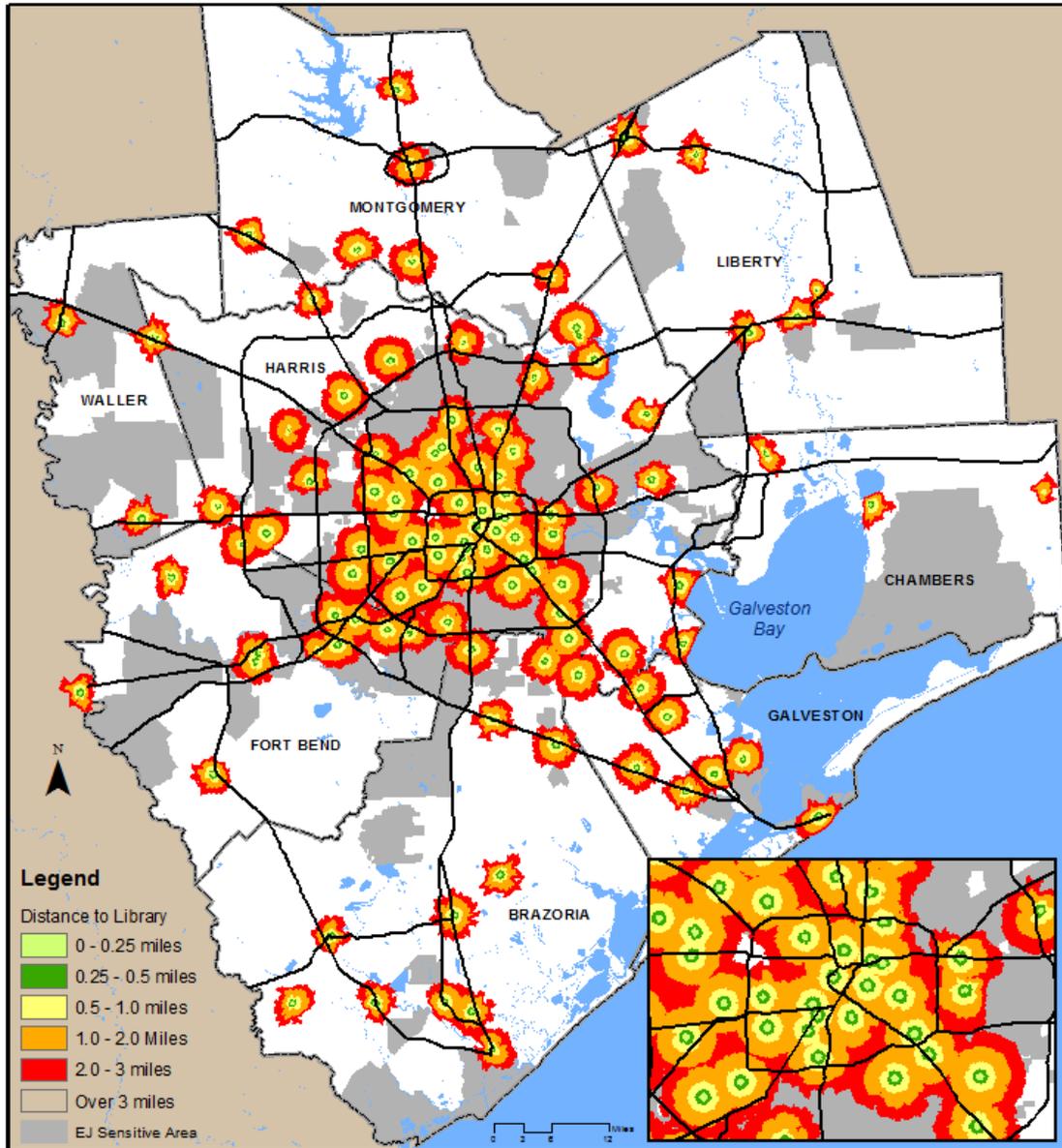
	Number of Bus Stops	Percent of Bus Stops
EJ Areas	6,223	69%
Non-EJ Areas	2,755	31%
EJ – High Disadvantage*	2,235	25%
Total	8,978	100%

Source: Metropolitan Transit Authority of Harris County, 2017. * Subset of the Environmental Justice Areas

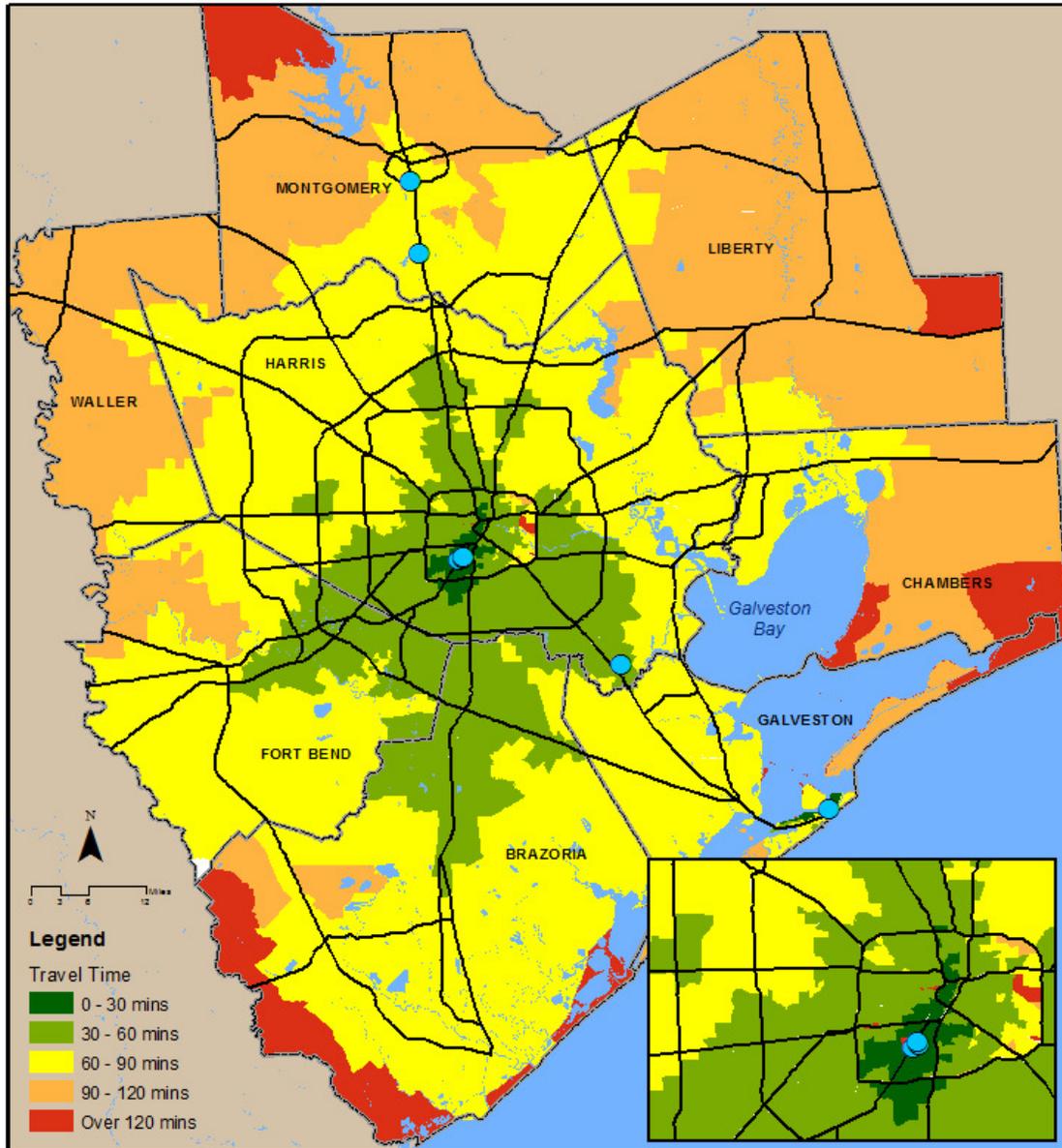
Map 21: METRO Bus Routes – Peak Headway Conditions



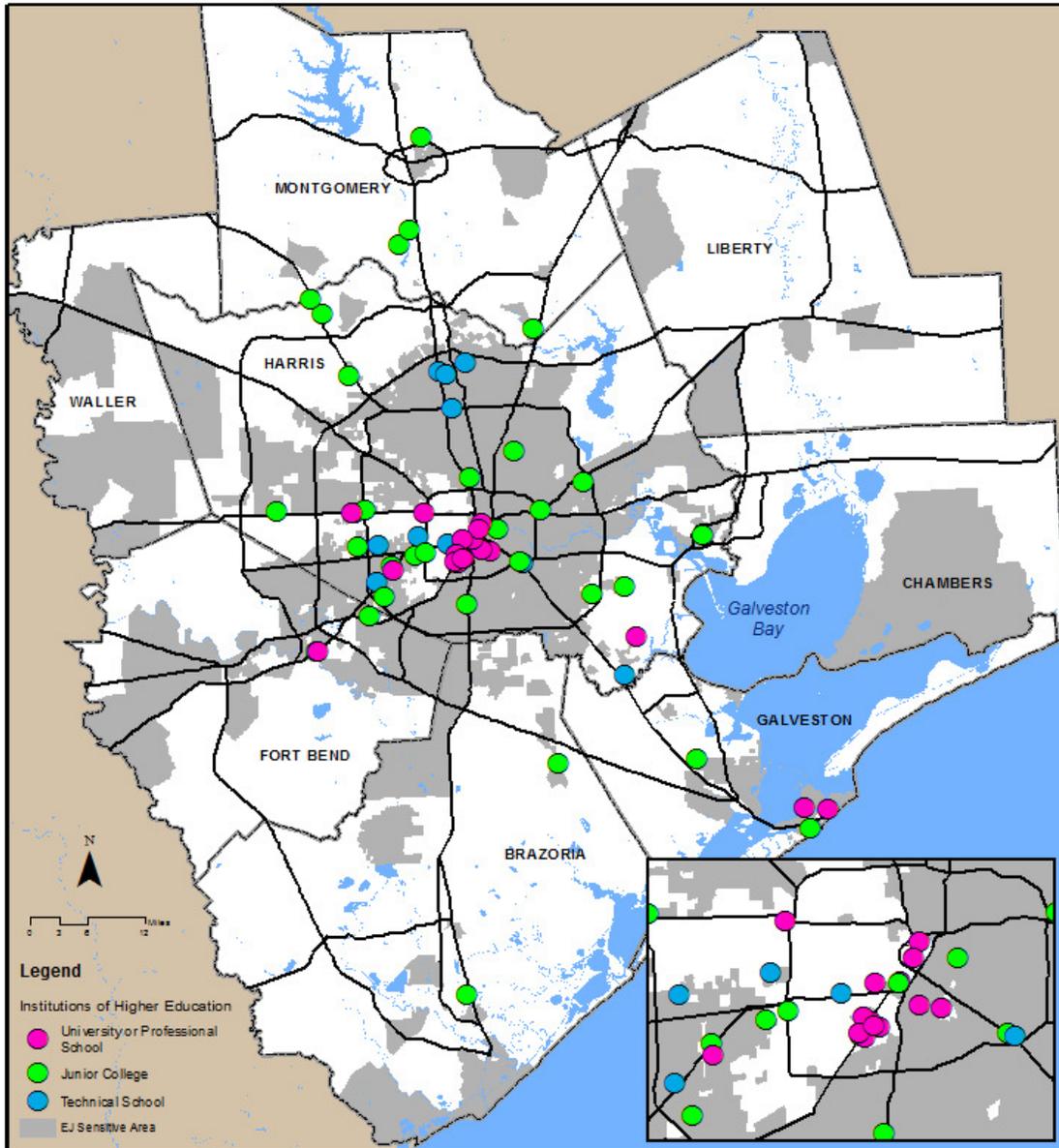
Map 22: Travel-Shed for County Library Facilities in the Eight-County TMA Region



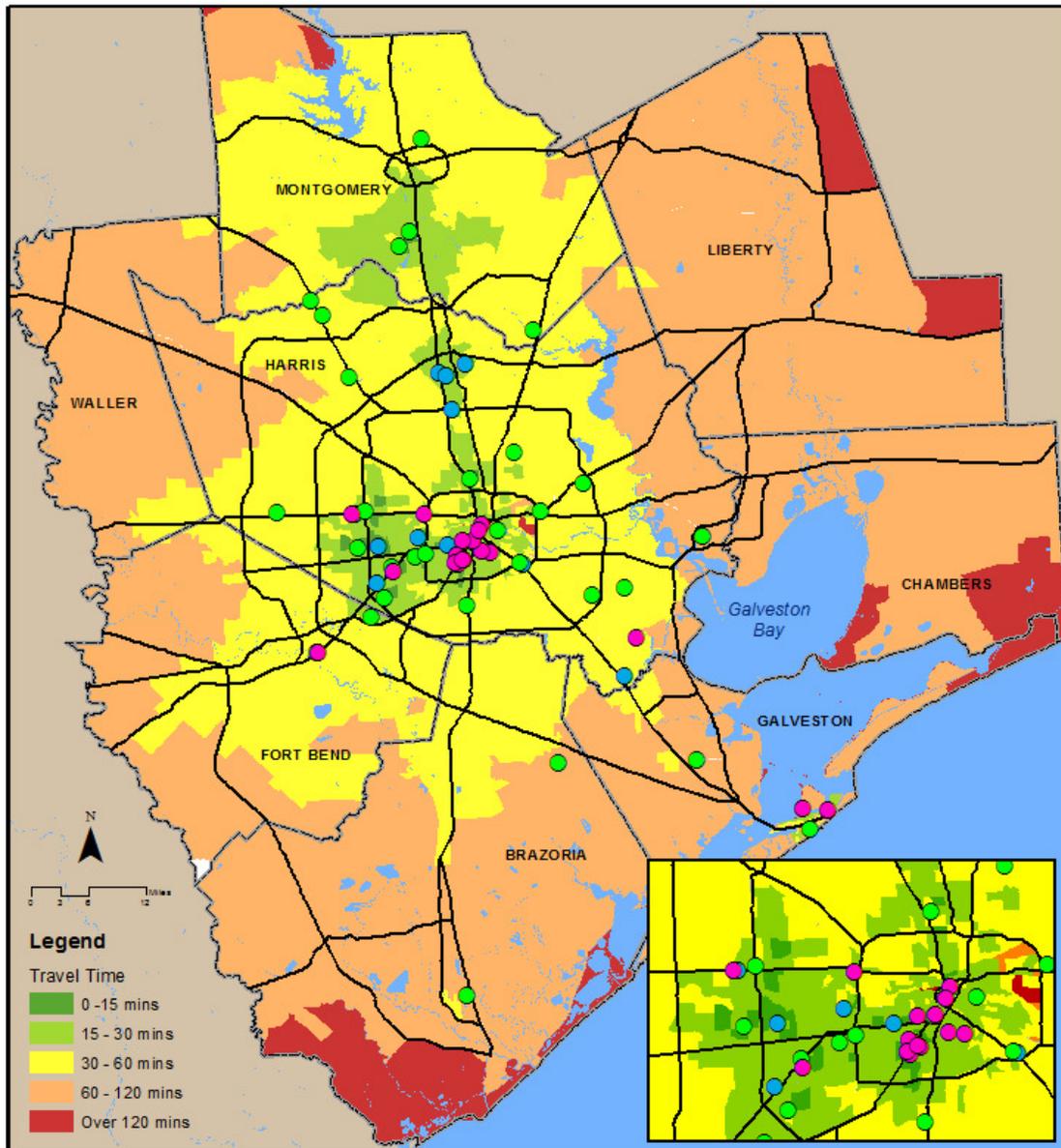
Map 23: Travel Time to the High-Level Trauma Centers in the Eight-County TMA Region



Map 24: Institutions of Higher Learning in the Eight-County TMA Region



Map 25: Travel Time to Institutions of Higher Learning in the Eight-County TMA Region



Map 26: Motor Vehicle Crash Densities in Southwest Houston (2007 – 2016)

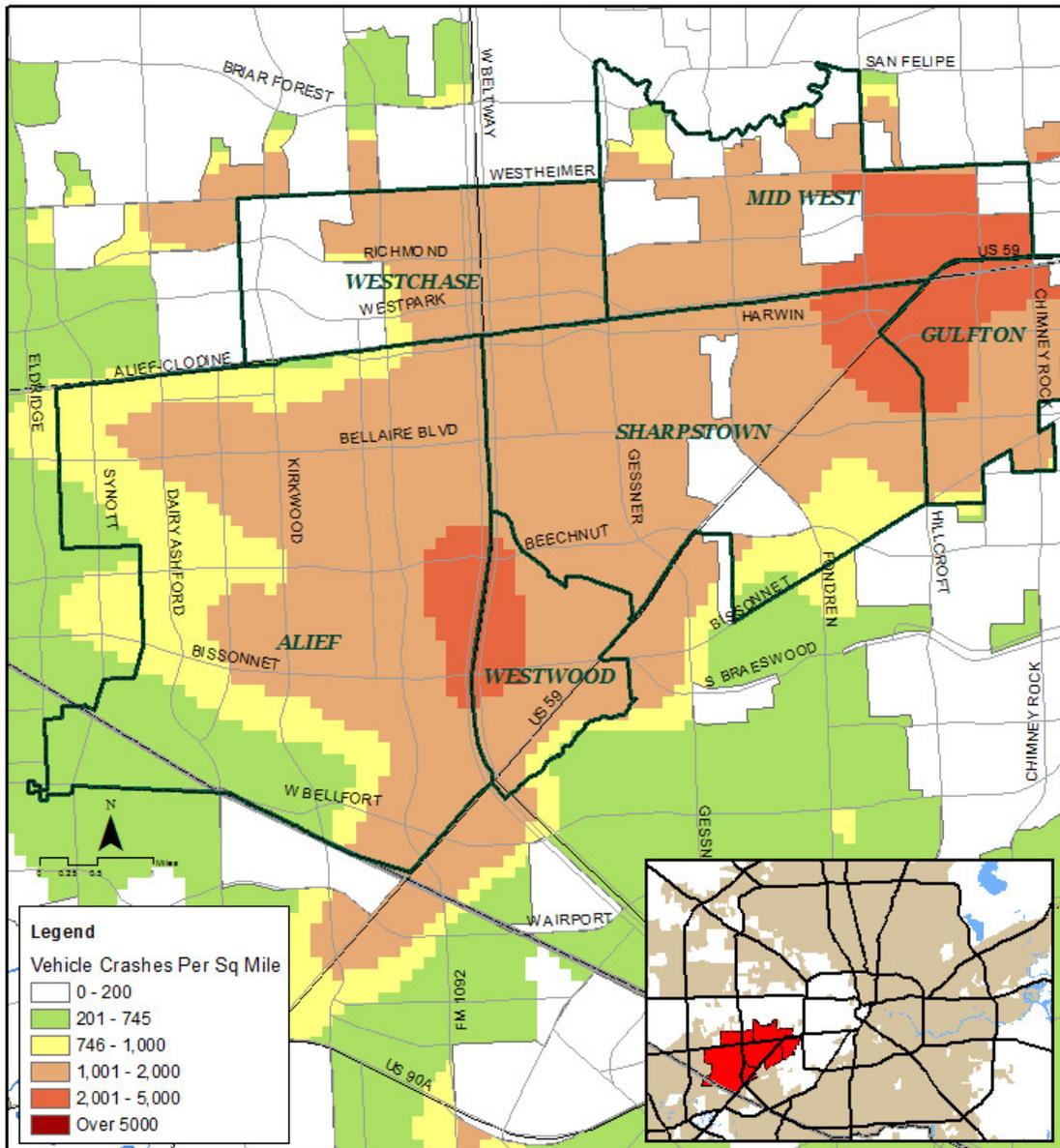
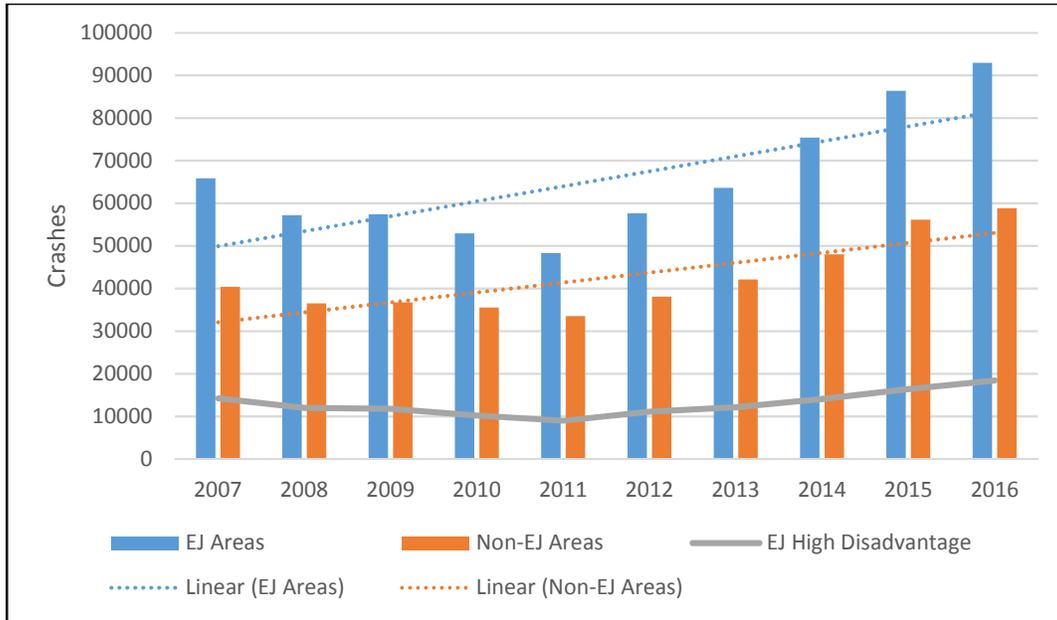


Figure 5: Vehicle Crashes in the Eight-County TMA Region (2007 – 2016)



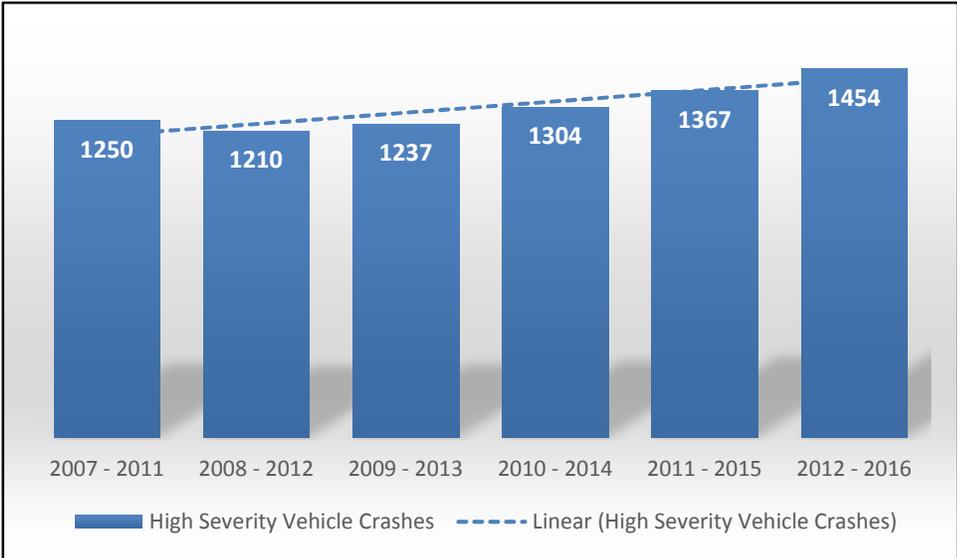
Source: Geocoded TxDOT Crash Records Information System (CRIS).

Table 18: Motor Vehicle Crashes in the Eight-County MPO Region (2007 – 2016)

	EJ Zones	Non-EJ Zones	EJ Zones with High Disadvantage*	Total
Population of Area**	3,200,431	2,834,536	611,548	6,034,967
Percent of Total Population	53%	47%	19%	100%
Number of Crashes	657,538	425,812	129,717	1,083,350
% of Crash Total	61%	39%	20%	100%
Crashes per 1000 Population	205	150	212	-
Vehicle Miles Travelled (VMT)	100,879,192	69,193,733	8,775,120	170,072,925
Crashes Per 100 Million Vehicle Miles Travelled (VMT)	179	169	405	-
High Severity Crashes	13,519	10,972	2,542	24,491
% of High Severity Crash Total	55%	45%	19%	100%
High Severity Crashes per 100,000 Population	422	387	416	-

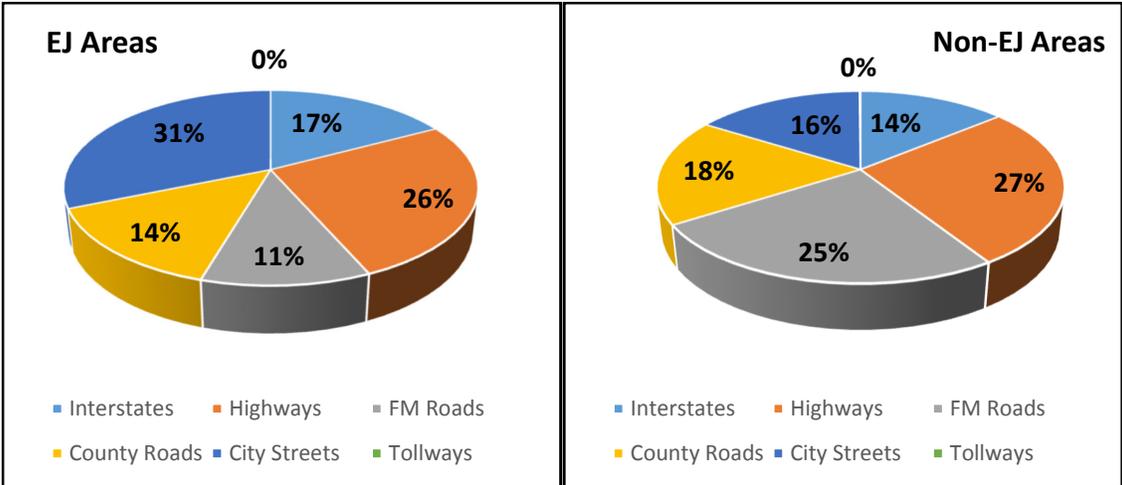
Source: Geocoded TxDOT Crash Records Information System (CRIS). * Crash numbers here are a subset of EJ Zone totals. Percentages reflect a share of EJ Zone totals. ** Source: US Census Bureau, 2011-2015 American Community Survey Estimates 5-Year Estimates.

Figure 6: 5-Year Rolling Averages of High Severity Vehicle Crashes in EJ Zones (2007 – 2016)



Source: Geocoded TxDOT Crash Records Information System (CRIS).

Figure 7: Fatalities Resulting from Motor Vehicle Crashes by Road Class (2007 – 2016)



Source: Geocoded TxDOT Crash Records Information System (CRIS).

Map 27: Gulfton-Westheimer-Harwin Bicycle Crash Hotspot

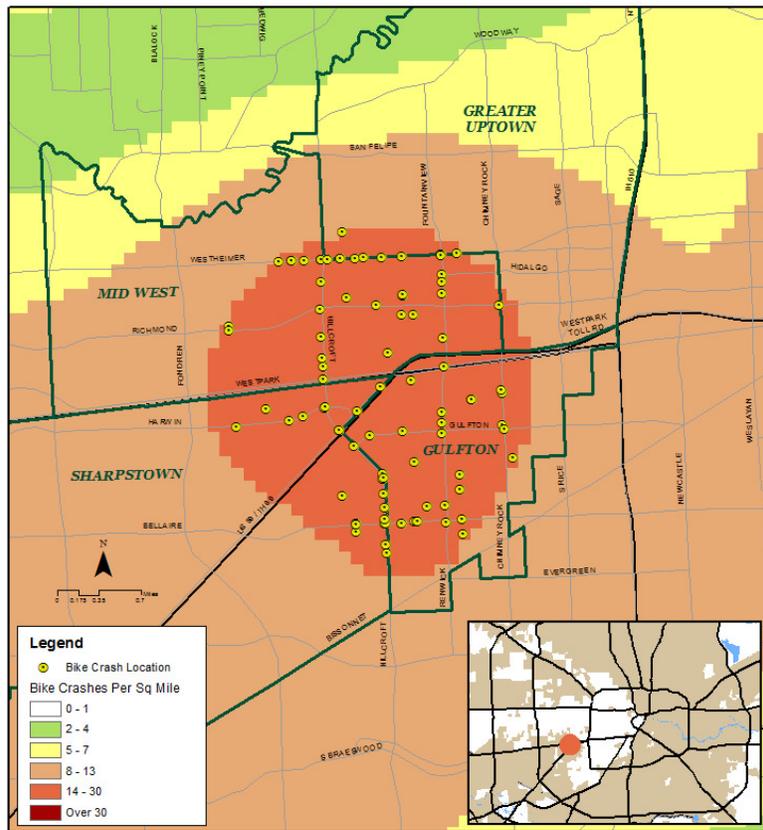
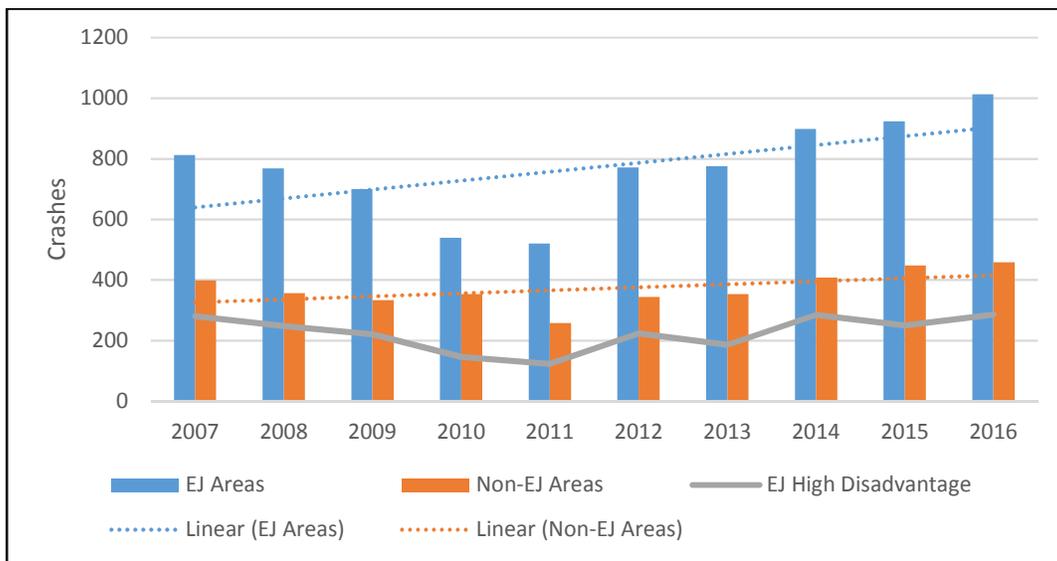
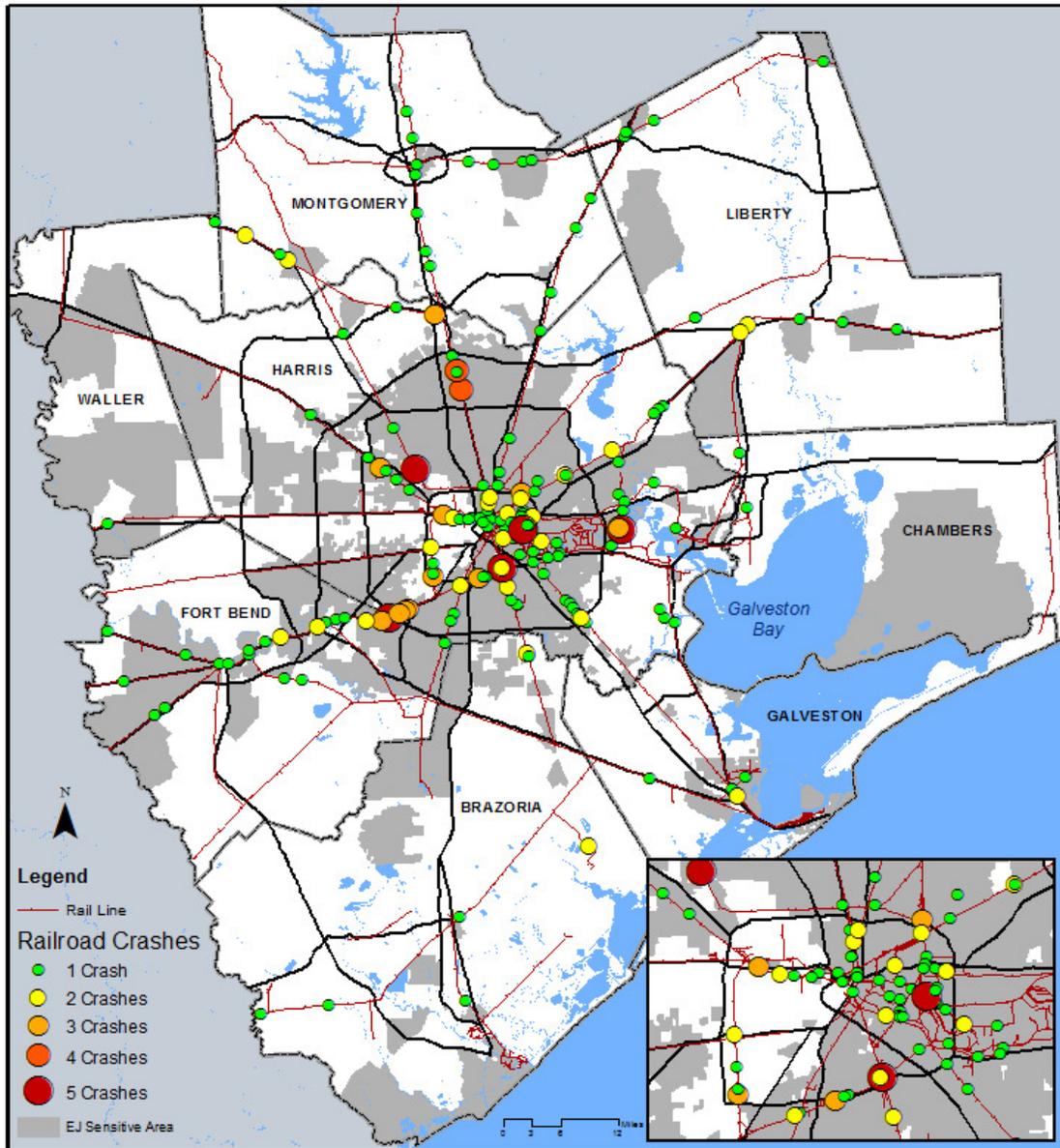


Figure 8: Pedestrian Crash Incidents in the Eight-County TMA Region (2007 – 2016)



Source: Geocoded TxDOT Crash Records Information System (CRIS).

Map 28: At-Grade Railroad Crash Frequency (2012 -2016)



3.5 ASSESSING POTENTIAL IMPACTS TO COMMUNITIES

The spatial and quantitative studies compiled in the preceding section examined several metrics to assess whether the region's communities are in the aggregate equitably served or disparately impacted by the transportation investment choices and related planning activities. The key measures evaluated include the distribution of transportation investments, accessibility to public amenities and vital services, and the state of transportation safety. The information obtained from these and other studies are helping to shape the agency's programs and policies and guide the efforts to achieve greater inclusiveness in transportation planning. Some of the findings from the assessment are summarized below.



Pattern of Transportation Investments in the Region

A non-exclusive spatial review of the proposed local thoroughfare and major transportation improvements suggest a disparate level of investments in the environmental justice sensitive areas compared with the non-target areas.

- Up to 78% of the mapped local thoroughfare projects from the H-GAC ten-year plan (2017 – 2026) amounting to about 88% of the allocated funding, were programmed in the non-environmental justice sensitive areas. In comparison, 66% of the projects fell within or ran adjacent to an environmental justice sensitive area. The cost of the projects that would directly serve the environmental justice neighborhoods amounted to about 50% of the allocated funding.
- The spatial distribution of the regionally significant transportation investments (which includes tolled facilities) is like that of the local thoroughfare projects and will disparately benefit the non-environmental justice sensitive areas.
- Despite the geographical disparities, travel model forecasts project that the environmental justice population would enjoy greater accessibility to jobs than the non-target population because of the construction of the regionally significant projects.
- Although the environmental justice population is expected to experience improvements in travel time and travel speed, improvements in these areas will be proportionately less than the improvements experienced by the non-target population.

Accessibility to Public Infrastructure and Vital Services

A spatial analysis looking at accessibility to public infrastructure and vital services shows a greater level of trail development in the non-protected areas compared with the target areas. Other analyses indicate that the environmental justice population would have comparable or better accessibility to public library facilities, full-service hospitals, high-level trauma centers, institutions of higher learning, and transit service than the non-target population.

Pedestrian-Bicyclist Infrastructure:

- About one-third of the pedestrian-bicyclist infrastructure in the region is within or adjacent to an environmental justice region. The other two-third lie within the non-target area.
- Only 5% of the regional network of pedestrian-bicyclist infrastructure are within environmental justice areas described as having high disadvantage.

Library Facilities:

- 40% of all the county libraries in the region are in an environmental justice zone.
- Virtually all the environmental justice sensitive areas in the IH 610 urban core region is within biking reach of a library.
- Environmental justice sensitive populations have greater accessibility to a library facility by transit than do the non-target populations. Accessibility by transit is greatest for areas with the highest socio-economic disadvantage.

Hospitals, Trauma Centers:

- 95% of households in environmental justice sensitive areas are within 15 minutes of a full-service hospital travelling by auto, compared to 81% for the non-target areas.
- 51% of households in environmental justice sensitive areas are within 60 minutes of a full-service hospital by transit, compared to only 25% from the non-target area.
- Households in the non-target areas have better access to high level trauma centers by automobile, but households in environmental justice sensitive areas have better accessibility by transit.

Higher Education Facilities:

- More households from environmental justice sensitive areas (84%) are within 15 minutes of an institution of higher education than from the non-target areas (72%).
- 49% of environmental justice households are within 60 minutes by transit, compared with 26% from the non-target areas.

Transit Service:

METRO service is geared towards the transit dependent population in the heavily populated areas of the Houston metropolitan region that is within their service area.

- Transit route-miles within the environmental justice sensitive areas are approximately double the route-miles that run through the non-target areas.
- Transit routes with the best peak period headways serve central and southwest Houston which benefit both target and non-target populations.
- The worst transit peak period headways impact the environmental justice sensitive communities to the Houston north and northeast.

The Highly Disadvantaged Environmental Justice Population

The environmental justice communities characterized as highly disadvantaged are uniquely concentrated within and around the central city. Their locations contribute to circumstances and impacts that are distinct from the wider environmental justice population and from the non-target areas. These include:

- Highest accessibility to library facilities, hospitals and trauma centers, and educational institutions.
- Greater accessibility to bus stops and transit routes.
- The least access to pedestrian-bicyclist infrastructure.
- The smallest level of transportation infrastructure investments.

Transportation Safety

Transportation safety is a major concern in the Gulf Coast planning region. Environmental justice sensitive areas are over-represented in several of the measured crash categories as described by the statistics that follow:

Vehicle Crashes:

- Over 60% of all vehicle crashes that occurred in the eight-county region between 2007 and 2016.
- Most of the high severity crashes and the highest crash rates per capita.
- Crash incidents rising at a faster rate within the environmental justice sensitive areas than in the non-target areas.

Bicycle and Pedestrian Crashes:

- As much as 61% of all the bicycle crashes. This includes about 58% of the bicycle crashes with high severity outcomes and 55% of the crash fatalities that occurred between 2007 and 2016.
- Hotspots for pedestrian and bicycle crash incidents coincide with the hotspots for vehicle accidents. For the environmental justice sensitive areas, these hotspots occur mostly in the Houston Southwest, in areas surrounding the Gulfton - Alief super neighborhoods.

Crashes at Railroad Crossings:

- Close to two-thirds of mapped crashes at railroad crossings occurred in an environmental justice sensitive zone.
- Over 70% of the crossing sites with multiple crash events are in an environmental justice sensitive zone.

3.6 INTEGRATING TITLE VI IN THE PLANNING PROCESS

H-GAC implements a continuing, comprehensive, and cooperative metropolitan transportation planning process to provide a safe, efficient, and reliable multimodal transportation system for all the citizens of the Gulf Coast Planning Region. A strong and progressive Title VI Program is embedded within this planning process. This report documents the agency's efforts to carry out the FTA's Title VI requirements detailed in 49 CFR Part 21, and to integrate the obligations of Title VI in the programs and activities of the agency. The Title VI Program continues to grow and expand in its ability to identify and address disparate impacts from transportation investments and environmental factors, and to engage the minority, low-income and LEP communities in the decision-making process. This section lists a selection of goals collectively purposed to enhance the Title VI Program, and strategies that are being implemented to achieve them.

Expand Community Impact Assessments

Expanding the range of analytical methods used to evaluate the benefits and burdens of transportation investments on the protected population will enable more practical assessments and help the planner better understand potential impacts.

- Create new socio-economic benchmarks.
- Acquire new datasets that support extended analysis of impacts to the target population.
- Build coalitions with other Title VI planners to share technical support, tools, and best practices.

Support Studies by Other Investigators

Specialized studies sponsored by State, academic institutions, community organizations, and by H-GAC departments are planned or underway to investigate the impacts of transportation, industry, environment, and socio-political decision-making on Title VI populations. Results from these studies can corroborate findings by H-GAC studies or add to the knowledge base of cumulative impacts on the protected population.

- Partner with research groups and organizations conducting specialized studies that will increase the knowledge base on regional issues that may affect Title VI populations.
- Provide technical support, data, and staff participation specialized studies that improve the state of knowledge of community impacts.

Facilitate Citizen Involvement

Facilitating greater and more efficient participation by members of the underserved communities will enable the planner to better understand their range of needs and inform the choice of plans and actions to improve their mobility.

- Expand use of community partnerships in reaching out to the Title VI communities, especially the LEP population;
- Take outreach efforts directly to communities and neighborhood meetings where appropriate;

- Expand mailing lists of Title VI stakeholders and interested parties to support wider notification about events and opportunities.

Build Staff Capacity

Building staff capacity through training enables the staff to be more productive and exposes them to fresh ideas and methodologies that could make them more effective. Training events also provide opportunities to network and establish relationships with subject matter experts.

- In 2017, MPO staff attended an advanced level Environmental Justice Workshop conducted by the National Transit Institute (NTI). MPO staff have also completed training on Environmental Justice and Title VI through webinars offered by the National Highway Institute and workshops by TxDOT.
- Staff continue to obtain advanced training in GIS programming, travel demand modeling, and public involvement strategies.
- Further relevant staff training and workshops will build upon these efforts.

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APPENDIX A

**TITLE VI AND ENVIRONMENTAL JUSTICE
NON-DISCRIMINATION AUTHORITIES AND POLICY
GUIDELINES**

1964

Title VI of the Civil Rights Act prohibits recipients of Federal financial assistance from discriminating based on race, color, or national origin.

1968

23 U.S.C. 140-Nondiscrimination (amended in 1991) refers to State employment assurances. Refers to race, color, creed, national origin, or sex.

1969

NEPA requires Federal agencies to analyze the environmental impacts of their actions. Agencies must account for impacts on populations and consult the public throughout their analyses.

1970

The **Federal Highway Act of 1970** requires that adverse economic, social, and environmental impacts of federally supported highway projects be fully considered during project development and that final project decisions are made in the best overall public interest.

1970

The **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** requires fair and equitable treatment of people displaced as a direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance.

1970

Title 49 CFR 21.9(b), “Nondiscrimination in federally assisted programs of the Department of Transportation (DOT),” was enacted to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end 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 receiving Federal financial assistance from the DOT.

1973

Section 504 of the **Rehabilitation Act of 1973** prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors.

1975

The **Age Discrimination Act of 1975** prohibits discrimination on the basis of age in programs receiving Federal financial assistance.

1987

The **Civil Rights Restoration Act of 1987** clarifies the intent and reach of Title VI and specifically prohibits discrimination based on race, color, gender, national origin, age, or disability throughout an entire agency if any part of the agency receives Federal financial assistance, whether or not the particular project under review has federal funding.

1990

The **Americans with Disabilities Act of 1990 (ADA)** extended many of the protections and remedies of the Civil Rights Act to persons with disabilities and broadened the Rehabilitation Act's provisions to entities that do not receive Federal funds.

1991

The **Intermodal Surface Transportation Efficiency Act (ISTEA)** made major changes to transportation planning and policy. It created flexible funding, enhanced the role of metropolitan planning organizations (MPOs), and strengthened the requirements for transportation planning and programming.

1992

The **Office of Environmental Equity** was established in the U.S. Environmental Protection Agency (EPA). The Office was later renamed the Office of Environmental Justice. This office was supported by a work group on environmental equity, which produced a report on examining environmental inequalities. Along with this office, EPA implemented a new organizational infrastructure to integrate environmental justice into their policies, programs, and activities.

1993

The **National Environmental Justice Advisory Council** was created. This Council represents the first time that representatives of community, academia, industry, environmental, and indigenous, as well as State, local, and tribal government groups, were gathered to discuss and suggest solutions to environmental justice problems.

1994

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations requires federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations.

1997

The Council on Environmental Quality (CEQ) issues Environmental Justice Guidance Under the National Environmental Policy Act to assist Federal agencies with their NEPA procedures so that environmental justice concerns are effectively identified and addressed.

1997

DOT Order 5610.2 - The DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations establishes as DOT policy the full consideration of environmental justice principles throughout the transportation planning and decision-making processes and provides guidance to the operating administrations regarding implementation of these principles.

1998

DOT Order 6640.23 - The FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations further specifies how highway projects should incorporate environmental justice in complying with EO 12898. It is intended to prevent and address disproportionately high and adverse effects on minority and low-income populations.

1999

The FHWA and the Federal Transit Administration (FTA) issue a memorandum, "**Implementing Title VI Requirements in Metropolitan and Statewide Planning,**" which provides clarification for field offices on how to verify that environmental justice is considered during current and future planning certification reviews.

1999

The EPA issues their "**Final Guidance for Consideration of Environmental Justice in Clean Air Act 309 Reviews.**" This document provides guidance on reviewing and commenting on other Federal agencies NEPA documents to help ensure that environmental effects on minority communities and low-income communities have been fully analyzed. It is meant to be used internally by EPA reviewers.

2001

Executive Order 13166 signed by President Clinton requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and to develop and implement systems through meaningful access would be provided to those people with a limited ability to communicate in English

2004

Executive Order 13330 - Human Service Transportation Coordination, signed by President G.W. Bush advocates an improved level of community-based transportation services be provided to transportation-disadvantaged persons, identified as persons with disabilities, persons with low incomes, and the elderly.

2005

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) places additional emphasis on environmental stewardship, the consideration of environmental issues as part of Metropolitan and Statewide Transportation Planning and increases the importance of public participation in the planning process.

2010

Senior Advisor on Environmental Justice appointed at the EPA by Obama administration at the EPA and reinvigorating the Environmental Justice Interagency Working Group (EJ IWG) – established by E.O. 12898– showing the Federal Government’s commitment to environmental justice.

2011

On August 4, 2011, the Secretary of Transportation, along with heads of other Federal agencies, signed a **Memorandum of Understanding on Environmental Justice and Executive Order 12898 (EJ MOU)** confirming the continued importance of identifying and addressing environmental justice considerations in agency programs, policies, and activities as required by EO 12898. As part of the EJ MOU, each Federal agency agrees to review and update their existing environmental justice strategy as appropriate, and to publicize the updated strategy.

2011

“Guidance on Environmental Justice and NEPA” issued by FHWA. This resource is meant to advise practitioners on the process to address environmental justice during the NEPA review, including documentation requirements. It supplements the FHWA Technical Advisory 6640.8A, which provides guidance for documenting the potential social, economic, and environmental impacts considered in the selection and implementation of highway projects.

2012

FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (6640.23A) establishes policies and procedures for the FHWA to use in complying with EO 12898. This directive updates FHWA Order 6640.23, “FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” dated December 2, 1998. It is intended to prevent and address disproportionately high and adverse effects on minority and low-income populations.

2012

The **Final USDOT Environmental Justice Order (DOT Order 5610.2(a))** updates the DOT's original Environmental Justice Order (1997). The Order continues to be a key component of the DOT's strategy to promote the principles of environmental justice in all DOT programs, policies, and activities. It describes how the objectives of environmental justice will be integrated into planning and programming, rulemaking, and policy formulation. The Order sets forth steps to prevent disproportionately high and adverse effects on minority or low-income populations through Title VI analyses and environmental justice analyses conducted as part of Federal transportation planning and NEPA provisions. It also

describes the specific measures to be taken to address instances of disproportionately high and adverse effects and sets forth relevant definitions.

2012

The **FTA guidance (Circular 4701.1B)** provides recipients of Federal Transit Administration (FTA) financial assistance with guidance and instructions necessary to carry out DOT Title VI regulations, and to integrate into their programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons.

2012

The **FTA guidance (Circular 4703.1)** provides recommendations to State Departments of Transportation, Metropolitan Planning Organizations, public transportation providers, and other recipients of FTA funds on how to fully engage EJ populations in the public transportation decision-making process; how to determine whether EJ populations would be subjected to disproportionately high and adverse human health or environmental effects as a result of a transportation plan, project, or activity; and how to avoid, minimize, or mitigate these effects.

2013

President Obama releases the **Presidents' Climate Action Plan** which provides that through the use of annual Federal agency "Environmental Justice Reports," the administration would continue to identify innovative ways to help the nations' most vulnerable communities to prepare for and recover from the impacts of climate change.

2016

The **USDOT Environmental Justice Strategy** updates its previous policy statements and strategies for achieving environmental justice and reiterates DOT's ongoing commitment to promoting equity in its programs, policies, and activities that may affect human health and the environment or influence economic and social conditions

APPENDIX B

H-GAC TITLE VI NOTICE TO THE PUBLIC

TITLE VI

Know Your Rights/ Derechos/ Quyền/ 權利.

Houston-Galveston Area Council
Concilio del Área de Houston Galveston
Hội Đồng Khu Vực Houston-Galveston
休士頓-蓋文斯頓地區理事會

Notifying the Public of Rights Under Title VI Houston-Galveston Area Council

The Houston-Galveston Area Council (H-GAC) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with H-GAC.

For more information on H-GAC's civil rights program, and the procedures to file a complaint, contact 713-627-3200; email title.vi.coordinator@h-gac.com, or visit our administrative office at 3555 Timmons Lane, Houston, TX 77027. For more information, visit www.h-gac.com.

A complainant may file a complaint with:
Federal Transit Administration Office of Civil Rights
Attention: Title VI Civil Rights Officer
819 Taylor Street, Rm 8A36
Fort Worth, TX 76102

If information is needed in another language, contact 713-627-3200.

Notificación al público de los derechos establecidos en el Título VI Concilio del Área de Houston Galveston

El Concilio del Área de Houston-Galveston (H-GAC) opera sus programas y servicios sin consideración de raza, color u origen nacional, conforme a lo establecido en el Título VI de la Ley de Derechos Civiles. Toda persona que considere haber sido agraviada por una práctica discriminatoria según el Título VI puede presentar una queja ante el H-GAC.

Para más información acerca del programa de derechos civiles del H-GAC y los procedimientos para presentar quejas, llame al 713-627-3200, envíe un correo electrónico a title.vi.coordinator@h-gac.com o visite nuestra oficina administrativa en 3555 Timmons Lane, Houston, TX 77027. Para obtener más información, visite www.h-gac.com.

Un demandante puede presentar una queja directamente ante la Administración Federal de Transito presentándola en la Oficina para los Derechos Civiles en la siguiente dirección:
Federal Transit Administration Office of Civil Rights
Attention: Title VI Civil Rights Officer
819 Taylor Street, Rm 8A36
Fort Worth, TX 76102

Si necesita información en otro idioma, llame al 713-627-3200.

Thông Báo về Công Quyền Theo Tiêu Đề VI Hội Đồng Khu Vực Houston-Galveston

Hội Đồng Khu Vực Houston-Galveston (H-GAC) điều hành các chương trình và dịch vụ của hội đồng không phân biệt chủng tộc, màu da, nguồn gốc quốc gia và phù hợp với Tiêu đề VI của Đạo Luật Dân Quyền. Bất kỳ người nào tin rằng có sự hay anh ấy đã bị đối xử bất công bởi bất kỳ thực hành phân biệt đối xử bất hợp pháp theo Tiêu đề VI có thể nộp đơn khiếu nại với H-GAC.

Để biết thêm chi tiết về chương trình dân quyền của H-GAC, và các thủ tục để nộp đơn khiếu nại, xin liên lạc 713-627-3200; email title.vi.coordinator@h-gac.com; hoặc đến văn phòng hành chính của chúng tôi tại 3555 Timmons Lane, Houston, TX 77027. Để biết thêm thông tin, xin viếng www.h-gac.com.

Người khiếu nại có thể khiếu nại trực tiếp với Cơ Quan Quản Trị Giao Thông Chuyển Tiếp Liên Bang bằng cách nộp đơn khiếu nại với Office of Civil Rights (Văn Phòng Dân Quyền):
Federal Transit Administration Office of Civil Rights
Attention: Title VI Civil Rights Officer
819 Taylor Street, Rm 8A36
Fort Worth, TX 76102

Nếu cần thêm thông tin bằng một ngôn ngữ khác, xin liên lạc 713-627-3200.

休士頓-蓋文斯頓地區理事會 知會公眾有關民權法案第六章應享有之權利

根據民權法案第六章，休士頓-蓋文斯頓地區理事會 (H-GAC) 在運作其項目及服務時對種族、膚色及原籍不予考慮。任何人如果認為自己遭到民權法案第六章禁止的非法歧視對待，可向 H-GAC 提出投訴。

有關 H-GAC 民權計劃及投訴程序，請撥打電話 713-627-3200，發送電子郵件至 title.vi.coordinator@h-gac.com，或親臨我們的投訴辦公室，地址：3555 Timmons Lane, Houston, TX 77027。若需更多資訊，請查閱網站：www.h-gac.com 查詢。

投訴人可向美國聯邦公共交通管理署提出投訴，可將投訴書寄至：
Federal Transit Administration Office of Civil Rights
Attention: Title VI Civil Rights Officer
819 Taylor Street, Rm 8A36
Fort Worth, TX 76102

如其需要以其他語言的資訊，請聯絡 713-627-3200。



APPENDIX C

**HOUSTON-GALVESTON AREA COUNCIL
TITLE VI COMPLAINTS PROCEDURE**

FILING A TITLE VI COMPLAINT

Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by the nondiscrimination provisions of Title VI may file a written complaint with the Houston-Galveston Area Council (H-GAC) Title VI Coordinator. Complainants must complete and submitted on the agency's Title VI complaint form. A sample complaint form is available at the end of this document or can be downloaded from www.h-gac.com. Instructions on how to file a Title VI complaint is also available online in Spanish, Chinese, and Vietnamese.

GENERAL GUIDELINES

(a) When to File

A complaint of discrimination must be filed within 180 calendar days after the alleged incident occurred or was discovered or, where there has been a continuing course of conduct, within 180 calendar days after the date on which the conduct was discontinued. Filing means a written complaint must be postmarked or received at the proper offices of H-GAC. The filing date is the day you mail or deliver a completed and signed complaint form. Complaints received more than 180 days after the occurrence of the alleged discrimination will not be processed but will be returned to the complainant with a letter explaining why the complaint could not be processed.

(b) Required Format of the Complaint

H-GAC will only process complaints that are complete. To be processed, the complaint must include the following information:

- Name, address and phone number of the complainant;
- Signature of the complainant(s);
- The date of the alleged act of discrimination or, if a continuous act of discrimination, the date on which that conduct was discontinued or the latest instance of the conduct;
- A detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident;

(c) Alternate Form of Delivery

- Complaints received by fax or e-mail will be acknowledged once the identity of the complainant and the intent to proceed with the complaint have been established.
- An original complaint form sent by fax or email transmittal must be signed by the complainant for H-GAC to be able to process the complaint.
- Complaints of alleged discrimination received by telephone will be reduced to writing and kept on file. A complaint form will be forwarded to the complainant for them to complete, sign, and return to HGAC for processing.

COMPLAINT REVIEW PROCESS

The following is a description of how a Title VI discrimination complaint will be handled once received by H-GAC.

(a) Verification of Jurisdiction

- Upon receipt of the complaint the Title VI Coordinator shall determine if there is appropriate jurisdiction, acceptability, or the need for additional information before beginning to investigate the merits of the complaint.
- In cases where the complaint is against a subrecipient who receives federal funds from H-GAC, H-GAC will assume jurisdiction and will investigate and adjudicate the case. Complaints against H-GAC may be investigated by the H-GAC Title VI Coordinator or else referred to the Texas Department of Transportation (TXDOT), the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA), as appropriate, for proper disposition according to their procedures.

(b) Review of Adequacy

To be accepted, a complaint must meet the following criteria:

- The complaint must be filed within 180 calendar days of the alleged incident or when the alleged discrimination became known to the complainant.
- The allegation(s) must involve a covered basis such as race, color, or national origin,
- The allegation(s) must involve a program or activity of a Federal-aid recipient, subrecipient, or contractor, or, in the case of ADA allegations, an entity that opens its doors to the public.
- The complainant(s) must be willing to accept reasonable resolution based on H-GAC's administrative authority. H-GAC shall determine what is considered reasonable.

(c) Dismissal of Complaints

A complaint may be dismissed for the following reasons:

- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts.

(d) Initial Written Notice to Complainant

The complainant will be notified in writing within 10 working days of receipt of the complaint if a determination is made that the matter is outside the scope of Title VI or H-GAC's jurisdiction. If the matter is determined to be within the scope of Title VI and in H-GAC's jurisdiction, the Title VI

Coordinator will notify the complainant and begin an investigation within 10 working days of receipt of the complaint.

(e) Investigation of Complaint

The Title VI Coordinator, in consultation with the department or subrecipient identified in the complaint, will investigate the matter, focusing on the following:

- The basis of the alleged unequal treatment.
- When and where the unequal treatment occurred.
- Identification of, and consultation with all relevant parties.
- A review of all pertinent documents and records reasonably available.
- Gathering all other factual records from appropriate sources.

H-GAC Title VI officials shall maintain a record of all discussions and documents relating to the investigation in a confidential file. Upon the conclusion of a thorough investigation, the Title VI Coordinator shall prepare a report summarizing the findings and suggesting a proposed resolution, including any appropriate corrective action. Except in extenuating circumstances, the investigation will be conducted and completed within 60 days of the receipt of the formal complaint after which the investigative report will be submitted to the H-GAC Executive Director.

(f) Notification of Final Adjudication

The H-GAC Executive Director shall either accept, reject or modify the investigative report. Written notification of the findings and proposed resolution will be provided to the complainant within 30 days of the Executive Director receiving the investigative report.

(g) Appeal of Final Adjudication

The complainant may file a request for reconsideration within 30 days of the date the complainant receives the written proposed resolution. Any affected party may submit information and/or documentation in writing to the Title VI Coordinator in support of their request for reconsideration of the proposed resolution. Upon review of the additional information and documentation, the Title VI Coordinator and the H-GAC Executive Director will have 10 days to either reaffirm, reverse, or modify the original resolution and to provide written notice to the complainant of this decision. If neither party requests a reconsideration of the decision, the resolution will become final upon the expiration of 10 days after the decision is made.



HOUSTON-GALVESTON AREA COUNCIL

COMPLAINT NO. _____

Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of **race, color, or national origin**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Environmental Justice component of Title VI guarantees fair treatment for all people and provides for H-GAC, to identify and address, as appropriate, disproportionately high and adverse effects of its programs, policies, and activities on minority and low-income populations, such as undertaking reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information H-GAC provides.

H-GAC works to ensure nondiscriminatory transportation in support of our mission to be the Gulf Coast Region leader in providing effective, coordinated and integrated multimodal transportation solutions to enhance the social and economic quality of life for all Gulf Coast Region citizens. H-GAC's Contract Compliance Program Office is responsible for Civil Rights Compliance and Monitoring to ensure non-discriminatory provision of transit services and programs.

NAME:	HOME NO.:
EMAIL ADDRESS:	WORK NO.:
MAILING ADDRESS:	CITY:
	STATE: ZIP:
Please indicate the basis of your complaint:	
<input type="checkbox"/> Race _____ <input type="checkbox"/> Age _____ <input type="checkbox"/> National Origin _____ <input type="checkbox"/> Color _____ <input type="checkbox"/> Gender _____ <input type="checkbox"/> Disability _____	
Date and place of alleged discriminatory action(s). _____ (Please include the earliest date of discrimination and the most recent date of discrimination.)	
Name(s)/Position title(s) of the person(s) who allegedly subjected you to Title VI discrimination:	
How were you discriminated against? Please describe the nature of the action, decision, or conditions of the alleged discrimination. Be as clear as possible in your description of what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (You can attach additional pages, if necessary.)	

The law prohibits intimidation or retaliation against anyone because s/he has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional pages, if necessary.)

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Have you filed, or do you intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

U.S. Department of Transportation _____

Federal Highway Administration _____

Federal Transit Administration _____

Office of Federal Contract Compliance _____

U.S. Equal Employment Opportunity Commission _____

U.S. Department of Justice _____

Other: _____

Have you discussed the complaint with any H-GAC representative? If yes, provide the name, position, and date of discussion.

What remedy or action are you seeking for the alleged discrimination?

Please provide any additional information, documents, photographs, etc., if applicable, that you believe will assist in an investigation.

Sign and date the complaint below. *We are unable to consider unsigned complaints.*

Complainant's Signature _____ Date _____

FOR OFFICE USE ONLY

Date complaint received: _____	Case #: _____
Processed by: _____	Date Referred: _____
Referred to: <input type="checkbox"/> USDOT <input type="checkbox"/> FHWA <input type="checkbox"/> FTA <input type="checkbox"/> OFCCP <input type="checkbox"/> Other: _____	

Continuation Sheet:

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APPENDIX D

H-GAC PUBLIC PARTICIPATION PLAN



PUBLIC PARTICIPATION PLAN

*A Guide for Public Involvement in the Metropolitan
Transportation Planning and Programming Process*

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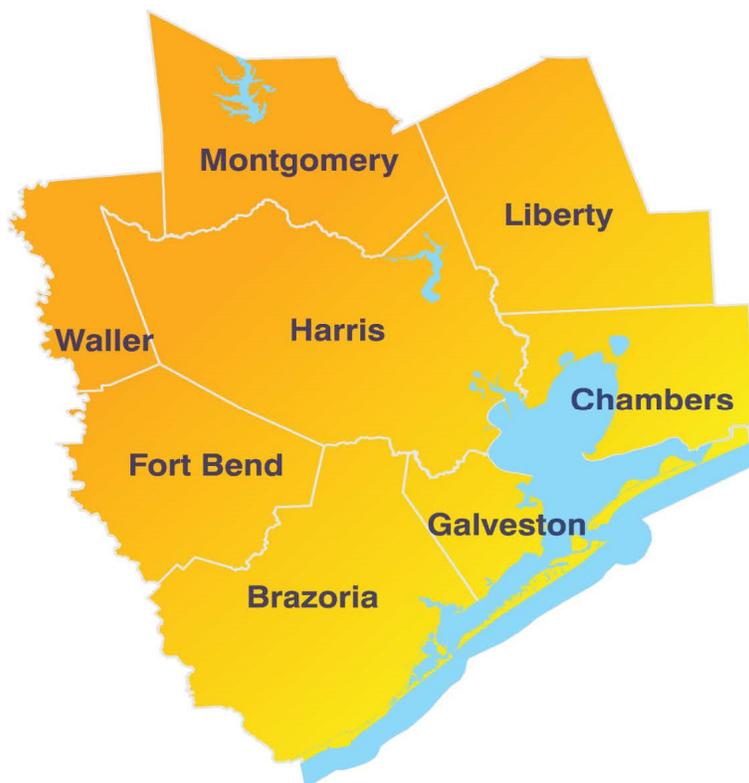
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SECTION 1 PUBLIC PARTICIPATION PLAN

Introduction

The Houston-Galveston Area Council (H-GAC) is a voluntary organization of local governments that consists of a 13-county service area and is governed by a Board of Directors. H-GAC also serves as the Metropolitan Planning Organization (MPO) for the eight-county region that includes Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties.

Eight-County Houston-Galveston Region



Purpose of the Public Participation Plan

H-GAC developed this Public Participation Plan (PPP) to ensure an open planning process that supports early and continued public involvement, timely public notice, and full public access to information regarding key transportation decisions. The PPP serves as a guide for H-GAC's transportation public involvement process. It is part of a regional effort to ensure a continuing, comprehensive, and coordinated process among stakeholders to provide opportunities for broad-based participation in the development and review of regional transportation plans and programs.

The PPP provides the public with an understanding of the transportation planning process and the core functions of the MPO. Along with developing the PPP, the core functions of the MPO include developing the long-range plan known as the Regional Transportation Plan (RTP), the Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP). The RTP provides a responsible guide for maintaining and improving the current transportation system and identifies priority transportation investments. The TIP is a fiscally constrained financial plan of transportation projects approved to receive federal funding over the next four-years. The UPWP outlines the proposed tasks and estimated costs associated with conducting the region's transportation planning and research for the next two years. Planning activities for the UPWP are described in **Appendix A** of this plan.

The intent of the PPP is to promote understanding and participation in the regional transportation planning process. There are many opportunities for the public to comment on transportation plans, programs, and projects. H-GAC will use this document to facilitate and encourage the public to become more involved in developing a better transportation system for the region.

The *Code of Federal Regulations* (CFR) is an annual codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. The outline of this Public Participation Plan adheres to 23 CFR 450.316 – Interested parties, participation, and consultation.

Public Participation Plan Outline

Activity 1: Provide adequate public notice of public participation activities with sufficient time for public review and comment on key decisions, including opportunities to comment on proposed adoption of the RTP and TIP and any necessary amendments:

- Legal notices and other paid advertisements for public meetings are submitted to the *Houston Chronicle* for publication a minimum of 30 days prior to the end of the public comment period for all regional transportation plans and programs. Notices may also be submitted to the *Texas Register*, appropriate local Hispanic, African-American, and Asian publications, and local newspapers in each jurisdiction for all public meetings.

- News releases and media alerts are issued to printers and broadcast media outlets, elected officials, legislators, transit staff, environmental and residents groups, civic organizations, businesses, chambers of commerce, and libraries. In addition, all current publications are posted on the H-GAC transportation website. H-GAC also works with local editors and writers on timely articles regarding current transportation and mobility issues.
- Amendments to the TIP occur throughout the time period between TIP updates. Public meetings and a 30-day public comment period are held prior to the adoption of TIP Amendments and the TIP Update.

Activity 2: Provide timely notice and reasonable access to information about transportation issues and processes; provide opportunities for residents, public agencies, and officials to help shape the region's future through a public comment process that is open and accessible to the public, stakeholders, and policymakers:

- Information workshops are held on topics associated with regional transportation planning. In addition to the bi-monthly Brown Bag Lunch series, these workshops are designed to educate participants about specific topics such as mobility, Intelligent Transportation Systems, freight and safety issues, project submission and implementation, and air quality. Information workshops also provide a means for allowing participants to express their ideas and concerns in an informal setting. Brown Bag Lunch presentations serve as a forum for education in market trends, emerging technologies, and key transportation and planning issues facing the industry. Each bi-monthly speaking engagement gives consultant firms, research institutes and other industry experts the opportunity to showcase an expert speaker from their firm for a presentation over lunch. Other information workshops are conducted on an as-needed basis.
- By coordinating efforts with stakeholder organizations responsible for other planning activities affected by transportation in the region, including those responsible for economic development, tourism, natural disaster risk reduction, environmental protection, and intermodal passenger and freight operations, H-GAC can provide public outreach efforts more effectively and efficiently. This type of coordination includes H-GAC representation at stakeholder meetings and committees and supplying appropriate information regarding H-GAC plans, programs, and current projects. By being active in stakeholder meetings, H-GAC can utilize these opportunities to gain valuable input on transportation activities as well as involvement in discussions regarding transportation needs in the region on a regular basis.

Activity 3: Employ advanced visualization techniques and innovative communication tools to engage the public and stakeholders in the metropolitan transportation planning process:

- H-GAC will evaluate each planning activity and utilize appropriate multimedia communication tools including, but not limited to, websites, social media, videos, webinars, photographs, drawings and/or interactive data analysis and mapping applications.
- The RTP and TIP documentation will employ extensive use of visual materials, such as graphs and maps, and online interactive applications will be provided for users to filter, summarize, and analyze program information.

(Recordings and photos taken during public meetings may be used for marketing purposes).

Activity 4: Make public information (technical information and meeting notices) available in electronically accessible formats and means such as the Internet; make information on transportation projects and programs available in a variety of formats, mediums, and languages to reach a larger audience:

- Key media are provided with periodic updates of H-GAC activities. News releases, media alerts, and meeting notices are distributed in English and Spanish to announce public review and comment periods prior to the adoption or approval of major amendments to the RTP, TIP, UPWP, PPP, and other regionally significant transportation plans or programs.
- H-GAC's Public Outreach Division includes staff experienced in news reporting and media relations and issues news releases, works with reporters to generate stories about transportation activities, responds to reporter inquiries, provides briefings, and prepares editorial commentaries.
- *The Vision Newsletter* and other newsletters are distributed to all identified stakeholders, interested parties, and the media. Newsletters with a particular focus are produced to provide timely information on targeted topics. All newsletters are available on the transportation department website.
- H-GAC will maximize the use of emails to distribute information on major work products. The following email address will also be available on websites and printed materials for the public to submit comments via a Public Outreach Inbox: publiccomments@h-gac.com. H-GAC will work with local governments, chambers of commerce, transit agencies, and other organizations to share and distribute email notices. H-GAC will continue to expand its email distribution lists by requesting email addresses on public comment forms, on its website, and meeting registers.

- The H-GAC website provides current information about transportation planning activities. Included on this website is a listing of upcoming meetings. Agendas, meeting materials, and meeting minutes are added to the website as soon as they are available. Final documents, draft documents, or portions of draft documents under review by the public are made available when feasible. The website provides an opportunity for the public to provide input and formal comments on an ongoing basis through email links.

Activity 5: Hold public meetings at convenient and accessible locations and times:

- In addition to hosting public meetings at H-GAC's office central location, public meetings may be conducted in various locations around the region, as appropriate, in consideration of the purpose of the meeting and potential impacts arising from a proposed action. Public meetings may also be offered as a webinar, when feasible. Public meetings are usually held during the week in the morning, at noon, and/or in the evening.
- Public meetings are held prior to adoption of regional plans and programs. The format may vary from an open house setting, a formal public hearing, or as a webinar. H-GAC staff attends these meetings to present transportation project activity information and recommendations and receive public comments, questions, or discussions. Comments received during public meetings are considered part of the formal public record and are posted on the H-GAC website at www.h-gac.com.
- H-GAC also hosts regularly scheduled committee meetings that are open to the public, and comments are invited. Regular and special meetings of the Transportation Policy Council, Technical Advisory Committee, Regional Transportation Plan, Regional Safety Council, and the Regional Air Quality Planning Committee are usually held once a month and the schedules are posted on the H-GAC website. Live streaming is available for monthly meetings of the Transportation Policy Council on the day of the meeting and livestreamed meeting archives are available for reviewing after the date of each meeting.

Activity 6: Demonstrate explicit consideration and response to public input received during the development of plans and programs, including the RTP, TIP, UPWP, PPP, and coordinated public transit human services transportation plan (RCTP):

- Responses to public comments are posted on the transportation department website in a Frequently Asked Questions (FAQ) format or individually by mail or email. Whenever possible, H-GAC staff will provide responses in a timely fashion with accurate information. A report of comments received will be

included in final transportation plans and documented for public participation purposes. Comments received on transportation plans or programs undertaken by other agencies will be forwarded to the appropriate agency staff or decision-making body.

Activity 7: Seek out and consider the needs of those traditionally underserved by existing transportation systems such as low-income and minorities, elderly, disabled, and limited English proficient communities who may face challenges accessing needed services. Review projects to verify that the effects of the RTP and TIP, are not disproportionately borne by minority or low-income populations, including but not limited to health, environmental, social, and economic effects.

- *Elderly* – All public outreach efforts will attempt to solicit as much feedback as possible by making meeting times and locations accessible as well as partnering with organizations that specialize in services for the region’s aging population.
- *Low-Income and Minorities* – H-GAC will make necessary efforts to understand the needs of low-income communities and determine how those needs can be met through transportation options. H-GAC has taken steps to ensure that the RTP meets all federal goals of Environmental Justice, as described in the guidelines of *Executive Order 12898*.
- *Mobility Impaired/Transit Dependent* – Through multiple types of outreach methods discussed in this document, H-GAC will be proactive in seeking input from mobility impaired and transit-dependent populations by means of public surveys using a database targeting these specific populations.

Activity 8: Provide additional opportunity for public comments if the final RTP or TIP differs significantly from the version that was made available for public comment by H-GAC and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts.

- The public is encouraged to attend and submit comments at all public meetings. Persons interested in attending these meetings may also submit a request to be placed on the mailing list. Public comments may be submitted verbally at a public meeting, in writing via letters, facsimiles, email, comment cards, or online via the transportation department public comment link: publiccomments@h-gac.com. All verbal testimony must be accompanied by written testimony to ensure a written response.

Activity 9: Coordinate with the statewide and regional transportation planning involvement and consultation processes.

- Local Access Management Corridor Studies – H-GAC will consult with the Texas Department of Transportation (TxDOT) and other statewide environmental agencies to coordinate recommended improvements.
- TxDOT's Statewide e-State Transportation Improvement Program (STIP) development – H-GAC will determine if its project can be coordinated with local efforts to enhance the efficiency and effectiveness of both H-GAC and TxDOT's database improvements.
- Regional Goods Movement Study – H-GAC will closely consult with TxDOT and other regional and statewide freight associations to coordinate recommended improvements.
- Amending and Updating the TIP – H-GAC will closely coordinate activities with TxDOT, the Federal Highway Administration (FHWA) and the Federal Transportation Administration (FTA) to ensure consistency and compliance with statewide and federal planning processes and requirements.
- Hurricane Evacuation Support Services – H-GAC will closely coordinate planning and implementation efforts with TxDOT, Harris County, and other regional and statewide emergency management agencies.

Activity 10: Periodically review the effectiveness of the procedures and strategies contained in this PPP to ensure a full and open participation process:

- H-GAC will periodically assess the effectiveness of public participation strategies and techniques to incorporate new and improved measures into our public outreach program.
- H-GAC may use direct mail evaluation surveys, focus groups, individual interviews, online surveys, comment cards, and a toll-free voicemail number 1-855-363-2516 to receive input for evaluation of the PPP.
- H-GAC will document public participation in the development of transportation plans and programs which may include:
 - 1) Number of meeting notices distributed via email;
 - 2) Number of open houses /informational meetings;
 - 3) Times/days of public meetings;
 - 4) Number of listening sessions/focus groups;
 - 5) Number of addresses on mailing list;
 - 6) Quantity of media coverage including number of media alerts and displays ads in newspapers;
 - 7) Number of H-GAC mailings;
 - 8) Quantity of educational material available including project listings, presentations, fact sheets, contact sheets, handbooks, etc.;
 - 9) Number of public comment reports distributed and received; and
 - 10) Number of languages used

SECTION 2 FEDERAL REQUIREMENTS

Current Federal statutes and regulations provide general guidelines for public involvement processes and procedures.

Fixing America’s Surface Transportation (FAST) Act

The FAST Act explicitly adds public ports and certain private providers of transportation, including intercity bus operators and employer-based commuting programs to the list of interested parties that an MPO must provide with reasonable opportunity to comment on the transportation plan. [23 U.S.C. 134(i)(6)(A)]

The FAST Act continues to encourage MPOs to consult with officials responsible for other types of planning activities. It adds to the list of such activities tourism and the reduction of risk of natural disasters. [23 U.S.C. 134(g)(3)(A)]

Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 requires that disproportionately high and adverse human health or environmental effects on minority and low-income populations be identified and addressed to achieve environmental justice. Since the establishment of Title VI, Environmental Justice has been considered in local, state, and federal transportation projects. Section 42.104 of Title VI and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion.

Title VI of the Civil Rights Act of 1964

49 CFR, Part 21 states that “no person in the United States shall on the grounds of race, color, or national origin be excluded from the participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial assistance.” H-GAC’s Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency (LEP)

Executive Order 13166 requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to

them. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

To assist Federal agencies in carrying out these responsibilities, the U.S. Department of Justice has issued a Policy Guidance Document, *2002 LEP Guidance*. This Guidance sets forth the compliance standards that recipients of Federal financial assistance must follow to ensure that their programs and activities normally provided in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI's prohibition against national origin discrimination.

Americans with Disabilities Act of 1990 (as amended)

The Americans with Disabilities Act of 1990 (ADA) stipulates involving the community, particularly those with disabilities, in the development and improvement of services. H-GAC fully complies with these requirements through its ADA plan and policies by making meeting room facilities accessible with wheelchair ramps, room and floor numbers posted in Braille, and restrooms and elevators that are wheelchair accessible.

H-GAC facilitates public participation in transportation activities by people with disabilities using the following guidelines:

- Meetings, public hearings, and formal events are held in facilities accessible by persons with disabilities.
- Public notices of meetings and events include a notice of accommodations for individuals who are disabled. Such accommodations will be provided by request with a minimum 24-hour notice.
- Persons needing to arrange for ADA accommodations at H-GAC meetings and events may call 713-627-3200 within 24 hours of the event.

In collaboration with transit stakeholders, H-GAC can provide transportation for individuals with disabilities to attend public meetings and events at the H-GAC offices.

Executive Order 13175 – Consultation and Coordination with Tribal Governments

Executive Order 13175 states that “in formulating or implementing policies that have tribal implications, agencies shall establish regular and meaningful consultation and collaboration with tribal officials to reduce the imposition of unfunded mandates upon Indian tribes.”

American Indian tribes have expressed an interest in the eight-county MPO planning region, even though there are no tribal governments located in the region. As a result of a request by the tribal leaders, the MPO will actively seek to keep tribal governments informed of major decisions affecting their geographic area. The MPO will continue to communicate with Native American Indian tribal leaders on an ongoing basis to identify issues of common concern.

23 CFR §450.316 Interested parties, participation, and consultation

(a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;

(ii) Providing timely notice and reasonable access to information about transportation issues and processes;

(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;

(iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the Internet;

(v) Holding any public meetings at convenient and accessible locations and times;

(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;

(vii) 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;

(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;

(ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and,

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

(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93, subpart A), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the Internet to the maximum extent practicable.

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPOs shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and,

(3) Recipients of assistance under 23 U.S.C. 201-204.

(c) When the MPA includes Indian Tribal lands, the MPOs shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPOs shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.

23 CFR §450.324 Development and content of the metropolitan transportation plan

(k) The MPOs shall provide individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan using the participation plan developed under §450.316(a).

(l) The MPOs shall publish or otherwise make readily available the metropolitan transportation plan for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the Internet.

23 CFR §450.326 Development and content of the transportation improvement program (TIP)

(b) The MPOs shall provide all interested parties with a reasonable opportunity to comment on the proposed TIP as required by §450.316(a). In addition, in nonattainment area TMAs, the MPOs shall provide at least one formal public meeting during the TIP development process, which should be addressed through the participation plan described in §450.316(a). In addition, the MPOs shall publish or otherwise make readily available the TIP for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the Internet, as described in §450.316(a).

APPENDIX A – UNIFIED PLANNING WORK PROGRAM (UPWP)

The UPWP is produced every two years by the MPO in cooperation with State and local agencies involved in transportation planning. The UPWP describes the transportation plans and programs and the transportation-related air quality planning activities that will be conducted during current fiscal years, regardless of funding sources or agencies conducting these activities. Many of these planning activities may result in future transportation projects. A 30-day public comment period is observed prior to adoption of the UPWP.

Public outreach activities conducted prior to adoption of the UPWP are documented in Appendix H of the UPWP. The current UPWP document can be found on the H-GAC website at http://www.h-gac.com/taq/plans_programs/upwp/.

Planning Activities for the UPWP:

1. Administration – Describes the administrative support activities such as financial management, contract management, public outreach, and the general management of the MPO.
2. Data Development – Describes the collection, maintenance, and analysis of transportation data. These activities include the development of socio-economic forecasts and travel demand models to determine where future transportation investments will be made.
3. Short-Range Planning – Addresses planning for activities taking place within a three-to ten-year timeframe, including the Transportation Improvement Program (TIP), the Ten-Year Transportation Plan, as well as transit feasibility studies, and operations planning. Task III also includes ongoing maintenance of the Regional Intelligent Transportation System (ITS), as well as efforts to improve traffic safety in the region and evacuation planning.
4. Long-Range Planning – Describes planning activities for the long-term including development and maintenance of the Regional Transportation Plan (RTP) as well as ongoing initiatives regarding transportation-related air quality planning, regional bicycle and pedestrian planning, activities involving H-GAC's Livable Centers program, and Transportation Performance Management (TPM) activities.
5. Special Studies – Includes special one-time planning activities, including major corridor studies/analyses and support of tourism and transportation resiliency planning activities.

Planning and Interagency Collaboration and Consultation

Many of the activities described in this document support the collaborative and coordinated decision-making process between State and local government agencies, transportation providers, shippers, carriers of goods, and the residents of the region. Through the cooperation of these stakeholders, the products of these planning efforts will provide the region with greater mobility benefits.

APPENDIX B – Glossary of Transportation Planning Terms

ADA	Americans with Disabilities Act of 1990
AERCO	Area Emission Reduction Credit Organization
CAAA	Clean Air Act Amendments (of 1990 and subsequent years)
CFR	Code of Federal Regulations
FAST ACT	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
H-GAC	Houston-Galveston Area Council
MAP-21	Moving Ahead for Progress in the 21st Century
METRO	Metropolitan Transit Authority of Harris County
MCS	Major Corridor Study (formerly known as Major Investment Study)
MPO	Metropolitan Planning Organization
NHTSA	National Highway Traffic Safety Administration
PPP	Public Participation Plan
RAQPC	Regional Air Quality Planning Committee
RTP	Regional Transportation Plan
SIP	State Implementation Plan
STIP	Statewide Transportation Improvement Program
TAC	Technical Advisory Committee
TCEQ	Texas Commission on Environmental Quality
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TPC	Transportation Policy Council
TxDPS	Texas Department of Public Safety
TxDOT	Texas Department of Transportation
UPWP	Unified Planning Work Program
USC	United States Code
US DOE	US Department of Energy
US DOT	US Department of Transportation
US EPA	US Environmental Protection Agency

APPENDIX C - Procedures for Providing Public Comments at Transportation Policy Council (TPC) Meetings

The TPC encourages public comments on all matters relevant to regional transportation planning. To assure fair and equitable opportunities for all residents preferring to address the TPC, the following public comment procedures have been established:

Public Comments on Agenda Items

Public comments related to agenda items will be allowed at the start of the meeting before the business section of the agenda. Comments will be limited to three (3) minutes and the applicant must sign up at least five (5) minutes before the start of the meeting. A person may not reserve time to appear more than once per meeting. Persons wishing to address more than one agenda item may do so during their allotted time. An agenda and meeting registers will be made available at the meeting place at least fifteen (15) minutes prior to the start of the meeting.

Other Public Presentations

Other public presentations not related to business indicated on the agenda must be submitted to the Chairman twenty-one (21) days in advance of the regular meeting and will be added to the agenda at the Chairman's discretion. If approved as an agenda item, the presentation will be limited to ten (10) minutes.

Requests to deliver such a presentation should be submitted in writing to:

Transportation Policy Council Chairman
Attn: Mr. Alan Clark
Houston-Galveston Area Council
P. O. Box 22777
Houston, TX 77227-2777

Written Comments

The TPC welcomes written comments relating to agenda items or other regional transportation planning concerns. For written comments exceeding three (3) standard 8 1/2" x 11" pages, twenty-five (25) copies must be provided. Written comments should be sent to the TPC Chairman at the above address.

Invited Comments

The Chairman may at any time during the meeting invite comments from the audience. Responses to comments by the Chairman will not be verbally addressed at the meeting.

Information Required

The following information will be required of all persons making either oral or written comments:

1. Full name
2. Affiliation (if applicable)
3. Mailing address and email address
4. Agenda Item(s) or topic to be addressed

APPENDIX D – Adoption and Revision of the Transportation Improvement Program (TIP)

As the primary implementation tool of the Regional Transportation Plan (RTP), adoption and revision of the Transportation Improvement Program (TIP) is a key component of the public participation process for the MPO.

A new TIP is developed every two years in a collaborative process between transportation implementation agencies, service providers, and the public. This process is carried out by H-GAC through its Technical Advisory Committee (TAC) and designated subcommittees. Prior to final review and approval by the Transportation Policy Council (TPC), public meetings are held to present the new TIP, and a comment period of not less than 30 days is observed.

Because the delivery of transportation projects and services is dynamic, revisions to the TIP occur frequently between biennial updates. These revisions are also subject to public review and comment, with the level of public participation dependent upon the significance of the revision proposed.

Minor revisions, referred to as Administrative Modifications, are approved by the MPO Director and presented to the TPC for information and comment. All other revisions require TPC approval, following review and recommendation by the TAC.

When a proposed revision has the potential to affect a significant portion of the region's traveling public, it is classified as a Major Amendment and is subject to public notice and opportunity for comment.

While revisions to the TIP are typically made at the request of project sponsors, in no case will a revision be proposed without prior notification of the sponsor. In all cases, revisions to the TIP, including Administrative Modifications, are subject to TxDOT approval.

The following tables detail how proposed revisions to the TIP are acted upon.

Table 1. Responsibility for Approval			
Type of Revision	MPO Director[†]	TAC	TPC
I. Adoption of the TIP	----	Recommend	Approve
II. Revision of the TIP			
(1) Addition or Removal of Projects and Phases			
(a) Addition or removal of any project;	----	Recommend	Approve
(b) Addition or removal of a project's phase less than \$5.0 million;	Approve	----	----
(c) Addition or removal of a project's phase equal to or over \$5.0 million;	----	Recommend	Approve
(d) Combining two or more existing projects or phases;	Approve	----	----
(e) Carry over of a funded project or project phase from a previous TIP cycle;	Approve	----	----
(f) Other;	----	Recommend	Approve
(2) Scope and Cost Change			
(a) Less than or equal to 25% of phase or less than \$500k;	Approve	----	----
(b) Over 25% of phase and more than \$500k;	----	Recommend	Approve
(c) Scope change necessitating a recalculation of system level air quality conformity of non-exempt project;	----	Recommend	Approve
(d) Other significant scope changes;	----	Recommend	Approve
(e) Other minor scope changes;	Approve	----	----
(3) Fund Source Change			
(a) Addition or removal of federal or state funding allocated to the MPO for project selection;	----	Recommend	Approve
(b) Change between federal or state fund sources allocated to the MPO for project selection;	Approve	----	----
(c) Any other fund source change;	Approve	----	----
(4) Schedule Change			
(a) All affected phases are contained within the four years of the TIP before and after the schedule change;	Approve	----	----
(b) Any other schedule change;	----	Recommend	Approve
[†] The MPO Director may elect to defer Administrative Modifications to the TAC and TPC at his or her discretion.			

Table 2. Opportunity for Public Review & Comment	
I. Adoption of the TIP	Public meetings and a public comment period of not less than 30 days will be held prior to Transportation Policy Council (TPC) adoption of the TIP. Additional opportunities for public review are provided informally throughout the TIP development process.
II. Revision of the TIP	
(A) Major Amendments [‡] (TPC)	Major Amendments to the TIP will be noticed on the H-GAC website at least 30 days prior to TPC action and require a public meeting and a public comment period of not less than 10 days be held. Additional comment may be provided at TAC and TPC meetings as detailed in Appendix C.
(B) Other Amendments (TPC)	Other Amendments to the TIP are provided for public review through TAC and TPC meeting documentation. Appendix C details the procedures for public comment at TPC meetings.
(C) Administrative Modifications (MPO Director)	Administrative Modifications do not specifically require public involvement prior to MPO Director action, but are provided for public review through TPC meeting documentation. Appendix C details the procedures for public comment at TPC meetings.
‡ A Major Amendment is a revision to the TIP where:	
(a) A project or phase thereof greater than or equal to \$10 million is added or removed from the TIP;	
(b) Multiple projects or phases thereof with an aggregate value greater than or equal to \$25 million are added or removed from the TIP;	
(c) A cost change is proposed that would require the delay of another project beyond the 4 years of the TIP;	
(d) A scope change is proposed that would necessitate a re-demonstration of system level air quality conformity of non-exempt project.	

APPENDIX E – Language Assistance Plan for Limited English Proficient Populations

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (LEP) directs federal agencies to ensure that persons with limited proficiency in the English language have meaningful access to all federally conducted activities and services. This requirement is in keeping with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin.

The obligation of Executive Order 13166 extends to all entities that receive federal financial assistance for any of their programs, plans, or activities. As a recipient of federal funds, H-GAC will take reasonable steps to ensure that all residents of the planning region are given meaningful access to its programs, services, and activities. In furtherance of this commitment, H-GAC will implement a language assistant program to protect the rights of persons with LEP and to ensure that linguistic isolation is not a barrier to their access to and enjoyment of the transportation services and other related benefits available to residents of the region.

Identification of Limited English Proficient Populations and How They are Served

The eight-county region served by the H-GAC MPO is home to a diverse population of more than 6.3 million residents, according to the 2015 American Community Survey (ACS) estimates. A significant proportion of these residents speak languages other than English as their primary or “home” language and have English language skills that limit their ability for meaningful communication. They are members of several immigrant communities that include persons of Vietnamese, Chinese, Korean, Arabic, Filipino, Hispanic/Latino, and African descent among others. The limited ability to communicate in English can be a barrier to benefiting from transportation related programs, services, and activities. Knowing who these LEP communities are and where they are located helps to inform and guide public outreach staff in outreach efforts directed at that population. LEP individuals are defined by the US Census Bureau as persons five years and older who speak the English language less than “very well.”

Guidance from the U.S. Department of Transportation (US DOT) recommends a four-factor analysis to evaluate the extent to which language assistance measures are required to ensure meaningful access for the LEP populations during transportation planning and program implementation. The four factors are:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;
2. The frequency with which LEP individuals come into contact with the program;
3. The nature and importance of the program, activity, or service provided by the recipient to people’s lives; and,
4. The resources available to the recipient and costs.

TABLE 1. LEP Population for the Eight-County Houston Metropolitan Region +

Metropolitan Planning Region County	Pop. 5 years and Over	Total LEP Population	% LEP of Total Population	Total LEP of Spanish Language Population	Total LEP of Asian Language Population	Total LEP of Indo-European Language Population	Total LEP of "Other" Language Population
Brazoria	307,400	24,417	7.9%	19,141	4,087	723	466
Chambers	34,716	3,343	9.6%	2,922	169	203	49
Fort Bend	612,667	79,947	13.0%	38,165	26,351	11,715	3,716
Galveston	287,973	18,339	6.4%	14,660	2,379	1,147	213
Harris	4,013,836	819,879	20.4%	681,373	88,594	34,384	15,528
Liberty	72,186	4,698	6.5%	4,462	160	76	0
Montgomery	467,817	38,123	8.1%	34,566	2,191	1,066	300
Waller	42,816	4,497	10.5%	4,387	23	83	4
MPO Total	5,839,411	993,243	17.0%	799,676	123,954	49,397	20,276

+ Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimate

The US DOT Guidance intimates that the presence of a large LEP population who frequently seek access to a program, activity, or service that offers a significant benefit is a plausible indicator that an enhanced language assistance service is required. However, agencies that receive federal funds are not required to provide language assistance services to every language group that may exist within their jurisdiction, as this may be prohibitively expensive and constitute an undue burden to the agency. The size of the available budget or relative cost of providing language assistance interventions may ultimately determine the scale and appropriate "mix" of the language assistance measures expected from the agency.

Language assistance services may be provided in two ways: (1) oral interpretation in person or electronically; and (2) written translation services. The appropriate solution will be based on what is necessary and reasonable considering the circumstances.

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

The 2011-2015 American Community Survey (ACS) data published by the US Census Bureau indicate that of the 5.8 million residents in the H-GAC Metropolitan Planning Region aged 5 and over, as many as 993,243 or 17% of the residents speak the English language at a level of proficiency that is less than "very well." (This compares with an estimated 14.2% statewide and only 8.6% nationally, that speak the English language less "very well"). These residents constitute the LEP population within the H-GAC region. Geographically, they are located largely in several ethnic minority communities within the City of Houston, Harris County, as well as in disparate districts in the smaller towns and cities in the adjacent sub-urban counties. By a large

margin, residents in the H-GAC region who have limited English proficiency skills are predominantly Spanish speaking. Other languages prominently spoken by LEP residents in the region include Vietnamese, Chinese, Arabic, Korean, Tagalog, and a mix of African languages. Table 2 describes the most common non-English languages spoken by LEP populations in the H-GAC region, compared with the numbers statewide and across the nation.

TABLE 2. Non-English Languages Spoken in the Houston Metropolitan Planning Region+

	Pop. 5 Years and Older	LEP Persons	LEP % of Pop	Spanish LEP	Vietnamese LEP	Chinese LEP	Arabic LEP	Korean LEP
H-GAC	5,839,411	993,243	17.0%	80.51%	5.71%	3.55%	0.96%	0.54%
Texas	24,587,309	3,491,398	14.2%	85.81%	3.36%	2.15%	0.68%	0.86%
USA	296,603,003	25,410,756	8.6%	64.17%	3.38%	6.80%	1.52%	2.41%

+ Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimate

Census Bureau records further reveal that over the years, there has been a continuous rise in the overall numbers as well as in the proportion of the population of the region classified as LEP individuals. (See Table 3). This trend is expected to continue.

TABLE 3. Growth of LEP Population in the Houston Metropolitan Planning Region +

	Total MPO Population	Pop 5 Years and Older	LEP Persons	% LEP in Population
2000 Census	4,669,571	4,297,107	665,310	15.5%
2010 ACS #	5,655,671	5,197,325	906,790	17.4%
2015 ACS	6,317,767	5,839,411	993,243	17.0%
% Change 2000 - 2015	26.1%	26.4%	33.0%	---

+ Source: U.S. Census Bureau 2000 Decennial Census; 2006 – 2010 and 2011 - 2015 American Community Survey 5-Year Estimate.

Beginning 2010, questions about language were no longer asked on the decennial census.

Factor 2: The frequency with which LEP individuals come into contact with program, activity, or service

H-GAC interacts continuously with members of the public and the LEP population in the development and administration of its programs, services, and activities within the eight counties that constitute the H-GAC Metropolitan Planning Region. A significant amount of the contact with the LEP population is obtained in the comments submitted to the H-GAC transportation and air quality website and the agency's online public information Inbox, interaction at the quarterly public meetings, the monthly committee open meetings, and the

public outreach events held in the region for various purposes. A return message is sent by email, telephone, or US Mail service acknowledging that the public comments were received and are being reviewed, or have been reviewed and will be acted upon. Responses to public comments are provided to the enquirers in their preferred language of communication.

H-GAC provides several other accommodations to LEP residents in their continuous contact with that population. Legal notices, email blasts, and flyers advertising public meetings include instructions about how to obtain translations of information in a language other than English. To encourage participation by residents whose primary language of communication is not English, the MPO has published online surveys in several languages. Advertisements for public meetings are sometimes placed in local community newspapers in the three languages most widely spoken: English, Spanish, and Vietnamese. In addition, H-GAC could use consultant services or telephone translation facilities to translate public outreach materials targeted at non-English speakers. Interpreters are made available for live translations at open meetings when requested. Furthermore, H-GAC has several bilingual staff who can translate into Spanish, Chinese, Vietnamese, and other languages that are spoken within the regional community.

Factor 3: The nature and importance of the program, activity, or service provided by the recipient to people's lives

H-GAC serves the citizens in the Houston Metropolitan Planning Region through the implementation of its planning programs, activities and services. The MPO establishes transportation investment priorities through a Regional Transportation Plan (RTP) anticipated to meet the region's projected mobility needs over a twenty five-year horizon; the Transportation Improvement Program (TIP) - a fiscally constrained list of multi-modal transportation projects approved for implementation within a four-year window; a two-year Unified Planning Work Program (UPWP) that outlines projects scheduled for the current fiscal year, and the Access Management Plan for developing and implementing operational and travel-demand strategies that improve transportation system performance and safety. These transportation/transit programs and investments are important to the lives of the LEP population as it provides them with improved mobility choices and enhances their daily access to employment, housing, social services, education, and recreation. It is important that the traditionally underrepresented particularly the LEP populations are assured meaningful access to the planning process and the opportunity to participate in the benefits of the region's transportation services.

H-GAC is also responsible for developing and implementing strategies to reduce transportation-related emissions that lead to ozone formation in the eight-county region. Due to the Houston metropolitan region's air quality non-attainment status, H-GAC plans must show transportation conformity and compliance with rules established under the Clean Air Act Amendments of 1990. H-GAC's undertakings also guide the development and maintenance of a multimodal transportation system, support regional economic activity, improve roadway safety, help to conserve and protect the natural and cultural resources in the region, and promotes the health, wellbeing and the overall quality of life of all residents of the region, including the LEP population. Denying the LEP populations access to these benefits would have a detrimental impact on their lives.

Factor 4: The resources available to the recipient and costs

H-GAC will continue to assess the need for language assistance interventions as it designs and implements its planning programs, activities, and services, and will tailor its LEP language assistant services to both the identified need as well as the resources that are available to support the purpose.

Plan for Providing Services to LEP Residents

The languages most widely spoken by LEP populations in the Houston Metropolitan Planning Region are Spanish, Vietnamese, and Chinese. To effectively serve LEP residents in the Planning Region, H-GAC recognizes the need to be able to communicate with them in the primary language in which they are proficient. To achieve this purpose H-GAC will ensure that language assistance is provided at no cost to LEP residents who indicate a need for these services at agency-organized meetings and events. H-GAC will take the following actions to ensure that LEP residents have reasonable access to its programs, services, and activities:

1. Periodically identify and update records on the location of LEP populations who may need language assistance and the non-English languages that are commonly spoken within the planning region.
 - Obtain current US Census Bureau data reporting on the languages spoken by residents in the region. Validate this data with information from school district enrollment records, social surveys, institutions of higher education, and MPO records.
 - Utilize Geographical Information Systems (GIS) software to map the spatial distribution of individuals with limited English language proficiency skills and identify areas of concentration of people of specific language groups as a guide to planning outreach efforts and strategies.
2. Employ standards and guidelines for ensuring that language is not a barrier to services and meaningful participation of in the eight-county transportation planning area.
 - Identify early the need for language assistance services and provide timely and effective notice of its availability to persons in need of these services.
 - Adopt uniform translations for commonly circulated reports, documents, and marketing/outreach materials in the languages of choice of the LEP population.
 - Maintain a clearinghouse of certified interpreter/translator services that can be contracted to provide translation services when needed.
3. Identify best practices to improve access and participation by the LEP population.
 - Publicize agency events through public service announcements in local and ethnic media outlets and educate on citizens' rights to language assistance.
 - Distribute or post flyers written in the languages that will best communicate to the LEP target populations.

- Introduce multi-lingual “I Speak” card Activity that invites LEP individuals to identify their alternate language needs.
 - Adopt “inclusive design” strategies in agency website to introduce sensitivity to the needs of the LEP population.
 - Engage the help of community advocates with expertise in the culture, language, and values of the local ethnic community to assist in reaching and mobilizing the LEP community.
4. Periodically evaluate the effectiveness of the PPP to assess whether it has been successful in creating opportunities for meaningful involvement for the LEP population.

Monitoring and Updating the Language Assistance Program

This document is designed to be flexible and easy to modify. H-GAC will review and update its language assistance program periodically to ensure that it is responsive to the specific needs represented in the planning region. Copies of this plan may be obtained by downloading from the H-GAC website. Persons without Internet access may request a copy by writing the H-GAC Public Outreach Manager at the address listed below. Any questions or comments regarding this plan should also be directed to the H-GAC Public Outreach Manager or the EEO Coordinator.

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TPC Agenda 08
Mailout - 7/21/17

Resolution

NO. 2017-15

ADOPTING THE PUBLIC PARTICIPATION PLAN

WHEREAS, the Houston-Galveston Area Council developed the Public Participation Plan (PPP) to ensure an open transportation planning process that supports early and continued involvement, timely public notice, and full public access to information regarding key transportation decisions; and

WHEREAS, the PPP is intended as a guide for the public, policy-makers, and staff that outlines strategies for disseminating information and responding to public comment; and

WHEREAS, the Houston-Galveston Area Council initiated a 45-day public comment period for the updated draft of the PPP from June 5, 2017 through July 19, 2017 and held a public meeting on June 29, 2017; and

WHEREAS, revisions were made to the draft PPP due to public comment received at the public meeting, from members of the Technical Advisory Committee, and from members of the Transportation Policy Council; and

WHEREAS, the updated PPP will replace the Public Participation Plan adopted in 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE TRANSPORTATION POLICY COUNCIL FOR THE HOUSTON-GALVESTON AREA COUNCIL'S METROPOLITAN PLANNING ORGANIZATION THAT THE PUBLIC PARTICIPATION PLAN IS HEREBY ADOPTED.

PASSED AND APPROVED this 28th day of July 2017, at a regularly called meeting of the Transportation Policy Council for the Houston-Galveston Area Council's Metropolitan Planning Organization.

APPROVED:

Hon. Matt Sebesta, Chairman
Transportation Policy Council

ATTEST:

Hon. Tom Reid, Secretary
Transportation Policy Council

RESOLUTION FOR APPROVAL OF THE PUBLIC PARTICIPATION PLAN

Background

The Public Participation Plan (PPP) is in accordance with 23 CFR 450.316 which requires the metropolitan planning organization to create opportunities for public involvement and participation in the transportation planning process.

The PPP addresses public involvement in the following areas:

1. Provides adequate public notice of public participation activities with sufficient time for public review and comment on key decisions.
2. Provides timely notice and reasonable access to information about transportation issues and processes.
3. Utilizes visualization techniques and innovative communication tools to engage the public and stakeholders in the planning process.
4. Makes public information available in electronically accessible formats and in a variety of formats to reach a larger audience.
5. Holds public meetings at convenient and accessible locations and times.
6. Demonstrates consideration and response to public input received during the development of plans and programs.
7. Considers the needs of those traditionally underserved by existing transportation systems.
8. Provides additional opportunity for public comments if the final RTP or TIP differs significantly from the version that was prepared for public comment.
9. Coordinates with statewide and regional transportation planning involvement consultation processes.
10. Reviews the effectiveness of the procedures and strategies in the PPP to ensure a full and open participation process.

Current Situation

Public outreach staff developed the last version of the PPP in 2012 and recently updated the plan to accurately reflect the MPO's public involvement process and recent changes in federal regulations.

H-GAC staff sought early review and comment on the updated draft of the PPP from representatives from TAC and TPC in June. In addition, a 45-day public comment period began on June 5 and ended on July 19. H-GAC held a public meeting on June 29, 2017. Recommendation from TAC and adoption of the of the final draft by TPC will be sought at the July 2017 meetings.

Requested Action

Approval of Resolution No. 2017-15, adopting the updated Public Participation Plan (PPP).

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APPENDIX E

**BYLAWS OF THE H-GAC BOARD AND
TRANSPORTATION POLICY COUNCIL**

H-GAC BOARD OF DIRECTIONS BYLAWS AND OPERATING PROCEDURES

ARTICLE I - ORGANIZATION AND PURPOSE

Section 1

The Houston-Galveston Area Council is the voluntary association of local governments for Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Walker, Waller, and Wharton counties comprising the Gulf Coast State Planning Region designated by the Governor of Texas.

Section 2

The Houston-Galveston Area Council's purpose is to assist local governments in serving today and helping to plan for tomorrow. The Houston-Galveston Area Council shall function as a Regional Planning Commission under Ch. 391 of the Texas Local Government Code and may exercise powers conferred on it by State Law or by its member local governments.

ARTICLE II - MEMBERSHIP

Section 1

Membership in the Houston-Galveston Area Council shall be voluntary. Any County, City, or Independent School District located in whole or in part within the Gulf Coast State Planning Region may become a member by appropriate action of its governing body, and payment of dues.

Section 2

A member of the Houston-Galveston Area Council may withdraw from membership by action of its governing body. Governmental entities may be readmitted to membership by complying with the provisions of Section 1 of this Article.

ARTICLE III – GENERAL ASSEMBLY

Section 1 - Membership

The General Assembly shall consist of delegates from all member governmental entities of the Council.

Section 2 - Composition

All members of the General Assembly shall be elected officials of the Commissioner's Court, City Council, or Independent School District Board of Trustees which they represent.

- The Commissioners' Court of each member County shall select two (2) elected officials as representatives and two (2) elected officials as alternates to the General Assembly, all of whom shall be members of the Commissioners' Court.
- The City Council of each member city having a population of 100,000 or more according to the most recent Federal Census shall select two (2) of its members as representatives and two (2) of its members as alternates to the General Assembly.
- Each member city with a population not in excess of 99,999 according to the most recent Federal Census shall select one (1) member of its governing body as its representative and one (1) member of its governing body as an alternate to the General Assembly.
- Each member independent school district shall select one (1) member of its governing body as its representative and one (1) member of its governing body as an alternate to the General Assembly.
- In the event that a representative to the General Assembly becomes ineligible to serve or resigns, the representative's duly appointed alternate shall assume the duties and exercise the powers of that representative. In the event that a representative to the General Assembly is unable to attend a meeting of the General Assembly, the representative's duly appointed alternate shall assume the duties and exercise the powers of that representative for that meeting.

ARTICLE IV – GENERAL ASSEMBLY MEETINGS

Section 1 - Meetings

The Chair shall call an Annual Meeting of the General Assembly in the first quarter of each year. The Annual Meeting's principal business will be to hear a report of the Houston-Galveston Area Council's activities for the preceding year and to determine the Council's officers for the current year.

ARTICLE V – OFFICERS AND ELECTION

Section 1 - Officers

The Officers of the Houston-Galveston Area Council will be Chair, Chair Elect, and Vice Chair. All officers shall be members of the General Assembly and the Board of Directors.

Section 2 - Officer Nominations

The Chair shall annually appoint an Elections Committee, which shall consist of not less than three, nor more than five members of the Board of Directors, including any past presidents or past chairs currently

serving on the Board of Directors. The Elections Committee shall recommend nominees for the offices listed in Section 1 for consideration by the Board of Directors. The Board of Directors will select nominees for Officers not less than one month before the Annual Meeting of the General Assembly.

Section 3 - Officer Election

A ballot containing the Board of Directors recommended officer nominees shall be mailed to each representative of the General Assembly at least fifteen days prior to the Annual Meeting. The Ballot shall allow write-in votes to be cast for each position. Ballots shall be sealed and returned to the Elections Committee for tabulation in accordance with the instructions on the ballot form.

Section 4 - Ballot Tabulation

The Elections Committee shall receive the sealed ballots immediately prior to the Annual Meeting. The Elections Committee shall open and tabulate all ballots and shall announce its tabulation at the Annual Meeting. Officers shall be elected by a simple majority of the ballots cast.

Section 5 - Officer Vacancies

Should a vacancy occur in the office of the Chair, the Chair Elect shall become Chair for the balance of the unexpired term. Should a vacancy occur in the office of Chair Elect, the Vice Chair shall become Chair Elect for the balance of the unexpired term. Should a vacancy occur in the office of Vice Chair, the Elections Committee shall submit the name of a member of the Board of Directors to serve the balance of the unexpired term. Additional nominations by the Board of Directors shall be in order. Election shall be through a simple majority of the Board of Directors.

ARTICLE VI – BOARD OF DIRECTORS

Section 1 - Responsibility and Officers

The Board of Directors shall be the governing body of the Houston-Galveston Area Council. It shall be responsible for the general policies and programs of the Houston-Galveston Area Council and for control of its funds. The Chair of the Houston-Galveston Area Council, or if absent, the Chair Elect, or if absent, the Vice Chair, shall preside at meetings of the Board of Directors. In the event all officers are absent, members present shall designate a presiding officer. The Vice Chair shall also serve as Chair of the Board's Finance and Budget Committee and shall attest the official actions of the Board as necessary.

Section 2 - Terms and Method of Appointment

The Board of Directors of the Houston-Galveston Area Council shall serve terms of one year to begin January 1 and shall be composed of representatives of the General Assembly as follows:

- One (1) representative and one (1) alternate from each member County except Harris County, which shall have two (2) representatives and two (2) alternates, selected by the Commissioners' Court of each member County.
- One (1) representative and one (1) alternate from each member Home Rule City over 25,000 population except the City of Houston which shall have two (2) representatives and two (2) alternates, selected by the City Councils of such member cities.
- The Houston Independent School District General Assembly representative and alternate;
- Two (2) representatives and two (2) alternates representing all member Home Rule Cities, with populations under 25,000, selected by and from the General Assembly representatives of member Home Rule Cities by mutually agreeable procedure.
- Two (2) representatives and two (2) alternates representing all member General Law Cities, selected by and from the General Assembly representatives of member General Law Cities by mutually agreeable procedure.
- One (1) representative and one (1) alternate representing all member independent school districts, other than the Houston Independent School District, selected by and from the General Assembly representatives of member independent school districts by mutually agreeable procedure.
- In the event that a representative to the Board of Directors becomes ineligible to serve or resigns, the representative's duly appointed alternate shall assume the duties and exercise the powers of that representative. In the event a representative to the Board of Directors is unable to attend a meeting of the Board of Directors, the representative's duly appointed alternate shall assume the duties and exercise the powers of that representative for that meeting.
- The Board Chair shall appoint a member of the state legislature as an ex-officio non-voting member of the Board of Directors. The term of this member will be coterminous with the term of the Chair.

Section 3 - Meetings

The Board of Directors shall meet monthly at a time and place it shall designate. Special meetings of the Board of Directors may be called by the Chair or by written request of at least four (4) members of the Board of Directors.

Section 4 - Quorum

A simple majority of the Board of Directors shall constitute a quorum for the transaction of all business. When a quorum is present, the majority vote of members present shall decide any question under consideration, except Bylaw amendments.

Section 5 - Rules of Procedure

The Board of Directors may establish rules of procedure for its meetings to assure efficient and orderly transaction of business.

Section 6 - Committees

Committees may be created, modified, or dissolved upon recommendation of the Chair and confirmation by the Board of Directors.

ARTICLE VII – EXECUTIVE DIRECTOR

Section 1 - Employment

The Board of Directors shall employ an Executive Director who shall serve at the pleasure of the Board of Directors.

Section 2 - Responsibilities of Executive Director

The Executive Director shall be the chief administrative officer of the Houston-Galveston Area Council, and shall, subject to the rules and regulations of the Board of Directors, act for and in the name of the Houston-Galveston Area Council and appoint and remove all subordinate employees of the Houston-Galveston Area Council. The Executive Director shall, subject to the rules and regulations of the Board of Directors, acquire and/or dispose of all materials, equipment and property required for the operation of the Houston-Galveston Area Council.

ARTICLE VIII – FINANCE

Section 1 - Dues Schedule

Each member of the Houston-Galveston Area Council shall pay annual dues on the basis of the following schedule:

- Counties, cities, and towns shall pay annually \$200.00 or four cents (\$.04) per capita, whichever is greater.
- Population figures shall be as set forth in the most recent Federal Census.
- School Districts shall pay annually \$200.00 each or three cents (\$.03) per Average Daily Attendance for the most recent Federal Census year, whichever is greater.

Section 2 - Annual Dues

Each member shall pay an amount equal to one year's dues to the Houston-Galveston Area Council

within thirty (30) days from the date of joining. Annual dues shall be paid by January 1 of each calendar year.

Section 3 - Members in Arrears

A member more than six months in arrears in its dues may be denied voting privileges until dues are paid.

Section 4 - Fund Sources

The Houston-Galveston Area Council may apply for, contract for, receive and expend funds from the State of Texas, the Federal Government, or any other source. The Houston-Galveston Area Council shall have no power to tax.

Section 5 - Depository and Expenditures

Funds of the Houston-Galveston Area Council shall be kept in a depository designated by the Board of Directors and shall be expended in accordance with policies adopted by the Board of Directors.

Section 6 - Bond and Insurance

The Board of Directors shall maintain Fidelity Bond coverage of a type and amount sufficient to reasonably safeguard the assets of the Council. The Board of Directors shall also maintain such other insurance, including Directors and Officers Liability Insurance, as it deems prudent.

Section 7 - Fiscal Year

The fiscal year of the Houston-Galveston Area Council shall be the Calendar Year.

Section 8 - Annual Service Plan and Budget

The Executive Director shall prepare an annual budget and service plan setting out recommended program and financial priorities for the Council. The recommended budget and service plan shall be presented in the fourth quarter of each year and shall take effect the following January 1 upon approval by the Board of Directors.

ARTICLE IX

Section 1 - Annual Report

The Council shall prepare an annual report which shall be submitted to all member governmental units.

Section 2 - Annual Audit

An audit of the Council's financial accounts and transactions during the preceding fiscal year shall be

made annually by independent certified public accountants selected by the Board of Directors. The annual financial report and audit report shall be presented to the Board of Directors upon its completion.

ARTICLE X

Section 1 - Proposed Amendments

The Board of Directors may propose amendments to these bylaws.

Section 2 - Proposed Amendment Ballot

Any proposed amendment must be fully set out in writing as a ballot and furnished to each member of the Board of Directors, at least fourteen (14) days in advance of the meeting at which amendments are to be acted upon. Each member of the Board of Directors shall execute and return the ballot in a sealed envelope in accordance with instructions contained in the ballot for tabulation by the Elections Committee. Bylaws may be amended by a three-quarters affirmative majority vote of the Board of Directors.

TRANSPORTATION POLICY COUNCIL BYLAWS AND OPERATING PROCEDURES

As Amended on January 25, 2013

The following rules shall govern the procedures and composition of the Transportation Policy Council:

A. Functions

The Transportation Policy Council (TPC) shall serve as the Policy Board for the Metropolitan Planning Organization (MPO) identified in the Governor's MPO designation. The Transportation Policy Council shall also provide regular and continuing routine guidance to Multimodal Transportation Planning efforts in the Houston-Galveston Transportation Management Area conducted by entities including, but not limited to, the Texas Department of Transportation, the Houston-Galveston Area Council (H-GAC), city and county governments, the Metropolitan Transit Authority (MTA) of Harris County, special purpose governments, regional planning agencies, and other political subdivisions of the State of Texas.

The Transportation Policy Council shall examine the adequacy and appropriateness of the continuing transportation planning process and shall review various agreements entered into for the execution of transportation planning and review the Unified Planning Work Program (UPWP) and recommend it for inclusion in the H-GAC overall Program Design Budget. The Transportation Policy Council shall endorse the Transportation Improvement Program (TIP) and recommend its consistency to H-GAC as the Regional Clearinghouse. The Transportation Policy Council shall review annually such other documentation which requires approval by responsible local officials. The Transportation Policy Council may recommend projects or studies to be implemented by HGAC. The H-GAC Board of Directors shall serve as the contracting agent for the Transportation Policy Council. The Transportation Policy Council shall advise the H-GAC Board of Directors on transportation programs and issues. The Transportation Policy Council shall approve region-wide transportation plans and/or revisions thereof, and promote the adoption and implementation of such plans by the various levels of government. The Council shall also function as a forum for public discussion relating to transportation planning in the Houston-Galveston Transportation Management Area.

B. Membership

Each of the entities listed below shall be entitled to designate one or more members to the Transportation Policy Council, as indicated in the table below. All members of the Transportation Policy Council shall be local elected officials, officials of public agencies that administer or operate major modes of transportation in the Houston-Galveston Transportation Management Area, or appropriate officials of the Texas Department of Transportation. With respect to cities and counties with one member, the member shall be the chief elected official, the chief administrative officer, or another designated official. With respect to cities or counties with more than one member, additional officials shall also be designated.

The voting members of this Council shall be limited to twenty-eight (28) members. Voting membership is as follows:

VOTING MEMBERSHIP

City of Baytown	1
City of Conroe	1
City of Galveston	1
City of Houston	3
City of League City	1
City of Missouri City	1
City of Pasadena	1
City of Pearland	1
City of Sugar Land	1
City of Texas City	1
County of Brazoria	1
County of Chambers	1
County of Fort Bend	1
County of Galveston	1
County of Harris	2
County of Liberty	1
County of Montgomery	1
County of Waller	1
Metropolitan Transit Authority	1
Texas Department of Transportation	2
Houston-Galveston Area Council	1
At-large city appointee by H-GAC for Harris County or designated city	1
<i>Other Transportation Interests</i> appointee by the TPC	1
Gulf Coast Rail District	1
TOTAL	28

Cities not otherwise having designated voting membership but having a population of 50,000 according to the official decennial census shall have voting membership on the TPC effective after the decennial census has been published.

Members shall serve a term of one calendar year. Thirty days prior to the end of their terms, the chief elected official or head and/or board of the entity which they represent shall be requested by the Secretary to name the representative for the next term. The Nominating Committee for the TPC shall recommend an *Other Transportation Interests* representative for appointment by the TPC.

Any entity with more than one member shall name an elected official to at least one of the positions. The Chairman may appoint such other nonvoting ex-officio representatives on the TPC as may be appropriate, subject to approval of a majority of the voting membership.

C. Alternate Members

Each voting member may have a designated alternate member who may serve at any Transportation Policy Council meeting in the voting member's absence. Alternate members must be appointed in the same manner as the voting members and must qualify as local elected officials, officials of public agencies that administer or operate major modes of transportation in the Houston-Galveston Transportation Management Area, appropriate officials of the Texas Department of Transportation or another designated official. An appointed alternate member will have the rights and privileges of a voting member when serving in the absence of such member.

D. Officers

The Transportation Policy Council shall elect a Chairman, a First Vice Chairman, a Second Vice Chairman, Past Chairman and a Secretary, each to serve for a term of one (1) year. Elections shall be held at the first meeting of each calendar year. The Chairman shall appoint a nominating committee of three (3) members in November prior to the first meeting of each calendar year for the purpose of bringing before the Council a slate of officers for consideration. The TPC Chair shall serve as Chair for no more than three consecutive years. In the event a duly elected officer is unable to serve the entire term of office, and the remaining officers shall concur in appointing a Council member to serve the remainder of the unexpired term, and this appointment shall be subject to approval by the majority of the Council membership present at the next called meeting.

E. Vacancies

Each member shall be eligible to serve during the term as long as the member occupies the position held at the time of selection. In the event that a voting member becomes ineligible or unable to serve, a new member named by the chief elected official or the head and/or board of the appropriate governmental unit shall be allowed to assume the position of the ineligible member on the council. Changes of voting members can be made by a chief elected official or the head and/or board of the appropriate governmental unit at any time.

F. Quorum

Fifty-one percent (51%) of the total Council voting membership shall constitute a quorum for the transaction of business at all meetings.

G. Meetings

All meetings of the Transportation Policy Council shall be governed by *Robert's Rules of Order*. The Chairman shall call meetings of the Council at least four (4) times annually or when requested in writing by five (5) or more of the voting members. The Chairman shall in a written notice of the meeting designate the time and place and indicate in an official agenda the business to be transacted or considered. The written notice of each meeting shall be provided electronically or mailed to each member of the Council at least fourteen (14) days prior to the meeting. In the absence of the Chairman, the First Vice Chairman and Second Vice Chairman from a regular or special meeting of the Council at which a quorum is present, the remaining members present shall elect a presiding officer who shall serve until the conclusion of that meeting or until the arrival of the Chairman or the First or Second Vice Chairman. Opportunities for public comments shall be provided subject to guidelines established by the Transportation Policy Council (Attachment A).

H. Ethics

Members of the Transportation Policy Council and employees of the MPO shall not accept or solicit gifts or favors that might reasonably tend to influence them in their discharge of their official duties. Additionally, members of the Transportation Policy Council and employees of the MPO shall not accept other employment or compensation that could reasonably be expected to impair their independence of judgment in the performance of their official duties. Neither a member of the Transportation Policy Council nor an employee of the MPO shall make personal investments that could reasonably be expected to create a conflict between the member's or employee's private interest and the public interest. The "Ethics Policy" adopted by the Transportation Policy Council provides more detailed guidance about the conduct of policy board members and MPO employees. (Attachment B).

I. Minutes

Minutes of all meetings shall be the responsibility of the Secretary and shall be kept and recorded by persons furnished to the Council for this purpose by the administrative support for the Transportation Policy Council. Minutes of each meeting shall be submitted to each member of the Council over the Secretary's signature. Minutes shall be distributed electronically or by mail with notice for the next scheduled meeting.

J. Administrative Support

H-GAC, as the designated MPO, shall provide administrative support to the Transportation Policy Council.

K. Committees

The Transportation Policy Council shall be assisted and advised by a Technical Advisory Committee which shall be representative of local government, transportation modes, and other interests which should be considered in accomplishing its purpose. The Transportation Policy Council shall approve the Technical Advisory Committee's composition. As appropriate, it may adopt policies and procedures for the Technical Advisory Committee. The Transportation Policy Council may create other such ad hoc committees or technical committees as the voting membership deems appropriate for the furtherance of its function.

L. Amendments

These Bylaws may be amended by a two-thirds majority vote of the Transportation Policy Council members or their designated alternates in attendance at any duly called meeting wherein an official quorum is present provided, however, that any such proposed amendments are fully set out in writing and furnished to each member fourteen (14) days in advance of the meeting where the action is to be taken.

Adopted June 12, 1981, Effective July 1, 1981
Revised September 25, 1992; November 13, 1992; December 18, 1998; May 27, 2005; November 20, 2009; February 24, 2012; January 25, 2013.

ATTACHMENT A

Transportation Policy Council Meetings for the Houston-Galveston Transportation Management Area

PROCEDURES FOR PUBLIC COMMENTS

The Transportation Policy Council (TPC) encourages public comments on any and all matters relevant to regional transportation planning. To assure fair and equitable opportunities for all citizens desiring to address the TPC, the following public comment procedures have been established:

Public Comments on Agenda Items

Public comments related to agenda items will be allowed at the start of the meeting before the business section of the agenda. Comments will be limited to three (3) minutes and the applicant must sign up at least five minutes before the start of the meeting. A person may not reserve time to appear more than once per meeting. Persons wishing to address more than one agenda item may do so during their allotted time.

An agenda and sign-up sheet will be made available at the meeting place at least fifteen (15) minutes prior to the start of the meeting.

Other Public Presentations

Other public presentations not related to business indicated on the agenda must be submitted to the Chairman twenty-one (21) days in advance of the regular meeting and will be added to the agenda at the Chairman's discretion. If approved as an agenda item, the presentation will be limited to ten minutes.

Requests to deliver such a presentation should be submitted in writing to:

Chairperson
Transportation Policy Council Houston-Galveston
Area Council
P. O. Box 22777
Houston, TX 77227

Written Comments

The TPC welcomes written comments relating to agenda items or other regional transportation planning concerns. For written comments exceeding three (3) standard 8 1/2" x 11" pages, twenty-five (25) copies must be provided. Written comments should be sent to the TPC Chairman at the above address

Invited Comments

The Chairman may at any time during the meeting invite comments from the audience.

Information Required

The following information will be required of all persons making either oral or written comments:

1. Full name
2. Affiliation (if applicable)
3. Mailing address

Agenda Item(s) or topic to be addressed

ATTACHMENT B

Transportation Policy Council for the Houston-Galveston Transportation Management Area

ETHICS POLICY

The Transportation Policy Council is committed to conducting its business in an ethical and open manner. To ensure ethical conduct by members of the Transportation Policy Council and its employees, the following rules have been adopted:

Transportation Code Requirements

- No policy board member or employee of the MPO may accept or solicit any gift, favor or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct.
- No policy board member or employee of the MPO may accept other employment or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position.
- No policy board member or employee of the MPO may accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of official duties.
- No policy board member or employee of the MPO may make personal investments that could reasonably be expected to create a conflict between the member's or employee's private interest and the public interest.
- No policy board member or employee of the MPO may intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised official powers or performed the official duties in favor of another.

Chapter 171, Local Government Code Requirements

- If a policy board member has a substantial interest in a business entity or in real property, the policy board member shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:
 - (1) in the case of a substantial interest in a business entity, the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public;
or
 - (2) in the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

- If a policy board member is required to file and does file an affidavit, the policy board member is not required to abstain from further participation in the matter requiring the affidavit if a majority of the policy board members are likewise required to file and do file affidavits of similar interests on the same official action.
- The policy board shall take a separate vote on any budget item specifically dedicated to a contract with a business entity in which a member of the policy board has a substantial interest. Except as provided in the preceding paragraph, the member may not participate in that separate vote. The member may vote on a final budget if:
 - (1) the member has complied with Chapter 171, Local Government Code, and
 - (2) the matter in which the member is concerned has been resolved.
- A person has a substantial interest in a business entity if:
 - (1) the person owns 10 percent or more of the voting stock or shares of the business entity or owns either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or
 - (2) funds received by the person from the business entity exceed 10 percent of the person's gross income for the previous year.
- A person has a substantial interest in real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more.
- A policy board member is considered to have a substantial interest if a person related to the policy board member in the first degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a substantial interest.
- A county judge or county commissioner engaged in the private practice of law has a substantial interest in a business entity if the official has entered a court appearance or signed court pleadings in a matter related to that business entity.
- A policy board member may not act as surety for a business entity that has work, business or a contract with the Transportation Policy Council.

Chapter 176, Local Government Code Requirements

- A policy board member shall file a conflicts disclosure statement in the form prescribed by the Texas Ethics Commission with respect to a person who enters or seeks to enter into a contract with the Transportation Policy Council or with respect to the agent of a person who enters or seeks to enter into a contract with the Transportation Policy Council if:
 - (1) the person enters into a contract with the Transportation Policy Council or the Transportation Policy Council is considering entering into a contract with the person; and
 - (2) the person:
 - (A) has an employment or other business relationship with the policy board member or a family member of the policy board member that results in the member or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding

the date that the policy board member becomes aware that:

- (i) a contract described by (1) above has been executed; or
- (ii) the Transportation Policy Council is considering entering into a contract with the person; or

B) has given to the policy board member or a family member of the policy board member one or more gifts that have an aggregate value of more than \$250 in the 12- month period preceding the date the policy board member becomes aware that:

- (i) a contract described by (1) above has been executed; or
- (ii) the Transportation Policy Council is considering entering into a contract with the person.

- A policy board member is not required to file a conflicts disclosure statement in relation to a gift accepted by the member or a family member of the member if the gift is:

- (1) given by a family member of the person accepting the gift;
- (2) a political contribution as defined by Title 15, Election Code; or
- (3) food, lodging, transportation, or entertainment accepted as a guest.

- A policy board member shall file the conflicts disclosure statement with the records administrator of the Transportation Policy Council not later than 5 p.m. on the seventh business day after the date on which the policy board member becomes aware of the facts that require the filing of the statement.
- The Transportation Policy Council may extend the requirements of Chapter 176 to any employee of the MPO who has the authority to approve contracts on behalf of the Transportation Policy Council. The Transportation Policy Council shall identify each employee made subject to Chapter 176 and shall provide a list of the identified employees on request to any person.
- The Transportation Policy Council shall provide access to the disclosure statements and questionnaires required to be filed under Chapter 176 on its website, if it has a website.
- Agent means a third party who undertakes to transact some business or manage some affair for another person by the authority or on account of the other person.
- Business relationship means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (1) transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (2) a transaction conducted at a price and subject to terms available to the public; or

(3) purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

- Contract means a written agreement for the sale or purchase of real property, goods, or services.
- Family member means a person related to another person within the first degree by consanguinity or affinity, as described by Subchapter B, Chapter 573, Government Code, except that the term does not include a person who is considered to be related to another person by affinity only as described by Section 573.024(b), Government Code.
- Goods means personal property.
- Investment income means dividends, capital gains, or interest income generated from:

(1) a personal or business checking or savings account, share draft or share account, or other similar account;

(2) a personal or business investment; or

(3) a personal or business loan.

Incorporation of Statutes:

All provisions of Section 472.034, Transportation Code, Chapter 171, Local Government Code, and Chapter 176, Local Government Code, are intended to be incorporated into this ethics policy. In the case of any uncertainty as to the applicability of any of these statutes, the policy board member or employee should refer to the actual statutes.

Penalties:

Any employee who violates the Ethics Policy is subject to termination or other employment related sanctions. Any policy board member or employee of the MPO who violates the Ethics Policy is subject to applicable civil or criminal penalty if the violation also constitutes a violation of a state statute or rule.

Distribution:

Upon adoption of the Ethics Policy by the Transportation Policy Council, a copy shall be distributed to each policy board member and MPO employee.

The Ethics Policy adopted by the Transportation Policy Council shall be provided to each new employee no later than three (3) business days after the date on which the person begins employment.

The Ethics Policy adopted by the Transportation Policy Council shall be provided to each new policy board member no later than three (3) business days after the date on which the person qualifies for office.

Multiple Ethics Policies:

Because employees of the MPO are subject to the H-GAC Ethics Policy as well as the Transportation Policy Council's Ethics Policy, in cases of conflict between the two ethics policies, the H-GAC Ethics Policy prevails.

APPENDIX F

**CALCULATING CONCENTRATION THRESHOLDS
FOR ENVIRONMENTAL JUSTICE INDICATORS**

Calculating Concentration Thresholds for Environmental Justice Indicators

The concentration threshold represents the value at which an environmental justice indicator for a populated zone is high enough to warrant identifying the zone as environmental justice sensitive for that socio-economic indicator. A zone is considered to have a high concentration when the zonal average for the socio-economic indicator exceeds the average for the entire region plus one standard deviation.

To calculate the concentration threshold for an environmental justice indicator, the average value of the indicator in question is summed for each zone and divided by the total number of zones in the region. The zonal average value for each indicator is obtained by dividing the size of the population in the zone characterized by the indicator by the relevant universe. The equations to determine percentages in a zone for each indicator are as follows:

1. Minority Population

$$\% \text{ of Minority Population} = \frac{(\text{Total Population}) - (\text{White, Not Hispanic Population})}{(\text{Total Population})}$$

2. Low Income Households

$$\% \text{ of Low-Income Households} = \frac{(\text{Households with Income below Poverty Level})}{(\text{Total Households})}$$

3. Senior Population

$$\% \text{ Population Age 65 and over} = \frac{(\text{Population 65 years and over})}{(\text{Total Population})}$$

4. Limited Educational Attainment (Age 25 or older without high school diploma)

$$\% \text{ of Limited Educational Attainment} = \frac{(\text{Population Age 25 or older without HS diploma})}{(\text{Total Population Age 25 or older})}$$

5. Zero Automobile Ownership

$$\% \text{ of Households with Zero Automobiles} = \frac{(\text{Households with no Automobiles})}{(\text{Total Households})}$$

6. Female Head of Households

$$\% \text{ of Female Headed Households} = \frac{(\text{Households with Female Household Head})}{(\text{Total Households})}$$

7. Limited English Language Proficiency

% Limited English Proficiency =

$$\frac{(\text{Population that Speak English, "Not Well"}) + (\text{Population that Speak English "Not at All"})}{(\text{Total Population Age 5 or Older})}$$

8. Disabled Population

$$\% \text{ of Disabled Population} = \frac{(\text{Number of Disabled Persons})}{(\text{Total Population})}$$

APPENDIX G

**STAKEHOLDER AGENCY SURVEY
REGIONALLY COORDINATED TRANSPORTATION
PLAN**

Agency Survey

Regionally Coordinated Transportation Plan

The Houston-Galveston Area Council (H-GAC), in partnership with the Texas Department of Transportation-Public Transportation Division, is conducting a survey of Stakeholder Agencies relative to opportunities for improved regional coordination. The information from the survey will be incorporated into an update of the Gulf Coast Regionally Coordinated Transportation Plan (RCTP). Your assistance in responding to this survey will directly influence the plan's recommendations and ultimately result in an action plan designed to enhance local efforts for better coordination.

Please complete the survey by November 14, 2016 or sooner if possible. If special assistance is needed contact - Lydia Abebe by phone at (713) 993-4501 or by email to Lydia.abebe@h-gac.com. Thank you for your cooperation.

Section 1: Organizational Characteristics

1. Identity of Organization

Agency Name	<input type="text"/>
Contact Person	<input type="text"/>
Title	<input type="text"/>
Mailing Address	<input type="text"/>
City	<input type="text"/>
State	<input type="text"/>
Zip	<input type="text"/>
Fax	<input type="text"/>
Telephone	<input type="text"/>
E-mail	<input type="text"/>

2. Please provide a brief description of your agency or program.

3. Your Agency Type (*Check one only*)

- Government (city or county)
- Public (Federal/State/HHS)
- Private non-profit

Private for-profit

Other

4. Identify the client population your agency serves: (Check all that apply & include each individual in one group only, when estimating a “percentage” of total).

General Population _____%

Persons with low-income _____%

Seniors, 65+ _____%

People with disabilities _____%

Veterans _____%

Children & Youth _____%

Persons with limited English proficiency _____%

Others: _____%

5. What are the major functions/services of your organization? (Check all that apply).

Transportation

Diagnosis/Evaluation

Health Care

Job Placement

Social Services

Residential Facilities

Nutrition

Income Assistance

Counseling

Screening

Day Treatment

Information/Referral

Job Training

Recreation/Social

Employment

Homemaker/Chore

Rehabilitation Services

Other _____

6. How does your agency assist consumers with transportation information? (Check all that apply)

- We don't assist or aid clients with transportation in any manner
- Provide clients with transit agency passenger guides/schedules.
- Refer clients to transit agency guides or websites
- Plan trips for clients using Google Transit or an on-line trip planner
- Make telephone calls on behalf of riders
- Use 211 Resources to provide information to clients
- Other _____

7. Please indicate the transportation services provided by your agency. (Check all that apply)

- No transportation operated, contracted or arranged
- Operate transportation with full responsibility by this agency
- Arrange for volunteer drivers
- Provide assistance to obtain transportation; clients responsible for follow-up
- Mobility Management and Transportation
- Voucher/Subsidized Transportation
- Purchase of services provided by another entity under contract to your agency

Please specify

Section 2: Your Agency’s Transportation Needs

8. How often do your clients communicate difficulty with these transportation needs: (Rate all that apply)

	Often	Sometimes	Rarely	Not at All
Work Trips				
Medical Trips (doctor, dialysis)				
Essential Shopping (Groceries, Drug Store)				
Day Care or Elementary school trips				
After School Trips				
Weekday Trips				
Evening trips, before 10:00 p.m.				
Evening trips, after 10:00 p.m.				
Saturday trips				
Sunday trips				
Making same day reservations				
Accessibility/path of travel to bus stop				
Transfers				
Trips outside their county				
Trip planning and trip information				

9. Which transportation services are useful to your client base and with what frequency? (Rate all that apply)

	Often	Sometimes	Rarely	Not at All
METRO Rail				
Fixed-route service				
Demand Response				
Taxi Service				
Uber/Lyft Service				
Travel Training				
Weekday Service				
Saturday Service				
Sunday Service				
Escorted Door-to-Door Trips				
Escorted Door-thru Door Trips				

10. What are your clients' primary barriers in accessing needed transportation? Please identify.

Section 3: Local Coordination Efforts

11. Is there an organization or committee in your community that has been assigned with the responsibility of coordinating transportation services among transit providers, human service agencies, and consumers?

Yes

No

12. If "Yes", please identify the types of coordinated activities your agency participates in or is interested in:

	Now Providing?	Interested In?
Sharing vehicles	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative travel training	<input type="checkbox"/>	<input type="checkbox"/>
Joint purchasing of vehicles	<input type="checkbox"/>	<input type="checkbox"/>
Joint insurance purchasing	<input type="checkbox"/>	<input type="checkbox"/>
Joint staff training	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative public marketing and public information	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

13. What are the biggest constraints your organization encounters in providing and coordinating transportation services? (Check all that apply)

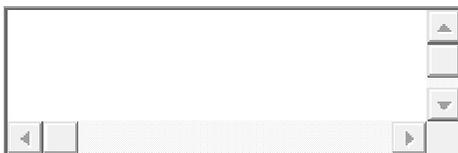
- Lack of funding to serve current need
- Lack of funding for service coordination
- Insurance (e.g. our insurance policy does not allow us to carry non-agency passengers, etc.)
- Inadequate existing fixed route service provided by your agency or another agency.
- State or other regulations are too restrictive regarding criteria for who is eligible for our transportation services
- Peak travel times for our clients are the same as nearby agencies limiting vehicle sharing
- Unaware of other transportation services in the area
- Unable to mix and coordinate grants from different agencies.
- Other (please specify)



14. Does your agency have any resources available for community transportation?

- Yes No

If "Yes", please identify the types of resources available:



15. In your opinion, is there sustained support for coordinated transportation planning among elected officials, agency administrators, and other leaders in the community you serve? (On a scale of 1– 4, with “1” representing a relatively low level of sustained support and “4” representing high level of sustained support, please check one answer)

Low Level

High Level

1

2

3

4

16. In your opinion, is there growing commitment among local elected officials, transit agencies, and human service organizations for coordinating human service transportation trips and maximizing resources? (On a scale of 1 – 4, with “1” representing a low level of commitment and “4” representing a high degree of commitment, please circle one answer)

Low Level

High Level

1

2

3

4

17. Is there an on-going process for identifying duplication of transportation services, underused assets, and service gaps in your service area? If yes, describe this process.

18. Is there a strategic plan to provide coordinated transportation in your community? If yes, explain your mission and goals and your plan to improve coordination.

19. In your opinion, what enhancements are most needed to improve the coordination of public transit and human service transportation in your service area?

20. If there are any other issues, concerns, or information relevant to this issue, please feel free to provide them in the spaces below.
